

A G E N D A



Recommendation for Council Action (Real Estate)

Austin City Council	Item ID:	38214	Agenda Number	58.
Meeting Date:	December 11, 2014			
Department:	Office of Real Estate Services			
Subject				
Approve an ordinance waiving certain annual license agreement fees required by City Code Chapter 14-11 and authorizing the reimbursement of certain annual license agreement fees.				
Amount and Source of Funding				
Funding is available in the 2014-2015 Operating Budget of the Austin Transportation Department.				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:	June 12, 2003 - Council approved Ordinance No. 030612-93 and waived annual license agreement fees for improvements that provide overhead pedestrian cover in the areas zoned central business district (CBD) and downtown-mixed use district (DMU). August 31, 2006 - Council approved Ordinance No. 20060831-068 and waived annual license agreement fees for improvements that provide overhead pedestrian cover regardless of the zoning.			
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Boards and Commission Action:				
MBE / WBE:				
Related Items:				

Additional Backup Information

In 2003 and 2006, Council waived annual license agreement fees for overhead pedestrian cover that is provided by a projection from a building including a balcony or awning or an arcade that is open to the street.

The ordinance approved in 2003 limited the waiver of fees for overhead pedestrian cover in certain zoning classifications. The 2006 ordinance expanded the waiver to overhead pedestrian covers regardless of the property's zoning classification.

The proposed ordinance will authorize the City Manager to waive license agreement fees for building projections or arcades that provide overhead pedestrian cover that were installed and subject to a license agreement and related fees prior to the changes made in 2003 and 2006. Additionally, this proposed ordinance will authorize the City Manager to

reimburse license agreement fees to individuals that actually paid the fees after 2003 or 2006. Reimbursement of fees shall not exceed \$400,000.

Through the adoption of the 2003 and 2006 ordinances, Council determined that providing overhead pedestrian cover provides a public benefit. Staff recommends the proposed ordinance so that there is consistency for all license agreement holders that provide this type of public benefit.