

## ACTION FORM BRYAN CITY COUNCIL

<b>DATE OF COUNCIL MEETING:</b> April 14, 2015		<b>DATE SUBMITTED:</b> March 24, 2015	
<b>DEPARTMENT OF ORIGIN:</b> Economic Development		<b>SUBMITTED BY:</b> Frank Clark	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>	<b>STRATEGIC INITIATIVE:</b>
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> STATUTORY		<input checked="" type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input type="checkbox"/> INFRASTRUCTURE
			<input type="checkbox"/> QUALITY OF LIFE
<b>AGENDA ITEM DESCRIPTION:</b> Consideration to adopt a resolution to create a new, separate economic incentive program to reimburse entry fees for the Bryan-College Station Home Builders Association (BCSHBA) Parade of Homes, fund the program for the remainder of Fiscal Year 2015 and annually thereafter. Under the new revised program there are no size restrictions for homes to participate in the program. All homes must be within the city limits of Bryan.			
<b>SUMMARY STATEMENT:</b> On March 25, 2014, the Single Family Housing-Home Builders Incentive Program (Program) was created by Resolution 3540. One of the stipulations of the current Program is that only homes within the target range of 2,200 to 3,000 square feet heated/cooled are eligible for rebate grants for the Parade of Homes entry fee. Feedback from program participants has suggested opening the rebate program to all home sizes.			
<p>There are two (2) primary reasons to create a separate incentive program. One, the original 380 program limited participation to the "Target Range" homes only. The proposed program opens participation to all size homes constructed in the city of Bryan thus providing greater neighborhood visibility to prospective home buyers. Two, the rebate grants require funding from the General Fund. The proposed program would provide funding for the remainder of Fiscal Year 2015 and annually thereafter.</p> <p>The inclusion of the Parade of Homes reimbursement in the Program was designed to promote homes in the city of Bryan. Since the inception of the program, twelve (12) homes were entered in the Spring and Fall Parade of Homes in 2014 at a cost of \$2,725. Consequently, the Parade of Homes has helped showcase the city of Bryan to prospective home buyers and others.</p> <p>The primary aspects to consider under this request are as follows:</p> <ul style="list-style-type: none"> <li>• Create a separate incentive program solely to reimburse Parade of Homes entry fees for homes of all sizes that are constructed within the city of Bryan;</li> <li>• Fund the reimbursement fees remaining for Fiscal Year 2015, not to exceed \$6,000; and,</li> <li>• Fund the reimbursements annually beginning in Fiscal Year 2016, not to exceed \$12,000, or until the City Council deems otherwise.</li> </ul>			
<b>STAFF ANALYSIS AND RECOMMENDATION:</b> Staff recommends creating a new, separate program for the purpose of showcasing new home construction within the city of Bryan. The initial iteration of the Parade of Homes program has proven successful and provides for the unique ability to highlight the city to prospective home buyers.			
<b>OPTIONS (In Suggested Order of Staff Preference):</b>			
1. Approve the economic incentive program for the rebate grants to reimburse entry fees;			

2. Modify the economic incentive program for the rebate grants to reimburse entry fees, which may require consideration at a future City Council meeting; or
3. Deny the economic incentive program.

**ATTACHMENTS:**

1. Proposed Resolution.

**FUNDING SOURCE:** General Fund (\$6,000 for FY15; \$12,000 in subsequent years)

**APPROVALS:** Hugh R. Walker, 04/06/2015)

**APPROVED FOR SUBMITTAL: CITY MANAGER**

**APPROVED FOR SUBMITTAL: CITY ATTORNEY**

Revised 05/2013

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, ESTABLISHING A PROGRAM UNDER TEXAS LOCAL GOVERNMENT CODE CHAPTER 380 TO PROVIDE ECONOMIC INCENTIVES IN THE FORM OF A REBATE OF ENTRY FEES FOR THE BI-ANNUAL BRYAN-COLLEGE STATION HOME BUILDERS ASSOCIATION (BCSHBA) PARADE OF HOMES TO PROMOTE AND ENCOURAGE NEW HOME CONSTRUCTION WITHIN THE CITY OF BRYAN; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT WITH THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code authorizes a local government to establish and provide for the administration of one or more programs, for making loans and grants and providing personnel and services of the municipality, to promote state or local economic development and to stimulate business and commercial activity in the municipality; and

**WHEREAS**, in accordance with Chapter 380 of the Texas Local Government Code, the City hereby establishes such a program to provide incentives and financial assistance to Homebuilders to encourage and promote the construction of new single family, site built homes inside the City of Bryan, thereby enhancing and stimulating business and commercial activity within the City limits; and

**WHEREAS**, the promotion of new construction of housing stock in the City promotes economic development within the City and is essential for the continued economic growth of the City; and

**WHEREAS**, it is well established that the availability of quality housing stock encourages the relocation of businesses and attracts new business enterprises, as well as the expansion of existing business enterprises within the City, which in turn stimulates growth, creates jobs and increases property and sales tax revenues; and

**WHEREAS**, such construction will create employment opportunities for carpenters, roofers, electricians, and related trades; and

**WHEREAS**, the development of the New Homes will contribute to the economic development of the City by: providing housing for individuals, and families wishing to relocate in Bryan and create business startups or find employment in the area; increasing real property value and tax revenue for City, and have both direct and indirect positive impact on, and provide an overall improvement/stimulus to, the local and state economy; and

**WHEREAS**, City desires to promote the beneficial impact anticipated by new home construction; and

**WHEREAS**, City desires to offer incentives to encourage Home Builders to construct in the City of Bryan new single family, site built homes in a manner that is consistent with City's economic development plan; and

**WHEREAS**, this Resolution incorporates the terms under which grant payments in the form of a rebate of entry fees for the bi-annual Bryan-College Station Home Builders Association (BCSHBA) Parade of Homes shall be made to qualifying New Home Builders; and

**WHEREAS**, all agreements under this Program are subject to the laws of the State of Texas and all rules, regulations and interpretations of any agency or subdivision thereof at any time governing the subject matters hereof; and

**WHEREAS**, all conditions precedent for this Program to become effective, including all requirements pursuant to the Texas Open Meetings Act and all public notices and hearings; if any, have been conducted in accordance with Texas law; and

**WHEREAS**, the City Council hereby adopts these recitals by Resolution and authorizes the City Manager to make the Parade of Homes entry fee rebate grants to New Home Builders in recognition of the positive economic benefits which will accrue to City through New Home Builders' efforts to develop Property as described in this Program;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BRYAN, TEXAS, THAT:**

**SECTION I  
NEW HOME CONSTRUCTION PROGRAM ESTABLISHED**

Pursuant to Texas Local Government Code Chapter 380, City Council hereby establishes a program to encourage new home construction as follows:

**A. DEFINITIONS**

**“Grant Payments”** means City’s rebate payments to New Home Builders under this program.

**“Platted Lot”** means a lot located within the City limits of the City of Bryan, Texas that has been platted in accordance with the City of Bryan’s Subdivision Regulations.

**“New Home Builder”** means the builder of a New Home Construction.

**“New Home Construction” or “New Home”** means the construction of a new single family, site built, detached dwelling, on a vacant Platted Lot, when such construction is either a custom or initiated on the Speculation by New Home Builder that the new home will be sold.

**“Property”** means one or more Platted Lots.

**“Site Built Construction”** means a home that is constructed or assembled on site with exterior walls made out of brick, brick veneer, wood, HardyBoard, vinyl or similar materials. The term does not include HUD approved manufactured housing or Modular Housing.

**“Speculation”** means without a contract or other commitment that the new home will be purchased upon completion.

**“Year”** for the purposes of this Agreement shall mean fiscal year.

**B. PROJECT REQUIREMENTS**

**1. Description of the Property.** Properties eligible for Incentives under this Program must be platted and of such configuration to allow New Home Construction in accordance with development regulations.

**2. Development and Construction of New Homes.** New Home Construction shall be Site Built Construction.

**C. INCENTIVES**

New Home Builders in full compliance with the requirements of this Program may be eligible for Grant Payments as follows

**1. Parade of Homes Entry Fee Rebate:**

- a) The Bryan-College Station Home Builders Association (BCSHBA) organizes two Parade of Homes annually; one in the Spring and one in the Fall. The City may refund to an approved Home Builder up to 100% of the cost of entry fees for participation of one or more New Home Construction in a BCSHBA Parade of Homes, up to a total not-to-exceed amount of \$12,000 annually, subject to availability of funds.

**SECTION II  
GRANT APPLICATION**

New Home Builders wishing to participate in this program shall submit no later than 15 business days prior to the deadline for entry to the Parade of Homes event, an application to the Director of Economic Development, on a form available from the City of Bryan Building Services Department, wherein the Builder agrees to comply with the terms of this program.

Applications shall be reviewed when received by the Director of Economic Development or his designee, not later than fifteen (15) business days after submission. If an application is incomplete or if additional information is required, the Director of Economic Development shall notify the Applicant in writing of such request with a deadline to submit such requested information. The Applicant shall provide a complete application or the requested additional information, as the case may be, within the stated time period or the application shall be deemed withdrawn. The Director of Economic Development will notify the New Home Builder in writing, if the application is denied or approved. Rebate grants will be awarded on an "as-submitted" basis, subject to availability of funds. The program will renew annually, subject to annual appropriation, unless terminated earlier by Resolution of the City Council.

**SECTION III  
APPEAL PROCESS**

Any applicant who is denied participation in the program may appeal such denial to City Council. The grievance shall be placed on the next available agenda of City Council. Approval of an application and participation in the program is discretionary with the City Council, and the program may be suspended, terminated, or modified at any time regardless of availability of City funds or pending applications on file.

**SECTION IV**

All resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed to the extent of such conflict.

**SECTION V**

This resolution shall become effective immediately upon adoption.

Approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

**CITY OF BRYAN:**

\_\_\_\_\_  
Mary L. Stratta, City Secretary

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Jason P. Bienski, Mayor

**APPROVED AS TO FORM:**

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Janis K. Hampton City Attorney