



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

22 **THEREFORE**,

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

24 **Section 1.** Pursuant to the requirements of the Act, the City Council, after considering  
25 the Petition for the District and the evidence and testimony presented at the public  
26 hearing on August 22, 2019, finds and declares:

27 (a)   Advisability of the Services and Improvements Proposed for the District: It is  
28 advisable to reauthorize the District to provide the services and improvements described  
29 in this Resolution, and the services and improvements will contribute to the public  
30 health, safety, and welfare.

31 (b)   Nature of the Services and Improvements: The general nature of the services and  
32 improvements to be performed by the District is to increase security, supplement the  
33 maintenance of streets, sidewalks, and landscaping, provide marketing information to  
34 promote the District, provide streetscape enhancements, and provide other services and  
35 improvements that are authorized by the Act. The District was created with the intention  
36 of supplementing and enhancing services within the District, and will continue to do so,  
37 but is not intended to replace or supplant existing City services provided within the  
38 District, as described in the service plan (the "Service Plan") attached and incorporated  
39 as Exhibit "B." The Service Plan is hereby approved and accepted by the City Council.

40 (c) Estimated Cost of the Services and Improvements: The estimated annual cost of  
41 the services and improvements to be provided by the District is approximately \$245,353  
42 for the first year of the reauthorization. Revenues to support services and improvements  
43 are anticipated to increase to an estimated \$504,282 annually by the fifth year. The  
44 District shall not incur bond indebtedness.

45 (d) Boundaries: The District is located wholly within the City of Austin, Texas. The  
46 boundaries of the District are shown on the Map of the District, Exhibit "A."

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

50 (i) property of the City (provided, however, that during each year in which the District  
51 remains in effect and the Council appropriates sufficient funds, the City shall pay a  
52 certain amount in lieu of an assessment), (ii) property of the County and property owned  
53 by political subdivisions of the State of Texas and used for public purposes, (iii) property  
54 owned by a religious organization, if the property qualifies for a tax exemption under  
55 Section 11.20, Texas Tax Code, (iv) property owned by persons or associations of  
56 persons which is used exclusively for school purposes, (v) property owned by an  
57 association engaged in promoting the religious, educational, and physical development  
58 of girls, boys, young women, or young men operating under a state or national  
59 organization of like character and used exclusively and necessarily for such purpose,

60 including, but not limited to, property owned by the Austin Independent School District,  
61 (vi) property owned by institutions of purely public charity, (vii) property that was used  
62 primarily for recreational, park, or scenic purposes during the immediately preceding  
63 calendar year, (viii) property owned by public or private utilities that is located in public  
64 streets or rights-of-way, (ix) property used for residential purposes and fitting the  
65 definition of a homestead provided in Section 11.13(j)(1) of the Texas Tax Code, (x)  
66 property owned by public colleges, universities, and the State of Texas, and (xi) all  
67 hospitals.

68 Property designated by the City as “H” Historic will have the exemptions from  
69 assessment contained in City Code Section 11-1-22 and will be assessed on the basis of  
70 the reduced value provided by the formula there.

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

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

79 (f) Apportionment of Cost between District and City, as a whole: The total cost of the  
80 supplemental improvements and services described in the Petition will be paid solely by  
81 the District. No portion of the supplemental services will be apportioned to the City, as a  
82 whole. City rights-of-way, railroad rights-of-way, parks, and cemeteries are not specially  
83 benefitted and, therefore, are not subject to assessment. Payment of assessments by other  
84 exempt jurisdictions and entities must also be established by contract. The District will  
85 pay the cost of City expenses related to oversight of the District operations.

86 (g) Assessment Roll and Setting of Rate: The City Manager is hereby directed to  
87 annually prepare an assessment roll and file the roll with the City Clerk. The assessment  
88 rate shall not exceed \$0.20 per \$100.00 valuation of taxable real property as shown on  
89 the tax rolls of the Travis Central Appraisal District.

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

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

96 **Section 3.** The City Clerk is directed to give notice of the reauthorization of the District  
97 by publishing a copy of this Resolution once in a newspaper of general circulation in the  
98 City of Austin. The District shall automatically dissolve five years from the effective

99 date of this Resolution unless the District is renewed through the Petition and approval  
100 process provided for in the Act, or the District is terminated earlier, as provided by law.

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

107 **Section 4.** The City Council designates the South Congress Improvement Association, a  
108 Texas nonprofit corporation, as the advisory body as contemplated by Section 372.008  
109 of the Act.

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114 **ADOPTED:** \_\_\_\_\_, 2019

**ATTEST:** \_\_\_\_\_

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Jannette S. Goodall  
City Clerk