

RESOLUTION NO. 78-2018

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, REPEALING RESOLUTION NO. 1-2009, AND CREATING A NEW INFILL DEVELOPMENT INCENTIVE PROGRAM

WHEREAS, the City of Abilene (the "City") desires to encourage the investment of private resources in productive business enterprises and single and multi-family housing units in historic and economically distressed areas of the City; and

WHEREAS, the City desires to increase economic development within historic and economically distressed areas of the City; and

WHEREAS, the City has previously adopted Resolution No. 1-2009 setting forth and infill development program; and

WHEREAS, the City now desires to repeal the current program and create a new program; and

WHEREAS, it is necessary and in the best interest of the City to create the Abilene Neighborhood Empowerment Zone No. 1, (the "Zone") pursuant to Chapter 378 of the Texas Local Government Code; and

WHEREAS, in addition to the creation of the Zone, it is necessary and in the best interest of the City to offer certain economic development incentives to promote and encourage new private business development, and the remodeling and new construction of affordable and market rate housing options for the City's historic and economically distressed areas

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City designates an area more particularly described and illustrated in "Exhibit A" attached hereto and incorporated herein for designation as the Abilene Neighborhood Empowerment Zone No. 1, and said boundaries shall describe and create the infill development program boundaries.

PART 2: The City Council, as the governing body of the City of Abilene, Texas finds that the creation of the Zone will increase economic development within the Zone, increase the rehabilitation and construction of affordable and market rate housing options within the Zone, and increase the quality of social services, education or public safety provided to the residents of the Zone.

PART 3: The City Council, as the governing body of the City of Abilene, Texas finds that the creation of the Zone benefits and is for the public purpose of increasing the public health, safety and welfare of the persons in the municipality.

PART 4: The City Council, as the governing body of the City of Abilene, Texas finds that the creation of the Zone satisfies the requirements of Section 312.202 of the Tax Code.

PART 5: The City Council as the governing body of the City of Abilene, Texas does hereby create and establish the following economic development incentive program within the Zone and authorizes the City Manager or his or her designee to negotiate agreements offering the following enumerated incentives, provided that any agreement using the incentives authorized and set forth below must be adopted by an affirmative vote of four or more members of the City Council before it can be effective.

1. The City may enter into agreements for a period of not more than ten (10) years, for the purpose of benefiting the zone, refunds of municipal sales tax on sales made within the zone; and
2. The City may enter into agreements abating municipal property taxes on property within the Zone subject to the duration limits of Section 312.204 of the Tax Code; and
3. The City may set baseline performance standards, such as the Energy Star Program as developed by the Department of Energy, to encourage the use of alternative building materials that address concerns relating to the environment or to the building costs, maintenance, or energy consumption; and
4. The City may participate in up to 50% of the cost of water or sewer line extensions necessary to serve property being developed within the Zone; and
5. The City may choose to authorize these incentives through a Chapter 380 Economic Development agreement.

PART 6: The City Council as the governing body of the City of Abilene, Texas does hereby create and establish the following economic development incentive program within the Zone and authorizes the City Manager or his or her designee to negotiate agreements offering the following enumerated incentives without further Council action.

1. The City Manager may waive or reduce fees related to the construction or remodel of buildings in the Zone, including fees related to the inspection of buildings or impact fees; and
2. The City Manager may authorize the provision of roll-off containers and associated haul-on, haul-off and tipping charges at the City's actual cost; and
3. The City Manager may waive or reduce sewer and water tap fees; and
4. The City Manager may waive or reduce zoning application fees.

PART 7: That Resolution No. 1-2009 is hereby repealed in its entirety.

PART 8: That this Resolution takes effect immediately upon its adoption.

ADOPTED this 10th day of May 2018.

ATTEST:



Rosa Rios, City Secretary



Anthony Williams, Mayor

APPROVED:



Stanley Smith, City Attorney

EXHIBIT A

The Abilene Neighborhood Empowerment Zone No. 1 begins at the intersection of South 14th Street and Treadaway Blvd, thence north along Treadaway Blvd to the intersection of Pine Street and Treadaway Blvd, thence north along Pine Street to the intersection of Interstate 20 and Pine Street, thence west along Interstate 20 to the intersection of Old Anson Road and Interstate 20, thence south along Old Anson Road to the intersection of Ambler Avenue and Old Anson Road, thence west along Ambler Avenue to the intersection of Kirkwood Street and Ambler Avenue, thence south along Kirkwood Street to the intersection of North 20th Street and Kirkwood Street, thence west along North 20th Street to the intersection of Kirkwood Street and North 20th Street, thence south along Kirkwood Street to the intersection of North 19th Street and Kirkwood, thence east along North 19th Street to the intersection of Victoria Street and North 19th Street, thence south along Victoria Street to the intersection of North 14th Street and Victoria Street, thence east along North 14th Street to the intersection of Clinton Street and North 14th Street, thence south along Clinton Street to the intersection of North 12th Street and Clinton Street, thence west along North 12th Street to the intersection of Victoria Street and Clinton Street, thence south along Victoria Street to the intersection North 5th Street and Victoria Street, thence west along North 5th Street to the intersection of Lillius Street and North 5th Street, thence south along Lillius Street to the intersection of North 3rd Street and Lillius Street, thence west along North 3rd Street to the intersection of Graham Street and North 3rd Street, thence south along Graham Street to the intersection of North 1st Street and Graham Street, thence south along Sayles Blvd to the intersection of South 7th Street and Sayles Blvd, thence east along South 7th Street to the intersection Butternut Street and South 7th Street, thence south along Butternut Street to the intersection of South 14th Street and Butternut Street, thence east along South 14th Street terminating at the intersection of Treadaway Blvd and South 14th Street.

All properties abutting each boundary street are included within the Zone.

A map of the district is attached and incorporated into this Exhibit "A."

