

A U S T I N C I T Y C O U N C I L

AGENDA



Thursday, November 16, 2006

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Economic Growth & Redevelopment Services RECOMMENDATION FOR COUNCIL ACTION

ITEM No 9

Subject Approve an ordinance setting the assessment rate and proposed 2007 assessment roll for the East 6th Street Public Improvement District (PID)

Amount and Source of Funding The 2007 assessment rate of \$0.10/\$100 valuation is estimated to produce \$41,214 at a 90% collection rate (Related to item #8)

Fiscal Note There is no unanticipated fiscal impact. A fiscal note is not required.

Additional Backup Material

(click to open)

- Ordinance
- E_6th_St_PID-2007 Assessment

For More Information Michael Knox, Downtown Officer, 974-6415, David Lloyd, Attorney, 974-2918

Prior Council Action Authorized the East Sixth Street PID on 8/26/04. Awarded the management contract to the Pecan Street Owners Association on 12/2/04.

The East Sixth Street Public Improvement District (PID) was created by Council on August 26, 2004. The Resolution outlined that the general nature of the services and improvements to be performed by the District were to include improved public safety, economic development, streetscape improvements, marketing and public relations, historic preservation, and accentuation of the historic character of the area. On December 2, 2004, the City Council authorized negotiation and execution of a management contract for the E Sixth St PID with the Pecan Street Owners Association, an organization representing property owners in the E Sixth St PID.

The E Sixth St PID comprises 112 properties lining E 6th St from I-35 to Congress Avenue. The assessment rate is \$0.10 / \$100 valuation, on the first \$500,000 of value. In 2007, the third year of the PID, this assessment rate is expected to generate \$41,251. To supplement this, the Pecan Streets Owners Association is proposing to raise an additional \$50,000. The City of Austin has also committed to provide \$43,500 per year for the first three years. This is the third year of funding. This action will approve the proposed East 6th Street Public Improvement District assessment rate and proposed roll for 2007. Approval of the proposed roll is necessary so that notices may be sent to the property owners, giving them an opportunity to review the property valuations prior to the public hearing. All previously approved exemptions and exclusions from assessments are retained in this year's roll. State law requires Council approval of a proposed roll (Council requested that this assessment process be timed so that it coincides with the receipt of other tax bills).

A related item sets a public hearing on Thursday, November 30, 2006 to consider the 2007 assessment roll for the E 6th Street PID. State law requires a public hearing by Council to consider the proposed assessments. Each property owner has a right to appear at the hearing. The Pecan Street Owners Association submitted a 2007 budget for the PID in the amount of \$132,588. This budget will be funded from a total projected revenue of \$136,588. This amount includes \$41,214 in 2007 assessments (at a 90% collection rate), (\$432) in collections from 2006, \$2,306 interest accrued in the PID Account and late payments, \$50,000 in donations to be raised by the PSOA, and a \$43,500 annual contribution from the City of Austin. \$4,000 of the total amount will be retained as a reserve fund to cover adjustments to assessments resulting from settlements between property owners and the Travis Central Appraisal District or court settlements. Approval of the proposed PID budget and the ordinance

adopting an assessment rate and proposed assessment roll are the first steps in the annual process of approving PID assessments

ORDINANCE NO.

AN ORDINANCE SETTING THE CALENDAR YEAR 2007 RATE OF ASSESSMENT FOR THE EAST SIXTH STREET PUBLIC IMPROVEMENT DISTRICT WITHIN THE CITY OF AUSTIN AND APPROVING A PROPOSED CALENDAR YEAR 2007 ASSESSMENT ROLL FOR THE DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that

- (A) Chapter 372 of the Texas Local Government authorized the creation of the East Sixth Street Public Improvement District (District)
- (B) On August 26, 2004, the City Council passed a resolution, which approved the creation of the District in accordance with its findings
- (C) The Council finds that the proposed assessment roll attached as Exhibit A, and incorporated in this ordinance, is necessary to fund improvements and services provided through the District

PART 2. The East Sixth Street Public Improvement District assessment rate for calendar year 2007 is set at ten cents per \$100.00 of property value. Property value is determined by the Travis Central Appraisal District appraisal, subject to an amendment to an assessment made by Council after a hearing.

PART 3. The Council directs that the proposed assessment roll attached as Exhibit A be filed with the City Clerk. The following property shall be excluded from the roll and exempted from payment of the assessment:

- (A) City property used for a public purpose,
- (B) property owned the County, or a political subdivision of the State of Texas and used for a public purpose,
- (C) property exempt from taxation under Section 11.20 (*Religious Organizations*) of the Texas Property Tax Code,
- (D) property used exclusively for school purposes, as identified by the Travis Central Appraisal District records,

- 1 (E) property owned by an association engaged in promoting the religious,
2 educational, and physical development of boys, girls, young men, or young
3 women operating under a state or national organization and used exclusively
4 for that purpose, including property owned by the Austin Independent
5 School District,
- 6 (F) property owned by an institution of purely public charity, as identified by the
7 Travis Central Appraisal District records,
- 8 (G) property used primarily for a recreational, park, or scenic purpose during the
9 calendar year immediately preceding the effective date of this ordinance,
- 10 (H) property owned by a utility that is located in public streets or rights-of-way,
- 11 (I) property used as a residence that fits the definition of a homestead in Section
12 41 002 of the Texas Property Code,
- 13 (J) a hospital, and
- 14 (K) the valuation over \$500,000 of all properties liable for assessment

15 **PART 4.** The City Council approves the attached Exhibit "A" as the proposed calendar
16 year 2007 assessment roll for the District

17 **PART 5.** The provisions of this ordinance are severable. If any provision of this
18 ordinance or its application to any person or circumstances is held invalid, the invalidity
19 does not affect other provisions or applications of this ordinance

20 **PART 6.** This ordinance takes effect on _____, 2006

21 **PASSED AND APPROVED**

22 _____, 2006

23 §
24 §
25 §

26 Will Wynn
27 Mayor

28
29
30 **APPROVED:** _____
31 David Allan Smith
32 City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

**CITY OF AUSTIN
EAST SIXTH STREET PUBLIC IMPROVEMENT DISTRICT
2007 ASSESSMENT**

Based on 10/16/06 TCAD tax roll

Litigation	Parcel	Owner	Land		Improvement		Total		Exemption		Net	
			Assessed	Value	Assessed	Value	Assessed	Value			Assessed	Value
	02-0603-0613 0000	WALTON STACY OFFICE	1 472 000		203 000		1 675 000		1 175 000		500 000	500 00
	02-0603-0615 0000	WALTON STACY OFFICE	2 980 800		5 987 928		8 968 728		8 468 728		500 000	500 00
	02-0603-0616 0000	WALTON STACY OFFICE	2 980 800		24 011 067		26 991 867		26 491 867		500 000	500 00
L	02-0603-0701 0000	MERIT LITTLEFIELD L P	1 676 700		10 561 562		12 238 262		11 738 262		500 000	500 00
	02-0603-0711 0000	WENDLANDT BILL COMPANY INC	278 520		504 121		782 641		282 641		500 000	500 00
	02-0603-0712 0000	GREAT AMERICAN LIFE INSURANCE	2 512 000		10 716 952		13 228 952		12 728 952		500 000	500 00
	02-0603-0713 0000	LH BRAZOS HOLDING LP	1 168 000		8 019 744		9 187 744		8 687 744		500 000	500 00
	02-0603-0714 0000	JKP BRAZOS 610 FAMILY LIMITED	170 040		891 860		1 061 700		561 700		500 000	500 00
	02-0603-1102 0000	HANG EM HIGH SALOON L L C	706 560		2 559 888		3 266 448		2 766 448		500 000	500 00
	02-0603-1103 0000	209 E 6TH STREET LTD	176 640		835 279		1 011 919		511 919		500 000	500 00
	02-0603-1104 0000	RENDON ADOLFO & VALERIE VARGAS	176 640		467 941		644 581		144 581		500 000	500 00
	02-0603-1105 0000	LAVES BENARD & HAROLD P LAVES	176 640		222 993		399 633		0		399 633	400 00
	02-0603-1106 0000	LAVES BENARD & HAROLD	176 640		303 304		479 944		0		479 944	480 00
	02-0603-1107 0000	LAVES BENARD &	176 640		443 759		620 399		120 399		500 000	500 00
	02-0603-1108 0000	CEREAL BOWL L C	187 140		361 452		548 592		48 592		500 000	500 00
	02-0603-1109 0000	TOUCHE INC	342 780		779 058		1 121 838		621 838		500 000	500 00
	02-0603-1208 0000	BULLARD THOMAS HUGH	314 880		1 255 953		1 570 833		1 070 833		500 000	500 00
	02-0603-1209 0000	WHITE B O JR & ROBERT E WHITE	215 040		638 307		853 347		353 347		500 000	500 00
	02-0603-1210 0000	WHIMSICAL NOTIONS INC	349 440		945 270		1 294 710		794 710		500 000	500 00
	02-0603-1214 0000	HANNIG ROW PARTNERSHIP	1 240 320		2 989 320		4 229 640		3 729 640		500 000	500 00
	02-0603-1603 0000	ELMIGER FAMILY LTD &	353 280		789 894		1 143 174		643 174		500 000	500 00
	02-0603-1604 0000	RADKEY O H	176 640		275 708		452 348		0		452 348	452 00
	02-0603-1605 0000	AUSTIN APOLLO	176 640		0		176 640		0		176 640	177 00

Litigation	Parcel	Owner	Land Assessed Value	Improvement Assessed Value	Total Assessed Value	Exemption	Net Assessed Value	\$ 10/\$100 Amount
	02-0603-1606 0000	VALENTINE & FRIENDS INC	176 640	449 651	626 291	126 291	500 000	500 00
	02-0603-1607 0000	ROGERS CHONG S	88 320	84 051	172 371	0	172 371	172 00
	02 0603-1608 0000	SIMMS JOHN LEE & JOAN L MCLEOD	88 320	56 799	145 119	0	145 119	145 00
	02-0603-1609 0000	SIMMS JOHN LEE & JOAN L MCLEOD	176 640	96 603	273 243	0	273 243	273 00
	02-0603-1610 0000	DENANCY TRUST	176 640	212 805	389 445	0	389 445	389 00
	02-0603-1611 0000	SILBERTSTEIN NANCY BETH & DENA	176 640	404 375	581 015	81 015	500 000	500 00
	02-0603-1612 0000	321 EAST 6TH ST LTD	168 960	395 694	564 654	64 654	500 000	500 00
	02-0603-1613 0000	SHEA TERESA JOSEPH	107 520	194 781	302 301	0	302 301	302 00
	02-0603-1614 0000	SMITH-HAGE BUILDING L P	253 440	1 054 493	1 307 933	807 933	500 000	500 00
	02-0603-1701 0000	JOSEPH MARY Y	66 360	205 652	272 012	0	272 012	272 00
	02-0603-1706 0000	PECAN STREET REAL ESTATE HOLDI	353 280	803 880	1 157 160	657 160	500 000	500 00
	02-0603-1707 0000	CRADDOCK LARRY J & BETTE C PRE	164 880	659 744	824 624	324 624	500 000	500 00
	02-0603-1708 0000	CRADDOCK LARRY J & BETTE C PRE	188 400	0	188 400	0	188 400	188 00
	02-0603-1709 0000	LINN EMMA L	176 640	394 303	570 943	70 943	500 000	500 00
	02-0603-1710 0000	MANOS GLORIA ZEGUB & CHARLENE	176 640	140 730	317 370	0	317 370	317 00
	02-0603-1711 0000	CRADDOCK LARRY J & BETTE C PRE	353 280	721 576	1 074 856	574 856	500 000	500 00
	02-0603-1712 0000	JOSEPH JOSEPH & WILLIAMS PARTN	176 640	419 432	596 072	96 072	500 000	500 00
	02-0603-1713 0000	RAMZI CORP	176 640	742 611	919 251	419 251	500 000	500 00
	02-0603-1714 0000	RAMZI CORP	148 920	645 321	794 241	294 241	500 000	500 00
	02-0603-1715 0000	JIMENEZ CESAR TRUST	138 000	516 713	654 713	154 713	500 000	500 00
	02-0603-2202 0000	MERIT LITTLEFIELD MALL L P	1 177 600	1 973 175	3 150 775	2 650 775	500 000	500 00
	02-0603-2203 0000	LITTLEFIELD AUSTIN PARTNERS LP	883 200	2 013 220	2 896 420	2 396 420	500 000	500 00
	02-0603-2204 0000	LITTLEFIELD AUSTIN PARTNERS LP	883 200	1 769 220	2 652 420	2 152 420	500 000	500 00
	02 0604-0102 0000	ARMSTRONG HAL B III	215 040	1 266 192	1 481 232	981 232	500 000	500 00
	02-0604-0103 0000	FOX SAXON TRUSTEE	245 760	817 520	1 063 280	563 280	500 000	500 00
	02-0604-0104 0000	SCHULTZ ENTERPRISE LLC	253 440	854 784	1 108 224	608 224	500 000	500 00
	02-0604-0105 0000	DESILVA DAVID IRI	491 520	1 362 588	1 854 108	1 354 108	500 000	500 00

Litigation	Parcel	Owner	Land Assessed Value	Improvement Assessed Value	Total Assessed Value	Exemption	Net	
							Assessed Value	\$ 10/\$100 Amount
02-0604-0106 0000	JABOUR ARTHUR		115 200	249 939	365 139	0	365 139	365 00
02-0604-0107 0000	KOURI & KOURI 6TH ST PROPERTIE		115 200	281 283	396 483	0	396 483	396 00
02-0604-0108 0000	RATR INC		222 720	427 412	650 132	150 132	500 000	500 00
02-0604-0109 0000	421 SIXTH ST LTD		230 400	899 445	1 129 845	629 845	500 000	500 00
02-0604-0110 0000	AMITIE L P		230 400	401 363	631 763	131 763	500 000	500 00
02-0604-0201 0000	WOOLDRIDGE ASSOCIATES LLC		221 520	564 877	786 397	286 397	500 000	500 00
02-0604-0203 0000	LAKE INVESTMENT & PRODUCTION		308 400	37 830	346 230	0	346 230	346 00
02-0604-0208 0000	JO ME NI		353 280	663 899	1 017 179	517 179	500 000	500 00
02-0604-0209 0000	HIRSCHFELD PAULINE SIMON ETAL		268 800	514 271	783 071	283 071	500 000	500 00
02-0604-0210 0000	CARLIN JOE		161 280	219 690	380 970	0	380 970	381 00
02-0604-0211 0000	JABOUR THEODORE AND ARTHUR		145 920	60 738	206 658	0	206 658	207 00
02-0604-0212 0000	SIMS WILLIAM EARL & JANIE M		124 020	202 569	326 589	0	326 589	327 00
02-0604-0214 0000	EAST 6TH STREET-408 L P		153 120	0	153 120	0	153 120	153 00
02-0604-0215 0000	406 E SIXTH STREET LTD		176 640	288 796	465 436	0	465 436	465 00
02-0604-0216 0000	404 E SIXTH STREET LTD		176 640	326 703	503 343	3 343	500 000	500 00
02-0604-0217 0000	402 EAST SIXTH VENTURE INC		176 640	497 898	674 538	174 538	500 000	500 00
02-0604-0218 0000	COHEN GARY SCOTT & ETAL		176 640	516 308	692 948	192 948	500 000	500 00
02-0604-0501 0000	GRIMES DAVID H & ELIZABETH C		153 725	178 575	332 300	0	332 300	332 00
02-0604-0502 0000	GRIMES DAVID H & ELIZABETH C		117 645	311 444	429 089	0	429 089	429 00
02-0604-0503 0000	GSD ENTERPRISES L P		214 445	581 715	796 160	296 160	500 000	500 00
02-0604-0504 0000	EAST SIXTH STREET LTD		212 630	991 295	1 203 925	703 925	500 000	500 00
02-0604-0505 0000	BOOTHE TERRY E		145 310	455 454	600 764	100 764	500 000	500 00
02-0604-0506 0000	JHMBW L P		263 835	415 938	679 773	179 773	500 000	500 00
02-0604-0507 0000	LAMAR ENTERPRISES INC		100 045	115 820	215 865	0	215 865	216 00
02-0604-0508 0000	BERNHARD GARY L & ELIZ		174 790	20 016	194 806	0	194 806	195 00
02-0604-0509 0000	CASMARK PROPERTIES LLC		155 430	216 249	371 679	0	371 679	372 00
02-0604-0510 0000	3 DH JOINT VENTURE		155 430	116 286	271 716	0	271 716	272 00

Litigation	Parcel	Owner	Land		Improvement		Total		Exemption	Net	
			Assessed	Value	Assessed	Value	Assessed	Value		Assessed	Value
											\$ 10/\$100 Amount
02-0604-0511 0000		SHELTON MICHAEL L &	485 760		689 976		1 175 736		675 736	500 000	500 00
02-0604-0514 0000		MAURO CARMELO & HILARY	1 456 565		830 902		2 287 467		1 787 467	500 000	500 00
02-0604-0516 0000		LAMAR ENTERPRISES INC	112 145		85 247		197 392		0	197 392	197 00
02-0604-0517 0000		COMPANY 512	143 770		128 188		271 958		0	271 958	272 00
02-0604-0606 0000		CARRINGTON GROUP L L C	485 760		793 425		1 279 185		779 185	500 000	500 00
02-0604-0607 0000		OLSON LARUE FAMILY TRUST & M L	161 920		6 597		168 517		0	168 517	169 00
02-0604-0608 0000		OLSON LARUE FAMILY TRUST & M L	161 920		129 513		291 433		0	291 433	291 00
02-0604-0609 0000		OLSON LARUE FAMILY TRUST & M L	161 920		227 317		389 237		0	389 237	389 00
02-0604-0610 0000		508 E SIXTH STREET LTD	681 120		398 069		1 079 189		579 189	500 000	500 00
02-0604-0611 0000		500 E 6TH STREET INC	161 920		416 370		578 290		78 290	500 000	500 00
02-0604-0612 0000		CASTRO LUCIANO JR	128 150		264 671		392 821		0	392 821	393 00
02-0604-1001 0000		GRANT BUILDINGS L P	4 189 680		3 702 623		7 892 303		7 392 303	500 000	500 00
02-0604-1110 0000		DAYWOOD CARL	235 520		204 160		439 680		0	439 680	440 00
02-0604-1111 0000		3DH JOINT VENTURE	112 640		137 320		249 960		0	249 960	250 00
02-0604-1112 0000		AP3-PPW LTD & MOR/ARR LTD	253 440		394 575		648 015		148 015	500 000	500 00
02-0604-1113 0000		BARLIN PETER	192 000		251 000		443 000		0	443 000	443 00
02-0604-1115 0000		HENDRIX FRANK	451 250		329 360		780 610		280 610	500 000	500 00
02-0604-1116 0000		RUSH JOYCE	117 760		124 508		242 268		0	242 268	242 00
02-0604-1117 0000		WTF INVESTMENSTS LLC	259 150		816 395		1 075 545		575 545	500 000	500 00
02-0604-1501 0000		LUNDELL LIMITED PARTNERSHIP	140 616		729 703		870 319		370 319	500 000	500 00
02-0604-1504 0000		OGDEN MARY D	198 600		297 510		496 110		0	496 110	496 00
02-0604-1505 0000		CHELF JEANETTE	117 550		187 761		305 311		0	305 311	305 00
02-0604-1506 0000		LY TAI & CHRISTINA CHAN	120 900		642 385		763 285		263 285	500 000	500 00
02-0604-1507 0000		DREYFUS DOMINIQUE & GEORGE H	94 040		242 176		336 216		0	336 216	336 00
02-0604-1508 0000		DREYFUS GEORGE &	94 040		240 739		334 779		0	334 779	335 00
02-0604-1510 0000		J H M B W L P	117 550		176 388		293 938		0	293 938	294 00
02-0604-1517 0000		J H M B W L P	64 600		101 664		166 264		0	166 264	166 00

Litigation	Parcel	Owner	Land		Improvement		Total		Exemption		Assessed		Net	\$ 10/\$100 Amount
			Assessed	Value	Assessed	Value	Assessed	Value	Exemption	Value	Assessed	Value		
	02-0604-1518 0000	J H M B W L P	29 760		0		29 760		0		29 760		30 00	
	02-0604 1520 0000	CP AUSTIN HOTEL LP	1 342 646		14 887 354		16 230 000		15 730 000		500 000		500 00	
	02-0604 1607 0000	MANOS VIOLET ETALS	184 000		2 623		186 623		0		186 623		187 00	
	02-0604 1608 0000	MANOS VIOLET ETALS	139 840		2 176		142 016		0		142 016		142 00	
	02-0604-1609 0000	MANOS VIOLET ETALS	71 400		1 057		72 457		0		72 457		72 00	
	02-0604-1610 0000	MANOS VIOLET ETALS	75 800		1 144		76 944		0		76 944		77 00	
	02-0604-1611 0000	HABANA 6TH ST PROPERTIES LTD	164 400		137 723		302 123		0		302 123		302 00	
L	02-0604-1612 0000	DAYWOOD RUBY TRUSTEE OF	228 528		254 808		483 336		0		483 336		483 00	
Total			44,054,105		129,411,313		173,465,418		127,628,369		45,837,049		45,834 00	
Parcel Count			112											

I, Jeff Knodel, affirm and attest that this is a true and correct account of all assessments used for the Austin East Sixth Street Public Improvement District as of October 16, 2006 as furnished to the City of Austin by Travis Central Appraisal District



Jeff Knodel, Controller