



Legislation Text

File #: Res. 2017-140R, **Version:** 1

AGENDA CAPTION:

Consider approval of Resolution 2017-140R, approving a second amendment to the term sheet attached to Resolution 2014-143 regarding the advisability of the improvements in the Whisper Public Improvement District for the purpose of extending the date by which construction of the public improvements must be completed to September 1, 2018 and amending the maximum annual assessment rate as an equivalent tax rate from \$0.150 per hundred dollars valuation to a maximum rate of \$0.170 for residential property and a maximum rate of \$0.220 for non-residential property; and declaring an effective date.

Meeting date: September 5, 2017

Department: City Manager's Office, Steve Parker, Assistant City Manager

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

CITY COUNCIL GOAL: Maintain Fiscal Responsibility

COMPREHENSIVE PLAN ELEMENT(s):

Fiscally responsible incentives for economic development

BACKGROUND: In October, 2014 the San Marcos City Council approved resolution 2014-143R making finds as to the advisability of the improvements proposed in the Whisper Public Improvement District. The Whisper PID Term sheet consisted of the following highlights:

- 281 acre business park
- 296 acres of commercial land including a Master Retail and Commercial Center
- \$14,360,000 Maximum Debt with \$10,398,361 of actual construction costs to reimburse developer
- Building and Site Design Standards for a 50,000 square foot commercial spec building

- Timing triggers for infrastructure improvements as well as vertical construction
- Reimbursement PID which will fund improvements to reimburse developer after certain timing triggers are met.

The term sheet was previously amended by Resolution No. 2015-178R on December 15, 2015 to extend the date for submission of engineering design plans for the public infrastructure improvements from May of 2015 to June 15, 2016. This was due to a lengthy negotiation with the Maxwell Water Corporation to adjust CCN boundaries for the development, the initial time deadlines per the PID term sheet were not met. Construction of a 50,000 square foot speculative building shall commence within 100 days of City acceptance of the Improvements.

There is a current need to extend the date for construction of the public infrastructure improvements because the Whisper PDD was just approved in September of this year.

The Whisper PID Committee has recommended the two amendments to the term sheet.