

RESOLUTION NO. 20190808-094

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

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") authorizes the creation of public improvement districts which are created to confer enhanced city services to a defined geographic area paid for through assessments made by property owners; and

WHEREAS, owners of the real property located within the East Sixth Street Public Improvement District delivered to the City of Austin a Petition (the "Petition") to continue, for a five-year term, the East Sixth Street Public Improvement District (the "District"), as shown on the map attached and incorporated as Exhibit "A" (the "Map of the District"); and

WHEREAS, the City Clerk of the City of Austin has reviewed the Petition and determined that under the proposal as set out in the Petition (i) the owners of more than 50% of the appraised value of the taxable real property liable for assessment and (ii) more than 50% of the owners of record of the property within the District have executed the Petition and that the Petition complies with the Act and authorizes the City Council to consider the reauthorization of the District; and

WHEREAS, after providing the notices required by Section 372.009 of the Act, the City Council on August 8, 2019, has conducted a public hearing on the advisability of the improvements and services; and

WHEREAS, the City Council adjourned such public hearing; **NOW**,

THEREFORE,

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

Section 1. Pursuant to the requirements of the Act, the City Council, after considering the Petition for the District and the evidence and testimony presented at the public hearing on August 8, 2019, finds and declares:

- (a) Advisability of the Services and Improvements Proposed for the District: It is advisable to reauthorize the District to provide the services and improvements described in this Resolution, and the services and improvements will contribute to the public health, safety, and welfare.
- (b) Nature of the Services and Improvements: The general nature of the services and improvements to be performed by the District is to increase security, supplement the maintenance of streets, sidewalks, and landscaping, provide marketing information to promote the District, provide streetscape enhancements, and provide other services and improvements that are authorized by the Act. The District was created with the intention of supplementing and enhancing services within the District, and will continue to do so, but is not intended to replace or supplant existing City services provided within the District, as described in the service plan (the "Service Plan") attached and incorporated as Exhibit "B". The Service Plan is hereby approved and accepted by the City Council.

(c) Estimated Cost of the Services and Improvements: The estimated annual cost of the services and improvements to be provided by the District is approximately \$185,000 for the first year of the reauthorization. Revenues to support services and improvements are anticipated to increase to an estimated \$141,000 annually by the fifth year. The District shall not incur bond indebtedness.

(d) Boundaries: The District is located wholly within the City of Austin, Texas. The District is located within the Austin Central Business District, which is devoted primarily to commercial activity. The boundaries of the District are shown on the Map of the District, Exhibit "A".

(e) Method of Assessment: The method of assessment is based on the value of the real property and real property Improvements as determined by the Travis Central Appraisal District. The following classes of property shall be excluded from assessment:

(i) property of the City (provided, however, that during each year in which the District remains in effect and the Council appropriates sufficient funds, the City shall pay a certain amount in lieu of an assessment), (ii) property of the County, and property owned by political subdivisions of the State of Texas and used for public purposes, (iii) property owned by a church or by a strictly religious society, and which yields no revenue to such church or religious society, and which is used as an actual place of religious worship or as a dwelling place for the ministry of such church or religious society, (iv) property owned by persons or associations of persons which is used exclusively for school

purposes, (v) property owned by an association engaged in promoting the religious, educational, and physical development of girls, boys, young women, or young men operating under a state or national organization of like character and used exclusively and necessarily for such purpose, including, but not limited to, property owned by the Austin Independent School District, (vi) property owned by institutions of purely public charity, (vii) property that was used primarily for recreational, park, or scenic purposes during the immediately preceding calendar year, (viii) property owned by public or private utilities that is located in public streets or rights-of-way, (ix) property used for residential purposes that fall under the definition of a homestead provided in Section 41.001 of the Texas Property Code, (x) property owned by The University of Texas and the State of Texas, (xi) all hospitals, and (xii) the valuation over \$500,000 of all properties liable for assessment.

All property owners assessed in the District automatically become members of the District and others may join by the voluntary payment of dues. The Service Plan reflects the District's intention to provide services in a manner that will primarily benefit District members.

After reviewing the testimony and evidence, it is found that the exemptions for excluded classes are reasonable because the excluded property will not receive a benefit from the District sufficient to justify assessments. It is further found that the exemptions are reasonable and necessary to promote the efficient management of the District.

(f) Apportionment of Cost between District and Municipality: The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The City will make an annual payment to the District in lieu of an annual assessment of City-owned property, subject to annual appropriation of funds by the Council. The City agrees to pay the District a sum in each year not to exceed \$35,000.

(g) Assessment Roll and Setting of Rate: The City Manager is hereby directed to annually prepare an assessment roll and file the roll with the City Clerk. The assessment rate shall not exceed \$0.19 per \$100.00 valuation of taxable real property as shown on the tax rolls of the Travis Central Appraisal District.

(h) The recitals in the preamble of the Resolution are found to be true and correct.

Section 2. The District is reauthorized effective August 20, 2019 and continued as a Public Improvement District under the Act in accordance with the findings in this Resolution as to the advisability of the services and improvements. The District shall be subject to the terms, conditions, limitations, and reservations contained in the findings of Section 1 of this Resolution.

Section 3. The City Clerk is directed to give notice of the reauthorization of the District by publishing a copy of this Resolution once in a newspaper of general circulation in the City of Austin. The District shall automatically dissolve five years from the effective date of this Resolution unless the District is renewed through the Petition and approval

process provided for in the Act, or the District is terminated earlier, as provided by law. The power of the City to continue to levy and collect assessments within the District pursuant to the Act will cease and the District will be dissolved on the date that a petition requesting dissolution is filed with the City Clerk of the City of Austin and the petition contains the signatures of at least enough property owners in the District to make the petition sufficient for creation of a public improvement district as provided in Section 372.005(b) of the Act.

Section 4. The City Council designates Sixth Street Austin, a Texas nonprofit corporation, as the advisory body as contemplated by Section 372.008 of the Act.

ADOPTED: August 8, 2019

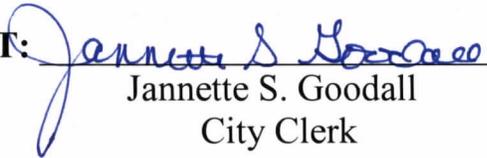
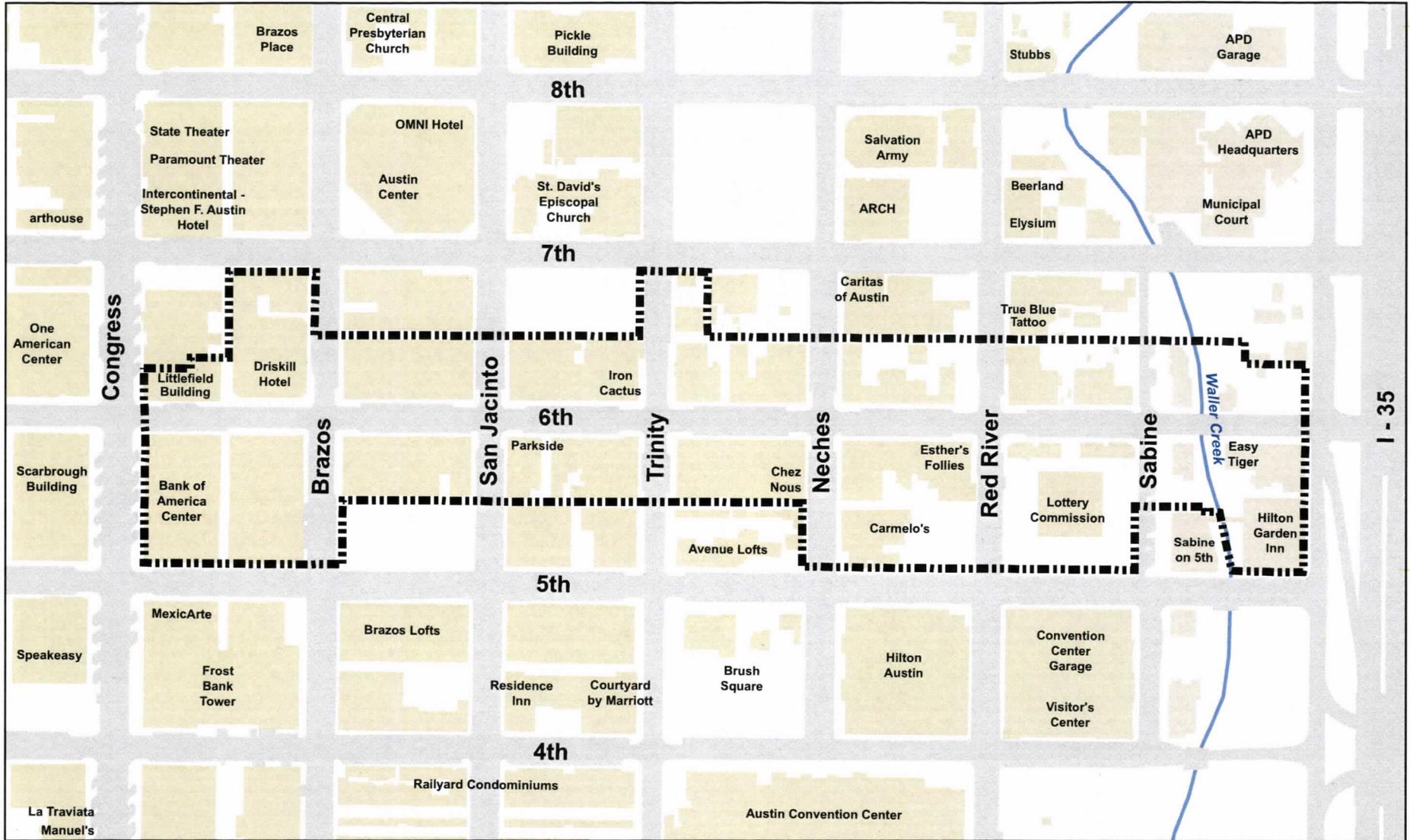
ATTEST: 
Jannette S. Goodall
City Clerk

Exhibit A



East 6th Street Public Improvement District (PID)



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Economic Development Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created by: D. Jackson
Revised: June 27, 2019



Five Year Service Plan for the East Sixth Street Public Improvement District (PID) October 1, 2019 – September 30, 2024

INTRODUCTION

In 2004, property owners on East Sixth Street petitioned the City Council to establish the East Sixth Street Public Improvement District (PID). Owners incorporated as the non-profit 501(c)(6) organization and contracted with the City of Austin to manage the PID. In January 2008, the association began doing business as the Sixth Street Austin Association (SIXTH).

In 2019, about 55 percent of property owners representing 80 percent of the property valuation signed petitions to reauthorize the PID.

During the five-year plan (October 2019 – September 2024), Sixth will continue with its work guided by the mission to make the East Sixth Street National Register Historic District a source of pride to the Austin community by:

- Advocating for the preservation and enhancement of the district's unique historic character;
- Creating a vibrant mixed-use district so that locals and visitors alike will utilize its diverse offerings; and
- Making Sixth Street an important economic and cultural asset to the community for today and future generations.

The mission is executed in four major program areas:

- Infrastructure and Physical Environment (Clean, Historic, Systems);
- Public Safety;
- Membership/Communications;
- Marketing/Fundraising/Economic Development.

Please see Table for expected projections.

REVENUE PROJECTIONS

The revenue projection is based upon \$0.19 per \$100 valuation, with each individual property valuation capped at \$500,000; thus raising approximately \$100,000. The City of Austin contribution is assumed to remain the same at \$35,000 contingent upon City Council approval. This brings the total budget to approximately \$140,000 each year.

EXPENDITURE PROJECTIONS (Programs)

Allocation of expense programs are projected to remain roughly the same for the five-year plan, although

some fluctuation will occur year to year. The program areas are aligned with the recommendations of the 2009 Responsible Hospitality Institute's Report and Action Plan (Plan) developed with the community's participation in the Hospitality Zone Assessment, as well as direct communication with the property owners, but it is recognized that the recommendations in the Plan must be updated during the five year period from 2019-2024 to incorporate current trends to allow Sixth to continue with its work guided by the mission to make the East Sixth Street National Register Historic District a source of pride to the Austin community.

Infrastructure and Physical Environment (Focus on Historic, Clean and Systems) – 40%

Continue to coordinate strategies, plans and partnerships for physical improvements in the district such as signage, sidewalks, gateways, etc. Sixth will continue to lead the broad-based community committees on Infrastructure and Systems of Order in the E. Sixth Street District established through the Responsible Hospitality Institute consulting process, which will also be reevaluated in the Plan update. The focus will include efforts to:

- Clean the built environment (public and private space)
- Clean and repair building facades, windows, etc.
- Emphasize the historic appearance and value of buildings
- Advocate for regularly cleaned sidewalks
- Encourage higher standards of private signage and ATM placement
- Promote incentives, such as a façade loan program, to encourage participation and to raise standards
- Continue to work with city to develop understanding building codes
- Improve systems of order to unify the district
- Public area lighting (tree lighting)
- Signage and Banners
- Gateways
- Transportation systems (taxis, valets)
- Vendors
- Public Restrooms
- Continue to advocate for longer-term improvements
- Develop a specific consensus plan and identify funding for Sixth Street street-scape that respects the historic nature of the district, including vehicle lanes and flow; sidewalk width and material; and street parking in keeping with historic characteristics of the district.
- To keep historic characteristics in the implementation phase of the Downtown Austin Plan
- Integrate the Sixth Street District vision into the Waller Creek District Designs as well as the Red River Cultural District Designs
- Coordinate with City on infrastructure upgrades, such as utility lines and alleys

Public Safety – 20%

Continue to work directly with the City to identify and express the issues and barriers facing Sixth Street. Sixth will also work directly with the DAA, the APD and others to address the issues of public safety, order and evening management of the street. Sixth will continue to lead the broad-based community committee on Public Safety in the E. Sixth Street District. The focus will include efforts to:

- Expand safety partnerships in the public and private sectors
- Continue addressing homeless services and related safety issues and effect of 6th St. Historic District
- Reduce panhandling and other quality of life issues affecting the district
- Reduce the negative impacts of barricading and street closures
- Advocate for a neighborhood watch program that can work in concert with community policing patrols and circulation
- Raise the bar on standards to reduce risks and encourage responsible operations within the

entertainment district

Communications/Membership – 20%

Continuously improve communications methods for effective interaction with members and stakeholders, including the following methods:

- Quarterly e-mail newsletters
- Increased communications between Board members throughout the month via email
- Special Topic Meetings
- Annual Membership Meeting
- Ongoing outreach to owners & operators
- Website updates
- A robust database
- Membership program expansion for non-property owners with an interest in the district

Marketing/Fundraising/Economic Development – 10%

Promote the economic health of the district and the association through strategic partnerships, marketing and public relations, and events and other fundraising opportunities.

- Continue to collaborate with the Downtown Austin Alliance, City of Austin, Old Pecan Street Association, Texas Bar and Nightclub Association and individual property owners to implement a retail strategy for E. 6th Street
- Promote the district as a whole, and with events, to bring a diverse crowd to 6th Street, and leverage the historic nature of the district
- Share information and tools with property and business owners to help diversify the district mix
- Encourage business-to-business mentorships
- Host forums for business success, education and self-enforcing standards
- Promote existing resources and incentives for business success
- Serve as an ombudsman for businesses and property owners within the district
- Pursue financial sustainability to increase resources and effectiveness
- Help add value to current events within the district
- Develop and maintain current partnerships with other organization and businesses for promotional and funding opportunities
- Improve the district's common area management, such as sidewalk vendors, parking and valet parking options

Administration – 10%

Program expenses include overhead charges allocated in proportion to staff time.

SUMMARY

The East Sixth Street Public Improvement District is a professionally managed area of downtown Austin that continues to face a myriad of challenges that are common in many similar entertainment districts. The area is well branded, even internationally. With the focused efforts proposed in this service plan E. Sixth Street will continue progress toward realizing the vision of a vibrant, mixed-use historic district offering live music and entertainment that is a source of cultural and economic pride for Austinites.

The Association is currently professionally managed by:

Prudhomme and Prudhomme Management of Austin

407 E. 6th Street, Suite B Austin TX 78701

Dorothy Prudhomme – 6th Street Manager

225-302-3953 Mobile

East 6th Public Improvement District
2019 Assessment Plan

Table 1: Revenue Projections			Projected growth based on 2.8% historically			
Source	2019	2020	2021	2022	2023	Notes
Assessed Value	\$54,575,471	\$56,103,584	\$57,674,485	\$59,289,370	\$60,949,472	
Assessment Rate	0.19/100	0.19/100	0.19/100	0.19/100	0.19/100	2.80%
Total Assessments	\$103,693	\$106,597	\$109,582	\$112,650	\$115,804	
Collection Rate	90%	90%	90%	90%	90%	2.80%
PID Assessment Revenue	\$93,324	\$95,937	\$98,623	\$101,385	\$104,224	
	\$	\$	\$			
City contribution	35,000	35,000	35,000	\$ 35,000	\$35,000	
Collected minus Appropriated						
Earned Interest	\$1,500.00	\$1,500	\$1,500	\$1,500	\$1,500	
City reserve						
Total PID revenue	\$129,824	\$132,437	\$135,123	\$137,885	\$140,724	
	\$	\$	\$		\$	
Total Revenue	129,824	132,437	135,123	\$ 137,885	140,724	

Table 2: Expenditure Projections						
	2019	2020	2021	2022	2023	Notes
Public Safety	\$	\$	\$	\$ 34,471	\$	
	25,965	26,487	25,996		28,145	
Infrastructure and Physical Environment	\$	\$	\$	\$ 34,471	\$	
	25,965	26,487	25,996		28,145	
Marketing, Fundraising and Economic Development	\$	\$	\$	\$ 34,471	\$	
	25,965	26,487	25,996		28,145	
Administration, Communications & Membership	\$	\$	\$	\$ 34,471	\$	
	51,930	52,975	25,996		56,289	
	\$	\$	\$		\$	
Total Expenditures	129,824	132,437	103,984	\$ 137,885	140,724	

* 2018 Assessments, Service Plan and Budget for Council Adoption based on TCAD certified roll

CERTIFICATE OF THE CITY CLERK

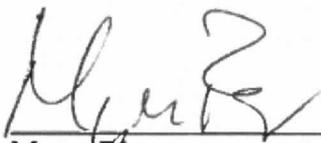
CITY OF AUSTIN

THE STATE OF TEXAS

COUNTY OF TRAVIS

I, Myrna Rios, Deputy City Clerk of the City of Austin, Texas, do hereby certify that I have examined certain petitions styled "PETITION FOR THE CONTINUATION OF EAST SIXTH STREET PUBLIC IMPROVEMENT DISTRICT" that were filed with the City on April 29, 2019 in the form of individually signed and notarized copies. The petitions appear to have been signed by the required number of property owners. The petitions appear to contain: (1) the signatures of the owners of taxable real property representing more than 50% of the appraised value of taxable real property liable for assessment under the proposal in said petition; and (2) the signatures of the record owners of taxable real property constituting more than 50% of the area of taxable real property liable for assessment under the proposal in said petition. Based on the foregoing examination, I hereby certify said petitions to be sufficient to meet the requirements of Texas Local Government Code Chapter 372.

GIVEN UNDER MY HAND AND SEAL OF OFFICE AT AUSTIN, TEXAS, THIS 9TH DAY OF MAY, 2019.



Myrna Rios
Deputy City Clerk

