

1-31-85

ABILENE CITY COUNCIL

and

ABILENE REINVESTMENT ZONE NO. ONE (Tax Increment Board)

FOLLOWING ARE THE MINUTES OF A JOINT MEETING OF THE ABILENE CITY COUNCIL AND THE ABILENE REINVESTMENT ZONE NUMBER ONE (TAX INCREMENT BOARD), HELD ON THE 31st DAY OF JANUARY, 1985, AT 7:00 P.M. AT THE ABILENE CHAMBER OF COMMERCE, 341 HICKORY, ABILENE, TEXAS. THE FOLLOWING LIST INDICATES ATTENDANCE AT THIS MEETING:

City Council Members Present: David Stubbeman, Mayor
A.E. Fogle, Jr.
Walter E. Wheat
Welton Robinson

City Council Members Absent: Julian Bridges
Harold Nixon
Billye Proctor-Shaw

Tax Increment Board Members Present: H.C. Zachry
Raymond McDaniel, Jr.,
Sam Waldrop
Joe E. Cannon
Syd Niblo
Wade Terrell
Mike Young, Jr.
Jim Tittle

Tax Increment Board Members Absent: Frank Puckett
Mel Richards
Jesse Harris
Sara Hudman
Adolfo Gonzales
Glen Churchill
Dick Spalding
Lynn K. Barnett
Downing A Bolls, Sr.
Lee Moore
Walter Johnson

City Staff Members Present: Jim C. Blagg, City Manager
Roy McDaniel, Jr., Assistant City
Manager
Lee Roy George, Director of
Planning

00024 -A

Mike Hall, Director of Community
Services
Wayne Kurfees, Director of Traffic
and Transportation
Bob Whitehead, Director of Public
Works
Tony Neitzler, Assistant to the
Director of Planning
Wayne Herrington, Community
Development Coordinator
Bob Payne, Principal Planner
Jonathan Graham, Assistant City
Attorney
Patricia Patton, City Secretary
John Hancock, Senior Planner
Edlyn Vattbauer, Planner
Ron Quarles, Planner

Others Present:

Richard Buzard
Nelson Perry

The meeting was called to order by the Chairman, H.C. Zachry. Mr. Zachry stated that the purpose of the meeting will be the introduction of Phase III of the Downtown Redevelopment Plan. Phase III primarily consists of: (1) some of the specific projects that could be undertaken in the TIF District; and (2) consideration of the operating structure of the District (implementation of plans and solicitation of new businesses and industries for the downtown).

Nicholas Trkla, the downtown redevelopment specialist, stated that the final phase of the plan is the phase in which the plan comes together. The final document or plan for downtown will necessitate two and possibly three more Phase III workshops, such as the one being conducted tonight. The first item of discussion pertained to the action projects. A copy of an Action Projects List was distributed to the meeting attendees. Mr. Trkla stated that flexibility has been written into this plan because it is felt that it is more important to commit to the idea of obtaining private investment rather than being "site specific" at this time. Also distributed to the members was a document entitled "Comprehensive Plan and Development Strategy for Downtown Abilene, Texas." This document was submitted as a draft and Mr. Trkla requested comments and input regarding this document. This draft plan is organized as follows:

- o Basic Introduction - background of study
- o Pages 1-87 - planning background, i.e., planning design issues, market issues, marketability of uses for downtown, traffic and circulation issues, and financial resources
- o Page 88 - Part II or Phase II of Planning Work - 3 Subchapters
 - (Page 90) Statement of Downtown Principles and Standards
(Restatement of planning and design standards for land use, design, circulation and parking which provides a framework for the Consultant in evaluating some of the alternatives that lead to the final concept plan

00024-B

- (Page 110) Evaluation of the Alternatives
(Summarizes the exercise utilized to divide the area into subareas. Includes summation of alternative land uses and treatment possibilities for each of the subareas as proposed by the TIF Board members.)
- (Page 120) Statement of Concept Plan
 - Page 120 - Land Use
 - Page 123 - Discription of Area - Office/Commercial Core
This text carries the reader through each of the respective areas, identifies the proposed land use of each and some specific objectives for each.
- (Page 130) - Circulation and Parking Concept Development

At this point, Mr. Trkla addressed the section entitled, "Revitalization Strategy Overview" (page 142). The Consultant and the Board members were in agreement with a concept that held in balance the need for dealing with some target areas as the anchors for generating the opportunities for new investments in the downtown. Mr. Trkla stated that it is his goal to come back to Abilene in about three weeks and using the same project list restate the list in terms of cost of each project and how they come together.

Under the State law, the requirement is that the projects are listed much like the listing of a capital improvements program. It is vital to investigate how the undertaking of these projects might be managed, i.e., to bring the public and private sectors together to achieve the optimum impact. The groundwork for downtown revitalization has been laid in the plan. Specific recommendations with respect as to how the public and private sectors are brought together to achieve these projects include:

Joint Public/Private Sector Participation - requires commitments that are "counterdependent"

Private sector creates a local development corporation - the idea behind this is to create a mechanism that marshall the resources and interests of the private sector

Local development corporation whose board of directors represent both the private and public sectors

Co-venture agreement between private and public sector (contractural agreement) that once the program has been laid out and the timing and sequence of activities are laid out that the management and the achievement of the objective, having now been agreed to by both parties, becomes the basis for fusing the management skills and assets that each sector possesses into a single effort (empathy)

Project manager or executive be from private sector - individual who has the authority to negotiate on behalf of the joint public/private venture in dealing with developers to secure, invite or solicit genuine development interest in the downtown.

00024-C

The clear objective now then is to translate the projects list into some type of action program. At this point Mr. Trkla asked if anyone had any reservations about the beginning list or menu of projects that represent the format for strategy formulation.

Mr. Trkla stated that he would be back in Abilene in two or three weeks and will be working with the City Manager, his assistant, and staff of the Central Tax Authority to begin development of a proformant type of analysis on TIF District, e.g., sources and uses of funds and their relationship. The Chairman called for a show of hands as to whether or not Mr. Trkla should proceed with the project list as presented at this meeting. Prior to this vote, the questions was asked as to where the legal question stands in the State of Texas with respect to land assembly. Mr. Trkla responded that to his knowledge land assembly in a TIF district has not been done. Mr. Trkla stated that the attorneys with whom he worked in Corpus Christi believed that eminent domain could not be used unless a referendum process for initiating the redevelopment project was utilized. Some counsels in Dallas, however, believe that the district has assembly power. Generally in a redevelopment project, once assembly power is obtained, whether through the referendum process or whatever, the power is there through the entire project. This issue will have to be dealt with in this redevelopment project.

Mr. Zachry reiterated that the question before the group is whether or not they want a detailed study on points on the project list brought back before the board to enable enable the board's continued consideration of the project.

On Page 155 - Paragraph beginning ..."The key to downtown Abilene revitalization..." Mr. Trkla requested the board's reaction to the concept of local development corporation and joint co-venture concept. This will be crucial to the analysis undertaken in the next step as it is necessary to know whether the full integretion of negotiating and financing skills with land assembly and public improvements skills. The funding for this development corporation will come from private parties, donations to the 501C3, and public sector contribution, if the law permit. "The sharing through the goals of the aspirations sometimes best matched with the sharing of the commitment." Joint public/private venture financially and contracturally brought together; basic, flexible agenda of accomplishments which may be modified from time to time; strategy has been developed; identified components, timing and sequence of activities; assignment of responsibilites, both public and private, which come together in a single orchastrated effort. Most cities have succeed with this concept and what is being recommend in this plan. Mr. Trkla stated that it is his feeling that the program would not be able to get the increment of induced development without this joint public/private venture.

The question was asked as to what was the difference between the present or existing TIF Board and the proposed development corporation. Mr. Trkla responded that the TIF board was created due to a requirement in state law. What is discussed in the plan is a

00024 - D

body that is given specific charter, local not for profit 501C3 type designation perhaps, that brings together some of the private interest that while they are attending meeting and are involved here, represent a much deeper private commitment to the revitalization process. A much deeper and slightly different composition of the private sector representation on the board discussed in the plan. Lending institutions, utility companies, CEO and top of people of this representation to be on the board described in the plan. Mr. Trkla stated that he does not want this document to be used as a vehicle that states that the TIF Board must disappear. A proper role for this advisory committee to continue with the process may be found.

Mr. Zachry stated that in recapping the meeting, it was felt that it was the unanimous consensus of the group to go ahead with the joint venture proposal. There are concerns in the joint relationship as to whether or not duplication of overhead is occurring, whether or not this is a function of the Chamber of Commerce to do the industrial portion. The concern here is to not unnecessarily increase overhead. The Council can approve a program, designate the flow of money, etc., however the plan will not to pass unless volunteers commit their time and are absolutely dedicated to making this redevelopment happen. Mr. Fogel added that the City is not the public body here, it is joined by the school district, and the county.

There being nor further business, the meeting adjourned.

Lee Roy George, Director
Planning Department

H.C. Zachry, Chairman
Abilene Reinvestment Zone No. 1

00024-E