

AGENDA
SNYDER CITY COUNCIL REGULAR MEETING
AUGUST 1, 2016
CITY COUNCIL CHAMBERS
1925 24th STREET
SNYDER, TEXAS
5:30 P.M.

If the Council should determine that a closed or executive meeting or session as authorized by the Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, should be held, the Council may convene into a closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Section 551.071 through 551.088 including:

Section 551.071 consultation with attorney, 551.072 deliberation regarding real property, 551.073 deliberation regarding prospective gift, 551.074 personnel matters, 551.075 conference with employees, 551.076 deliberation regarding security devices, 551.084 exclusion of witness from hearing, 551.086 certain public power competitive matters, 551.087 economic development negotiations, and 551.088 certain licensing or certifications test items.

WELCOME VISITORS

All visitors are encouraged and welcome to speak at City Council Meetings during the visitors forum for up to five minutes. At all other times, visitors must be recognized by the chair to speak.

Thank you,

Mayor Tony Wofford

- I. INVOCATION:
- II. PUBLIC HEARING: MASTER COMPREHENSIVE PLAN FOR THE CITY OF SNYDER.
 1. Open. Time:_____
 2. Discussion:
 3. Close. Time:_____
- III. RECOGNIZE EMPLOYEE OF THE MONTH:
- IV. RECOGNIZE VISITORS:
- V. VISITORS/CITZENS FORUM:
- VI. MINUTES:
 1. Consider And Act On Approval Of The Minutes Of The Regular Council Meeting July 11, 2016.(Pages 1-4)

Documents:

[MIN160711.PDF](#)

2. Consider And Act On Approval Of The Minutes Of The Planning And Zoning Commission Meeting July 12, 2016.(Page 5)

Documents:

[MIN160712.PDF](#)

VII. BIDS:

1. Consider And Act On Approval Of The Purchase Of A Dump Truck For Dept. 25 From Austin Freightliner Through Buy Board For \$137,578.(Pages 6-10)

Documents:

[DUMPTRUCK BID.PDF](#)

2. Consider And Act On Awarding The Bid For A 2400 Square Foot Awning For Dept. 31. (H/O)
3. Consider And Act On Awarding The Bid For A 1500 Square Foot Wash Bay For Dept. 80.(H/O)

VIII. OLD BUSINESS:

1. Consider And Act On Adoption On Second Reading Ordinance No. 2034 Repealing Ordinance No. 944 "The Building Code' As Captioned Below:(Pages 11-13)

AN ORDINANCE OF THE CITY OF SNYDER, TEXAS; PROVIDING THAT ITS CODE OF ORDINANCES BE AMENDED, REPEALING ORDINANCE NO. 944 "THE BUILDING CODE" TO UPDATE VARIOUS SECTIONS OF CHAPTER 3, CODE OF ORDINANCES, TO ADOPT THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODES BY PROVIDING THE MINIMUM ACCEPTABLE STANDARDS AND CONDITIONS ESSENTIAL TO THE SAFETY OF STRUCTURES ARE SAFE SANITARY AND FIT FOR HUMAN OCCUPANCY AND USE IN THE CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES; REPEALING THE 2003 INTERNATIONAL BUILDING CODE AND ALL OTHER ORDINANCES AND SECTIONS OF THE ORDINANCES IN CONFLICT THEREWITH.

Documents:

[ORD2034.PDF](#)

2. Consider And Act On Adoption On Second Reading Ordinance No. 2035 Regarding Zone Case #364 Changing Lot 5, Block 16 Of The Bootheland-West Addition, Located At 211 N. Avenue T From A C-1 Commercial Zone To An R-3 Residential Zone.(Page 14)

Documents:

[ORD2035.PDF](#)

IX. NEW BUSINESS:

1. Discussion Of 2016-2017 Budget.

2. Consider And Act On Approval Of The Development Corporation Of Snyder's 2016-2017 Budget.(Page 15)

Documents:

[DCOS 16-17 BUDGET.PDF](#)

3. Consider And Act On Approval Of The Annual Report From The Development Corporation Of Snyder.(H/O)
4. Consider And Act On Voting To Propose A Tax Rate.(H/O)
5. Consider And Act On Scheduling The First Public Hearing On A Tax Increase For Monday, August 8, 5:30 P.m. And The Second Public Hearing On Monday, August 15, 5:30 P.m., If Necessary.
6. Consider And Act On Approval On First Reading An Ordinance Amending Chapter 5 Of The City Of Snyder, Texas Code Of Ordinances, Repealing Ordinance No. 994 And Adopting The 2015 Edition Of The International Fire Code As Captioned Below:(Pages 16-17)

AN ORDINANCE AMENDING CHAPTER 5 OF THE CITY OF SNYDER, TEXAS CODE OF ORDINANCES, REPEALING ORDINANCE NO. 994 AND ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, SETTING FORTH RULES AND REGULATIONS TO IMPROVE PUBLIC SAFETY BY PROMOTING THE CONTROL OF FIRE HAZARDS, REGULATING THE INSTALLATION, USE AND MAINTENANCE OF EQUIPMENT; REGULATING THE USE OF STRUCTURES , PREMISES AND OPEN AREAS IN THE CITY OF SNYDER; PROVIDING FOR THE ABATEMENT OF FIRE HAZARDS; ESTABLISHING THE RESPONSIBILITIES AND PROCEDURES FOR ENFORCEMENT; SETTING STANDARDS FOR COMPLIANCE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Documents:

[FIRE CODE ORDINANCE.PDF](#)

7. Consider And Act On Approval On First Reading An Ordinance Regarding Zone Case #365 Changing Lots 5 & 6 Block 1 Of The Bootheland Addition, Located At 1903 Gilmore From An M-2 Heavy Manufacturing Zone To An R-3 General Residential Zone. (Pages 18-22)

Documents:

[ZONE CASE 365.PDF](#)

8. Consider And Act On Approval The Revisions To The City Of Snyder Tax Abatement Guidelines And Criteria.(Pages 23-40)

Documents:

[REVISED TAX ABATEMENT .PDF](#)

X. EXECUTIVE SESSION:

1. Council May Act In Open Session On The Following Item:
2. Economic Development Negotiations. (Section 551.087 Texas Government Code.) Power Sky Capital, LLC.

XI. RECONVENE IN OPEN SESSION:

1. Consider And Act On Economic Development Negotiations With Power Sky Capital, LLC. (Section 551.087 Texas Government Code.)

XII. INFORMATION:

1. Monthly Personnel Report.(Pages 41-44)

Documents:

[PERSONNEL160801.PDF](#)

2. Next Special Council Meeting Is August 8, 5:30 P.m. For Public Hearing On Taxes, (If Necessary) And First Reading On Budget, Utility Rates And Taxes.
3. Special Council Meeting Is August 15, 5:30 P.m. For Second Public Hearing On Taxes. (If Necessary)
4. Special Council Meeting Is August 22, 5:30 P.m. Public Hearing On Budget, Second Reading On Budget, Utility Rates And Taxes.

XIII. ADJOURNMENT:

1. Consider Motion To Adjourn.

MINUTES OF THE REGULAR COUNCIL MEETING

CITY OF SNYDER

JULY 11, 2016

A Regular Meeting of the City Council of the City of Snyder, Texas was called to order at 5:30 p.m. by Mayor Pro-Tem Steve Highfield with the following members present:

Councilmember Rodney Dupree
Councilmember Vernon Clay
Councilmember Steve Rich
Councilmember Tom Strayhorn
Attorney for the City, Bryan Guymon

And the following absent:

Mayor Tony Wofford
Councilmember Luann Burleson

ITEM I. INVOCATION:

The invocation was given by Perry Westmoreland.

ITEM II. RECOGNIZE EMPLOYEE OF THE MONTH:

There was no Employee of the Month.

ITEM III. RECOGNIZE VISITORS:

Mayor Pro-Tem Steve Highfield recognized the following visitors:

Bill Crist, Snyder Daily News; Linda Molina, Snyder Chamber of Commerce; M.L. Chandler, Snyder.

ITEM IV. VISITORS/CITIZENS FORUM:

M. L. Chandler, Snyder resident, presented the Council with pictures showing overgrown lots and yards in the 2100 Block of KSNY Drive and 2000 Block of West Drive and asked if the city could help get the situation under control. M.L. Chandler stated the city demolished a manufactured home on one of the lots, which has since become overgrown with weeds. City Manager Merle Taylor stated the city would take care of the situation.

ITEM V. MINUTES:

1. Councilmember Steve Rich made the motion to approve the minutes of the Special Council Meeting, June 21, 2016.

The motion was seconded by Councilmember Rodney Dupree and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

2. Councilmember Steve Rich made the motion to approve the minutes of the Planning and Zoning Commission Meeting June 14, 2016.

The motion was seconded by Councilmember Tom Strayhorn and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

ITEM VI. NEW BUSINESS:

1. Councilmember Rodney Dupree made the motion to table the 2016-2017 budget until the next scheduled council meeting.

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.
Noes: None.

2. Councilmember Steve Rich made the motion to approve Resolution R160711 regarding Atmos Cities Steering Committee as captioned below:

A RESOLUTION AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF TWO AND ONE-HALF CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION.

The motion was seconded Councilmember Tom Strayhorn and passed with the following vote:

Ayes: All members present voted yes.
Noes: None.

3. Councilmember Rodney Dupree made the motion to approve on first reading Ordinance No. 2034 repealing Ordinance No. 944 "The Building Code" as captioned below:

AN ORDINANCE OF THE CITY OF SNYDER, TEXAS; PROVIDING THAT ITS CODE OF ORDINANCES BE AMENDED, REPEALING ORDINANCE NO. 944 "THE BUILDING CODE" TO UPDATE VARIOUS SECTIONS OF CHAPTER 3, CODE OF ORDINANCES, TO ADOPT THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODES BY PROVIDING THE MINIMUM ACCEPTABLE STANDARDS AND CONDITIONS ESSENTIAL TO THE SAFETY OF STRUCTURES ARE SAFE SANITARY AND FIT FOR HUMAN OCCUPANCY AND USE IN THE CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES; REPEALING THE 2003 INTERNATIONAL BUILDING CODE AND ALL OTHER ORDINANCES AND SECTIONS OF THE ORDINANCES IN CONFLICT THEREWITH.

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

4. Councilmember Tom Strayhorn made the motion to approve the final re-plat of the 28.059 acre tract, Section 124, Block 3, H&GN RR Company Survey requested by Blake Fulenwider.

The motion was seconded by Councilmember Vernon Clay with the following vote:

Ayes: All members present voted yes.
Noes: None.

5. Councilmember Vernon Clay made the motion to approve on first reading Ordinance No. 2035 regarding Zone Case #364 changing Lot 5, Block 16 of the Boothelan-West Addition, located at 211 N. Avenue T from a C-1 Commercial Zone to an R-3 General Residential Zone.

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.
Noes: None.

6. Councilmember Vernon Clay made the motion to approve the Guidelines for Filming in Snyder.

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.
Noes: None.

7. Councilmember Rodney Dupree made the motion to approve the quarterly investment report for quarter ending June 30, 2016.

The motion was seconded by Councilmember Tom Strayhorn and passed with the following vote:

Ayes: All members present voted yes.
Noes: None.

ITEM VII. INFORMATION:

1. Monthly personnel report.
2. Budget Schedule.
3. Next Regular Council Meeting is August 1, 5:30 p.m.; Building Standards Commission Meeting is August 1, 4:30 p.m.

ITEM VIII. ADJOURNMENT:

1. Councilmember Rodney Dupree made the motion to adjourn.

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.
Noes: None.

The meeting was adjourned at 6:31 p.m.

Snyder City Council
Regular Council Meeting
July 11, 2016

Mayor

ATTEST:

City Secretary

Approved: August 1, 2016.

MINUTES
PLANNING AND ZONING COMMISSION MEETING
July 12, 2016

The Planning and Zoning Commission met Tuesday, July 12, 2016 at 5:45 p.m. in the City Hall with the following members present: Don West presiding, Keith Pitner, George Crowder, Bill Crist, John Lewis, Jimmy Nix and Secretary Vick Chambers. Bob Martin was absent.

Guest attending the meeting were Juan Olvera applicant, Carol Haefner, Danny Schallenberg, Albert and Darla DeLoera, Bill Lavers and Glen Brockenbush with the Snyder Daily News.

The minutes of the June 14, 2016, meeting were approved unanimously after a motion by Mr. Lewis, and a second by Mr. Crowder.

The only item of business was to review Zone Case #365 a request by Mr. Atenogenes Olvera , to rezone 1903 Gilmore Ave. from the present M-2 District to an R-3 General Residential District.

After a brief discussion, Mr. Crist motioned to approve the request. Mr. Pitner seconded and the motion passed unanimous.

The Commission then opened the discussion introducing the “Tiny House Alternative” to conventional residential building standards. Mr. Danny Schallenberg (a Tiny House Contractor and Developer) provided the general information and Ms. Carol Haefner a prospective Tiny House owner residing in Spur, Texas provided information from the perspective of a potential Tiny House resident.

Having no further business, the meeting adjourned upon a motion by Mr. Crist with a second by Mr. Crowder.

Presiding Officer

Commission Secretary

July 20, 2016

Merle Taylor

16' DUMPTRUCK RECOMMENDATION

We recommend the purchase of Freightliner 114SD truck with the 16' OX Stampede with high lift gate and electric tarp, from Austin Freightliner (Buy Board Contract). Austin Freightliner meets all the specs.

Buy Board Contract Number: 430-13

Austin Freightliner **\$ 137,578.00**

Amount Budgeted - \$ 150,000.00

Respectively,



Elias Torres



Quote Response Form

TRUCK BODIES & EQUIPMENT INTERNATIONAL, Inc.
 Ox Bodies | Crysteel | OursClass | Rugby | J-CraR | Hardee

TBEI - Ox Bodies
 719 Columbus Street East
 PO Box 886
 Fayette AL 35555
 800-844-2519

End User: CITY OF SNYDER
Customer: 34358
 KEVIN KRIEG
 AUSTIN TRUCK & EQUIPMENT, LTD
 D/B/A FOA BODY & EQUIPMENT
 1701 SMITH ROAD
 Austin TX 78721
Phone: USA (512) 389-0000
Fax: 15123892663

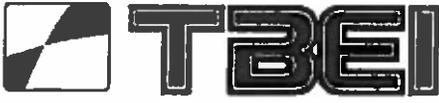
Taken By: Ashton Hubbert

Estimate	Terms	Quote Date	Expiration Date	Salesperson	Customer Currency
FA00081880	Net 90 Days	7/8/2016	8/7/2016	HOWARD, CHIP	USD

UM	Quantity	Item	Unit Price	Extended Price
EA	1.000	1889006 SP851600-1517YD-56/48/54STR-HLF-I	20,534.40	20,534.40

Yardage 15/17

- Body Style: STAMPEDE
- Body ID: 85
- Body Length: 16'
- Hoist Model: 74133
- Frame Style: STANDARD 2x8 RT
- Front Style: STRAIGHT
- Rear Style: STRAIGHT
- Front Exhaust Notch: NO
- Front Height: 56
- Side Height Front: 48
- Side Height Rear: 48
- Rear Height: 54
- Side Material: SHEET-3/16-AR400
- Front Material: SHEET-3/16-AR400
- Tailgate Material: SHEET-3/16-AR400
- Floor Material: PLATE-1/4-AR450
- Skirt Material: SHEET-.19-TREAD-BRITE
- Cabshield Style: NARROW and CENTERED
- Cabshield Projection: 24
- Cabshield Width: 65
- Tarp Style: MOUNTAIN
- Tailgate Type: AIR HIGH LIFT
- Coal Chutes: 0
- Tailgate Bracing Style: OUTER FRAME ONLY
- Horizontal Side Brace: NO
- Side Top Rail Style: 3x4x.188 (Standard)
- Lineposts: NO
- Dump Apron: STANDARD
- Dump Apron Size: 8
- Side Light Cutouts: LOWER FRONT
- Metro Light Quantity: 0
- Dirt Shedding Angle: NO
- Board Holder Height: 8
- Special Body: Special Body Options
- Special Body: Special Body Feature
- Ladders / Steps: Ladder from Automation Model (STD Ladder)
- Insulation / Heating: NONE
- Body Add-On: Body Add-On
- Body Add-On: Paint
- Paint: Stock Ox Color White



Quote Response Form

TRUCK BODIES & EQUIPMENT INTERNATIONAL, Inc.
 Ox Bodies | Crystal | DuraClass | Rugby | J-Craft | Hardee

TBEI - Ox Bodies
 719 Columbus Street East
 PO Box 886
 Fayette AL 35555
 800-844-2519

End User: CITY OF SNYDER
 Customer: 34358
 KEVIN KRIEG
 AUSTIN TRUCK & EQUIPMENT, LTD
 D/B/A FOA BODY & EQUIPMENT
 1701 SMITH ROAD
 Austin TX 78721
 USA
 Phone: (512) 389-0000
 Fax: 15123892663

Taken By: Ashton Hubbert

Estimate	Terms	Quote Date	Expiration Date	Salesperson	Customer Currency
FA00081880	Net 90 Days	7/8/2016	8/7/2016	HOWARD, CHIP	USD

UM	Quantity	Item	Unit Price	Extended Price
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One set on each side of cab shield
 One set on each side of cab shield front
 One set in each rear post on rear

2 White/Amber in front cab shield
 2 White/ Blue in side cab shield
 2 White/ Amber in side of rear post

Truck: Freightliner

Truck: Installed

Side Boards: BOARD KIT WOOD 6" - UP TO 17' - NOT SLOPED SIDES
 Hydraulic Tank: HYD TANK PYRAMID FLAT BOTTOM STD PHINST
 Rear Hinge: ASSEMBLY HINGE REAR REM LARGE(STD) PHINS
 Hoist - STD FRAMES W/ TUBING RUNNERS: 1701468 - 74133 HYVA
 Cab Controls: Auto Trans: CTRL KIT ES PTO/CABLE TO PUMP PHINS
 Pump - Auto Trans: PUMP KIT CS/AUTO G102-D1-2.0(073)C/W ROT
 PTO - Auto Transmission: PTO KIT ELEC AT CS24-A1007-H3KX PHINST
 Mud Flaps - Stampede: MUD FLAP KIT 36" GRVL GRD&LGHT BRK - W/ ANTISAIL
 Backup Alarm: STD BACK-UP ALARM KIT PHINST
 Front Harness Options: LTS KIT-C/S-2 C/M-2 OVL STB AMB-PHINST
 Side Harness Options: LTS KIT-LWR FRT C/M-14.5-20-PHINST
 Rear Harness Options: LTS KIT-1SET MET-1SET OVL STB AMB-PHINST
 Truck Plug Options: FREIGHTLINER (2015&NEW) PIGTAIL
 Air Tailgate Kit: TAILGATE KIT AIR PHINST
 AL Skirts - STP: SKIRTS ALUMN-STP-STR-16FT-85-PHINST
 Insulation / Heating: NONE
 Body Prop: BODY PROP PHINST KIT <=16FT
 Chrome Turnout: Cabshield Installed - Chrome Turnout
 Hi-Lift Tailgate Kit: HI-LIFT TAILGATE KIT PHINST
 Vibrator Kits: NONE
 Cab Height: 77" Cab Height

EA	1.000	1249365	TARP ELEC MT MESH N/FL AL 10-16 IN:	1,149.48	1,149.48
EA	1.000	1251399	TANDEM SLIDE-SPRING INSTALL	1,442.00	1,442.00

*****By signing below I acknowledge that I have reviewed the specs above *****
 and confirmed they are correct. I understand that once my order is placed
 and sent into production that I will not be able to make changes to the order.
 I assume full ownership of the body once production begins.

X _____



TRUCK BODIES & EQUIPMENT INTERNATIONAL, Inc.
 Ox Bodies | Crysteel | DuraClass | Rugby | J-Craft | Hardee

TBEI - Ox Bodies
 719 Columbus Street East
 PO Box 886
 Fayette AL 35555
 800-844-2519

Taken By: Ashton Hubbert

Quote Response Form

End User: CITY OF SNYDER
Customer: 34358
 KEVIN KRIEG
 AUSTIN TRUCK & EQUIPMENT, LTD
 D/B/A FOA BODY & EQUIPMENT
 1701 SMITH ROAD
 Austin TX 78721
Phone: USA (512) 389-0000
Fax: 15123892663

Estimate	Terms	Quote Date	Expiration Date	Salesperson	Customer Currency
FA00081880	Net 90 Days	7/8/2016	8/7/2016	HOWARD, CHIP	USD

UM	Quantity	Item	Unit Price	Extended Price
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VIN: _____

New/Used: _____

ETA: _____

Transmission: _____

Dump Body Color: _____

Gross Sales:	24,758.00
Total Discounts:	1,632.12
Sale Amount:	23,125.88
Freight:	1,155.00
Sales Tax:	0.00
FET Charges:	0.00
Total Amount:	24,280.88

ORDINANCE NO. 2034

AN ORDINANCE OF THE CITY OF SNYDER, TEXAS; PROVIDING THAT ITS CODE OF ORDINANCES BE AMENDED, REPEALING ORDINANCE NO. 944 "THE BUILDING CODE" TO UPDATE VARIOUS SECTIONS OF CHAPTER 3, CODE OF ORDINANCES, TO ADOPT THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODES BY PROVIDING THE MINIMUM ACCEPTABLE STANDARDS AND CONDITIONS ESSENTIAL TO THE SAFETY OF STRUCTURES ARE SAFE SANITARY AND FIT FOR HUMAN OCCUPANCY AND USE IN THE CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES; REPEALING THE 2003 INTERNATIONAL BUILDING CODE AND ALL OTHER ORDINANCES AND SECTIONS OF THE ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, recognized building standards, building materials, and construction methods are regularly modified and evolve from time to time; and

WHEREAS, the City has not adopted new standards since 2006, and

WHEREAS, the City Council of the City of Snyder finds the modifications to be reasonable and beneficial to the general health, safety and welfare of the citizens of Snyder;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Snyder, Texas that certain sections of Chapter 3 of the Snyder Code of Ordinance, shall be revised and Ordinance Number 944 is repealed to incorporate the following changes in this Ordinance

SECTION I

Part 1

ARTICLE 3.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS

3.02.001 The Building Code is applicable to any and all structures with a floor area greater than 200 square feet, and intended for permanent human occupancy and use. Exempted from this regulation are single family manufactured homes, and mobile homes, which are limited to the R-3 General Residential District.

3.02.002 This Ordinance specifically prohibits the utilization of Recreational Vehicles including, but not limited to Motor Homes, Fifth Wheels, Travel Trailers, or any other portable living facilities to be occupied as a primary human habitation.

Enactment. The Code of Ordinances, City of Snyder, Texas, is hereby amended to read in accordance with that certain document on file in the offices of the Planning and Zoning Department and commonly known in the building trade as the International Building Code, 2015 edition, including Appendix Chapters B, C, D, G, J hereto and incorporated into this Ordinance for all intents and purposes. The following Sections and Appendices of the Code shall be specifically excluded from this Ordinance, Section 101.4.4 , 103, Appendix Chapters A, E, F, H, I, J, K, L, & M.

This Ordinance shall include the following supplemental codes to be included in the adoption of the IBC

1. 2015 International Residential Code for One and Two Family Dwellings, with exceptions as noted.
2. 2015 International Plumbing Code, with exceptions as noted.
3. 2015 International Mechanical Code, with exceptions as noted.
4. 2015 International Fuel Gas Code, with exceptions as noted.
5. National Electrical Code 2014, with exceptions as noted.

ARTICLE 3.07 MOBILE AND MANUFACTURED HOMES

Sec. 3.07.001 Definitions

Mobile Homes shall be defined as a single family residential structure, with a fabricated date not exceeding eight years previously to the date of the building permit application, fabricated entirely within a recognized manufacturing facility, complete with a chassis integrated to the structural framing for the purpose of transporting the structure to a customer’s desired location. This definition specifically excludes Self Propelled Recreational Vehicles, Motor Homes, Bumper Pull Camper Trailers, Fifth Wheels, Factory Manufactured Utility Buildings, Cottages, and Cabins etc.

Manufactured Homes shall be defined as a single family residential structure, with a fabricated date not exceeding eight years previously to the date of the building permit application, the structure shall be fabricated in accordance with the Texas Occupations Code, Chapter 1201. Manufactured Housing, and have an affixed marking indicating compliance with the manufactured housing regulation.

Industrialized Housing shall be defined as a single family residential structure, manufactured under the authority of The Texas Occupations Code, Chapter 1202. Structures permitted under this provision shall have all modules or modular components affixed an approved decal or insignia used to certify compliance with the Texas Industrialized Buildings statute.

Part 2

The following sections are hereby revised:
Section 101.1 The City of Snyder
Section 1612.3 The City of Snyder
Section 1612.3 August 1, 2016

Part 3

That Ordinance # 944, “The Building Code” and any and all subsequent amendments be exclusively repealed.

SECTION II

Severability. The provisions of this ordinance are declared to be severable. If any section, sentence, clause or phrase of the ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance, but they shall remain in full force and effect; it being the legislative intent that this ordinance shall remain in effect notwithstanding the validity of any part.

SECTION III

Effective Date. This Ordinance shall take effect immediately upon its adoption by the City Council and publication as may be required by governing law.

SECTION IV

Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the *Open Meetings Act, Chapter 551, Gov't. Code.*

SECTION V

Provisions Cumulative. All other terms and provisions of the Snyder Code of Ordinances not in conflict herewith and not hereby amended shall remain in full force and effect. The passage of this Ordinance shall repeal any wording of any existing ordinance that is in conflict with the wording of this Ordinance.

PASSED AND APPROVED on first reading this 11th day of July, 2016.

Mayor

ATTEST:

City Secretary

PASSED AND ADOPTED on second reading this 1st day of August, 2016.

Mayor

ATTEST:

City Secretary

ORDINANCE NO. 2035

WHEREAS, by comprehensive Zoning Ordinance No. 979, and subsequent amendments passed by the City of Snyder, Lot 5, Block 16 of the Bootheland-West Addition located at 211 N. Avenue T was placed in an C-1 Commercial Zone; and

WHEREAS, the owner of the property did make application to the City Planning and Zoning Commission for a zone change to change the property from the C-1 Commercial Zone to an R-3 General Residential Zone; and

WHEREAS, the Planning and Zoning Commission reviewed and considered Zone Case #364 and recommended the City of Snyder grant the request; and

WHEREAS, the procedures under the City of Snyder Zoning Ordinance that are required before a zone change can be considered have been complied with by the owners of said property, the Planning and Zoning Commission, and the City Council of the City of Snyder;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SNYDER, TEXAS;

THAT, Lot 5, Block 16 of the Bootheland-West Addition located at 211 N. Avenue T, be subject and controlled as an R-3 General Residential District.

PASSED AND APPROVED on first reading this 11th day of July, 2016.

Mayor

ATTEST:

City Secretary

PASSED AND ADOPTED on second reading this 1st day of August, 2016.

Mayor

ATTEST:

City Secretary

DEVELOPMENT CORPORATION OF SNYDER
 REQUESTED BUDGET
 FOR FISCAL YEAR SEPTEMBER 30, 2017

FISCAL
 30-Sep-17
 BUDGET

10 MONTHS PLUS 2@47816

SALES TAX REVENUES	\$661,482.00
INTEREST INCOME	2,000.00
N/R-TUMBLEWEED PIZZA PARTNERS LLP-2632.83/MO 4/30/21	31,593.96
N/R-SPANISH INN-1675.20/MO 6/15/24	20,102.40
N/R-LUIS VILLA-500.00/MO NOT FINAL	6,000.00
N/R-DC SIGNS & GRAPHICS-1248.18/MO	14,978.00
N/R-WESLEY TRUCKING-2091.58/MO 2/26/20	25,099.00
N/R-WESLEY TRUCKING-1275.22/MO 4/10/17	15,303.00
N/R-AUTO CLINIC	
N/R-SAFETY PLUS-1140/MO	13,680.00
LOAN FEES	
TIF REIMBURSEMENT	
TOTAL CASH RECEIPTS	\$ 790,238.36

ADMINISTRATIVE EXPENSES	
SALARIES-EXECUTIVE	\$ 115,494.00
EXECUTIVE INCENTIVE BONUS	0.00
SALARIES-CLERICAL	43,750.80
CLERICAL INCENTIVE BONUS	0.00
CLERICAL-INTERN	3,000.00
PROFESSIONAL FEES-CITY AUDIT/COMPILATION	6,000.00
PROFESSIONAL FEES-ACCOUNTING	10,000.00
PROFESSIONAL FEES-LEGAL	8,000.00
PROFESSIONAL FEES-OTHER	1,500.00
COMPUTER SERVICES	1,500.00
CABLE AND INTERNET	2,500.00
DCOS WEBSITE	200.00
PAYROLL TAXES	13,000.00
INSURANCE-MEDICAL	0.00
RETIREMENT PROGRAM	26,028.00
GENERAL INSURANCE	42.00
AUTO ALLOWANCE	15,000.00
OFFICE SUPPLIES	3,000.00
POSTAGE	500.00
RENTAL EXPENSE-COPIER & OTHER	0.00
TELEPHONE AND COMMUNICATIONS	1,442.00
UTILITIES	4,800.00
UTILITIES-RAIL SWITCH-BCEC	1,000.00
TRACK AND SWITCH MAINTENANCE	3,600.00
TRAVEL EXPENSE	7,000.00
LODGING	3,000.00
MEALS AND ENTERTAINMENT	4,000.00
REGISTRATION FEES	2,000.00
PROFESSIONAL MEMBERSHIPS	2,500.00
CIVIC MEMBERSHIPS	1,000.00
SUBSCRIPTIONS	750.00
JANITORIAL & BUILDING MAINTENANCE	2,800.00
BANK SERVICE CHARGES	250.00
EXTRAORDINARY EXPENSE	0.00
ADMINISTRATION EXPENSES	\$ 283,656.80
CAPITAL EXPENDITURES	\$ 0.00
MAINTENANCE INDUSTRIAL PARK	\$ 6,000.00
MARKETING EXPENDITURES	\$ 17,000.00
CITY PARTNERSHIP	\$ 10,000.00
EXTRAORDINARY EXPENDITURES	
EXISTING INDUSTRY EXPENSES	\$ 7,500.00
JOB INCENTIVE-ELECTRIC LINEMAN	-
WORKFORCE TRAINING	-
EXTRAORDINARY EXPENDITURES	\$ 7,500.00
TOTAL BUDGETED EXPENDITURES	\$ 324,156.80

DEBT SERVICE OUTLAYS	
DEBT SERVICE-TEXAS LEVERAGED FUND(3.25% 15YRS)	299,263.56
BIG COUNTRY ELECTRIC INFRASTRUCTURE	16,000.00
REDLG LOAN PAYMENT (0% 10 YRS) 740000-6852.00/MO	82,224.00
REDLG LOAN PAYMENT (0% 10 YRS) 310000-2752.29/MO	33,027.48
IRRP NOTE	12,000.00
TOTAL DEBT SERVICE OUTLAYS	\$ 442,515.04

TOTAL PROJECTED OUTLAYS	\$766,671.84
CASH RECEIPTS OVER (UNDER) PROJECTED OUTLAYS	\$23,566.52

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 5 OF THE CITY OF SNYDER, TEXAS CODE OF ORDINANCES, REPEALING ORDINANCE NO. 994 AND ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, SETTING FORTH RULES AND REGULATIONS TO IMPROVE PUBLIC SAFETY BY PROMOTING THE CONTROL OF FIRE HAZARDS, REGULATING THE INSTALLATION, USE AND MAINTENANCE OF EQUIPMENT; REGULATING THE USE OF STRUCTURES, PREMISES AND OPEN AREAS IN THE CITY OF SNYDER; PROVIDING FOR THE ABATEMENT OF FIRE HAZARDS; ESTABLISHING THE RESPONSIBILITIES AND PROCEDURES FOR ENFORCEMENT; SETTING STANDARDS FOR COMPLIANCE; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Snyder, Texas that certain sections of Chapter 5 of the Snyder Code of Ordinance, shall be revised and Ordinance No. 994 is repealed to incorporate the following changes in this Ordinance

Section 1: Recognized Code of Authority

There is hereby adopted the 2015 Edition of the International Fire Code save and except such portions as hereinafter deleted, modified or amended as identified under Section 4.

Section 2: Inconsistent Ordinances or Parts of Ordinances Repealed

Any ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance or the Code hereby adopted are hereby repealed. All other terms and provisions of the Snyder Code of Ordinances not in conflict herewith and not hereby amended shall remain in full force and effect. The passage of this Ordinance shall repeal any wording of any existing ordinance that is in conflict with the wording of this Ordinance.

Section 3: Saving Clauses

Should any part, section, sentence, paragraph, clause or phrase contained in this ordinance or the code be held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portion of the Ordinance or Code, but in all respect shall remain in full force and effect; and the City Council hereby declares that it would not have passed the unconstitutional or invalid part had it known it was invalid and that it would have passed the remaining part that is not invalid.

Section 4: Amendments and Deletions to the 2015 Edition of the International Fire Code

Section 5: Penalties

Any person, either by himself or his agent and /or any firm, corporation or their entity who violates the provisions of the code shall be deemed guilty of a misdemeanor and, upon conviction of any such violation, shall be fined in any sum not to exceed \$2,000.00, and each day such violation continues shall constitute a separate and distinct offence. In any case of violation of any of the terms of the provisions of this ordinance by any corporation, the officers and agents actively in charge of the businesses of such corporation shall be subject to the penalty herein provided. Any offense defined herein which has been defined by laws of the State of Texas as an offense and for which penalty has been prescribed shall be punished as provided in said state law, and nothing herein shall be held as fixing any penalty contrary to a penalty provided by the laws of the State of Texas.

This Ordinance grants the authority to enforce the regulations contained herein to police officers, code enforcement officers, building officials, state licensed plumbing inspectors, fire chief and fire marshals of the City and each shall have the authority to issue citations for any violation of this Ordinance.

Section 6: Open Meetings: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the *Open Meetings Act, Chapter 551, Gov't. Code*.

Section 7: Effective Date: This Ordinance shall take effect immediately upon its adoption by the City Council and publication as may be required by governing law.

PASSED AND APPROVED on first reading this 1st day of August, 2016.

Mayor

ATTEST:

City Secretary

PASSED AND ADOPTED on second reading this 8th day of August, 2016.

Mayor

ATTEST:

City Secretary

ORDINANCE NO. ____

WHEREAS, by comprehensive Zoning Ordinance No. 979, and subsequent amendments passed by the City of Snyder, Lots 5 & 6 Block 1 of the Bootheland Addition, located at 1903 Gilmore was placed in an M-2 Heavy Manufacturing Zone; and

WHEREAS, the owner of the property did make application to the City Planning and Zoning Commission for a zone change to change the property from the M-2 Heavy Manufacturing Zone to an R-3 General Residential Zone; and

WHEREAS, the Planning and Zoning Commission reviewed and considered Zone Case #365 and recommended the City of Snyder grant the request; and

WHEREAS, the procedures under the City of Snyder Zoning Ordinance that are required before a zone change can be considered have been complied with by the owners of said property, the Planning and Zoning Commission, and the City Council of the City of Snyder;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SNYDER, TEXAS;

THAT, the Lots 5 & 6 Block 1 of the Bootheland Addition, located at 1903 Gilmore be subject and controlled as an R-3 General Residential District.

PASSED AND APPROVED on first reading this 1st day of August, 2016.

Mayor

ATTEST:

City Secretary

PASSED AND ADOPTED on second reading this 8th day of August, 2016.

Mayor

ATTEST:

City Secretary

MEMORANDUM

TO: City Manager and City Council
FROM: Vick Chambers, Zoning Administrator
DATE: July 18, 2014

RE: Zone Case #365

The applicant is requesting the zone change to move in a single family residence at 1903 Gilmore Ave. This property is common with the rear property line to the R-3 District.

The applicant is planning to demolish the existing residence presently on the property and replace with a new residential structure. Under the grandfather exemption, the property will be restricted to the M-2 Zone restrictions when the original structure is demolished. The applicant is requesting the rezone in order to be able to obtain a building permit for the new residence.

The Planning and Zoning Commission recommended the request be granted, there were ten neighbors receiving letters and no comments regarding the request were received.

APPLICATION FOR ZONE CHANGE

CASE NUMBER #365

PLANNING AND ZONING HEARING
ZONE CHANGE

Applicant Name: Juan Olvera, Jose Olvera, Atenogenes Olvera
Mailing Address: 1903 Gilmore Ave
City, State, and Zip: Snyder, TX 79549

Work Phone: (325) 207-4206 (work) Home Phone: (910) 583-9027 (Juan)

Property location: (street address) 1903 Gilmore Ave

Property Legal Description: (tax identification no.)

Subdivision: Boothland Lot: 5 1/6 Block: 1

Listed property owner: Jose Olvera, Atenogenes M Olvera

REQUEST FOR ZONING CHANGE

Present Zone M-2 Present Use of Property Residence
Proposed Zone R-3 Proposed Use of Property Residence
Primary reason for Request Future Plans to remove existing home
and bring in either a modular or manufactured home.
Most of the surrounding properties have manufactured homes.

I am submitting this application for a Zone Change. I understand that the Planning and Zoning Commission is a recommending body and that approval on Zone Changes is subject to City Council Action. This request shall be submitted with a \$ 225.00 application fee to cover postage and public notification. I certify all information included on this application is true and correct.

Applicant's Signature: Atenogenes Olvera M
Application Date: 6/24/2016

RECORD OF ACTION TAKEN

The Planning & Zoning Commission met in a Public Hearing on and made a recommendation to the City Council to the request. (approve, deny)

The Snyder City Council met in the monthly meeting on and voted to the request. (approve, deny)

TO: Planning and Zoning Department

ATTN: Vick Chambers

P.O. Box 1341

Snyder, TX 79550-1341

FROM: Jose Olvera

1903 Gilmore Ave

Snyder, TX 79549

DATE: June 24, 2016

SUBJECT: Zone Change Request for 1903 Gilmore Avenue Property

I hereby acknowledge and approve that my brother, Juan Olvera, will be submitting the Application of Zone Change to the Planning and Zoning Department in Snyder, TX. This is for the property located at 1903 Gilmore Ave, Snyder, TX 79549. I can be reached at (325)207-4206, if needed.

Regards,


Jose Olvera

ZONE CASE # 365

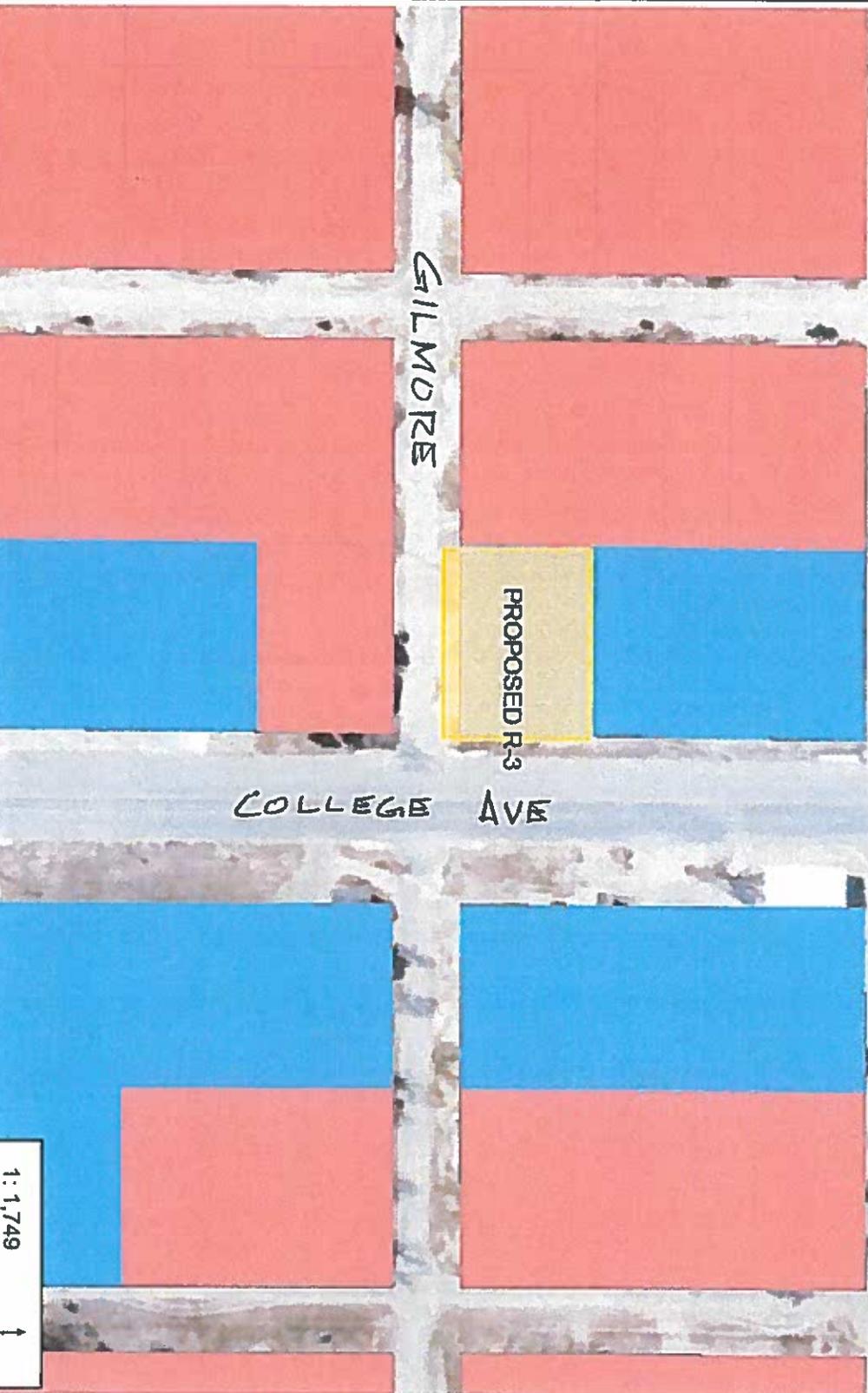
GLOBE ENERGY

HUFFMAN

GILMORE

PROPOSED R-3

COLLEGE AVE



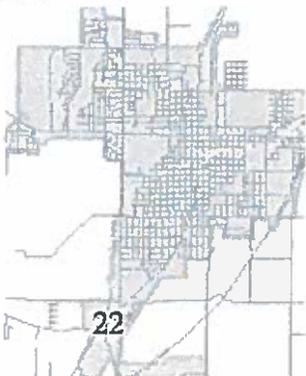
0.1 0 0.03 0.1 Miles

WGS, 1984, Web Mercator Auxiliary Sphere
© Jacob & Martin Ltd.

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1:1,749



22

Legend

Edit Zoning

- C-1
- C-2
- M-1
- M-2
- R-1
- R-2
- R-3
- Parcel
- structures
- lots
- citylimits
- parcel

- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations

STATE OF TEXAS

CITY OF SNYDER

TAX ABATEMENT GUIDELINES AND CRITERIA

(Texas Tax Code Chapter 312)

City of Snyder (the "City") is committed to the promotion of quality development in all parts of City of Snyder and to improving the quality of life for its citizens. In order to help meet these goals, the City will consider providing Tax Abatements (as defined below) to stimulate economic development. It is the policy of the City that such an incentive will be provided in accord with the guidelines and criteria outlined in this document. All applicants for Tax Abatements shall be considered on an individual basis.

In order to be eligible for designation as a Reinvestment Zone and receive Tax Abatement, and unless otherwise approved by the City, the planned improvement:

1. must be an Eligible Facility (as defined below);
2. must add at least Five Hundred Thousand Dollars (\$500,000.00) to the tax roll of eligible property;
3. must be reasonably expected to have an increase in positive net economic benefit to City of Snyder of at least One Million Dollars (\$1,000,000.00) over the life of the Abatement, computed to include (but not limited to) new sustaining payroll and/or capital improvement; and
4. must not be expected to solely or primarily have the effect of transferring employment from one part of the City of Snyder to another.

In addition to the criteria set forth above, the City reserves the right to negotiate a Tax Abatement Agreement in order to compete favorably with other communities.

Only that increase in the fair market value of the property that is a direct result of the development, redevelopment, and improvement specified in the Agreement will be eligible for Abatement and then only to the extent that such increase exceeds any reduction in the fair market value of the other property of the applicant located within the jurisdiction creating the reinvestment zone.

All Tax Abatement Agreements will remain in effect no longer than allowed by law.

It is the goal of the City to grant Tax Abatements on the same terms and conditions as the other taxing units having jurisdiction of the property. However, nothing herein shall limit the discretion of the City to consider, adopt, modify, or decline any Tax Abatement request.

This policy is effective as of the 3rd day of August, 2015, and shall at all times be kept

current with regard to the needs of City of Snyder and reflective of the official views of the City, and shall be reviewed every two (2) years.

The adoption of these guidelines and criteria by the City Council does not:

1. limit the discretion of the governing body to decide whether to enter into a specific Tax Abatement Agreement;
2. limit the discretion of the governing body to delegate to its employees the authority to determine whether or not the governing body should consider a particular application or request for Tax Abatement; or
3. create any property, contract, or other legal right in any person to have the governing body consider or grant a specific application or request for Tax Abatement.

SECTION I. DEFINITIONS

A. **"Abatement" or "Tax Abatement"** means the full or partial exemption from ad valorem taxes of certain property in a reinvestment zone designated for economic development purposes.

B. **"Agreement" or "Abatement Agreement"** means a contractual Agreement between a property owner and/or lessee and the City.

C. **"Base Year Value"** means the assessed value on the eligible property as of January 1 preceding the execution of the Agreement.

D. **"Deferred Maintenance"** means improvements necessary for continued operation which do not improve productivity or alter the process technology.

E. **"Eligible Facilities"** means new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which is reasonably likely as a result of granting the Abatement to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development of City of Snyder, ~~but does not include facilities which are intended to be primarily to provide goods or services to residents for existing businesses located in City of Snyder such as, but not limited to, restaurants and retail sales establishments.~~ Eligible facilities may include, but shall not be limited to a(n):

- aquaculture/agriculture facility;
- distribution center facility;
- manufacturing facility;
- office building;
- commercial residential property (multi-family);
- regional entertainment/tourism facility;

research service facility;
regional service facility;
historic building in a designated area;
restaurant/retail sales establishments;
wind energy facility; or
other basic industrial facility.

F. **"Expansion"** means the addition of building structures, machinery, equipment, or payroll for purposes of increasing production capacity.

G. **"Facility"** means property improvement(s) completed or in the process of construction which together comprise an interregional whole.

H. **"Modernization"** means a complete or partial demolition of facilities and the complete or partial reconstruction or installation of a facility of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery, or equipment.

I. **"New Facility"** means a property previously undeveloped which is placed into service by means other than or in conjunction with Expansion or Modernization.

J. **"Productive Life"** means the number of years property improvement(s) is/are expected to be in service in a facility.

SECTION II. ABATEMENT AUTHORIZED

A. **Eligible Facilities.** Upon application, Eligible Facilities shall be considered for Tax Abatement as hereinafter provided.

B. **Creation of New Values.** Abatement may only be granted for the additional value of eligible property improvement(s) made subsequent to and specified in an Abatement Agreement between the City and the property owner or lessee, subject to such limitations as the City may require.

C. **New and Existing Facilities.** Abatement may be granted for the additional value of eligible property improvement(s) made subsequent to and specified in an Abatement Agreement between the City and the property owner or lessee, subject to such limitations as the City may require.

D. **Eligible Property.** Abatement may be extended to the value of new, expanded, or modernized buildings, structures, fixed machinery and equipment, site improvements, and related fixed improvements necessary to the operation and administration of the facility, and all other real and tangible personal property permitted by Chapter 312 of the Texas Tax Code.

E. **Ineligible Property.** The following types of property shall be fully taxable and ineligible for Tax Abatement: land; animals; inventories, supplies; tools; furnishings; vehicles;

vessels; aircraft; single family owner occupied housing or residential property; single family housing or residential property to be rented or leased; deferred maintenance investments; hotels/motels; property to be rented or leased, except as provided in Section II(F); property owned or used by the State of Texas.

F. Owned/Leased Facilities. If a leased facility is granted Abatement, the Agreement shall be executed with the lessor and the lessee. If the land is leased, but the facility constructed or installed thereon is owned by the lessee, the lessee shall execute the Agreement.

G. Economic Qualifications. In order to be eligible for designation as a reinvestment zone and receive Tax Abatement, the planned improvement:

- (1) must be an Eligible Facility;
- (2) must add at least Five Hundred Thousand Dollars (\$500,000.00) to the tax roll of eligible property;
- (3) must be reasonably expected to have an increase in positive net economic benefit to City of Snyder of at least One Million Dollars (\$1,000,000.00) over the life of the Abatement, computed to include (but not be limited to) new sustaining payroll and/or capital improvement. The creation of new jobs will also factor into the decision to grant an Abatement; and
- (4) must not be expected to solely or primarily have the effect of transferring employment from one part of City of Snyder to another.

H. Standards for Tax Abatement. The following factors, among others, will be considered in determining whether to grant Tax Abatement:

- (1) value of existing improvements, if any;
- (2) type and value of proposed improvements;
- (3) productive life of proposed improvements;
- (4) number of existing jobs to be retained by proposed improvements;
- (5) number and type of new jobs to be created by proposed improvements;
- (6) amount of local payroll to be created;
- (7) whether the new jobs to be created will be filled by persons residing or projected to reside within the affected taxing jurisdiction;
- (8) amount by which property tax base valuation will be increased during the term of Abatement and after Abatement, which shall include a definitive commitment

that such valuation shall not, in any case, be less than Five Hundred Thousand Dollars (\$500,000.00);

(9) expenses to be incurred in providing facilities directly resulting from the new improvements;

(10) the amount of ad valorem taxes to be paid to the City during the Abatement period considering (a) the existing values, (b) the percentage of new value abated, (c) the Abatement period, and (d) the value after expiration of the Abatement period;

(11) the population growth of City of Snyder that occurs directly as a result of new improvements;

(12) the types and values of public improvements, if any, to be made by applicant seeking Abatement;

(13) whether the proposed improvements compete with existing businesses to the detriment of the local economy;

(14) the impact on the business opportunities of existing business;

(15) the attraction of other new businesses to the area;

(16) the overall compatibility with the zoning ordinances and comprehensive plan for the area; and

(17) whether the project obtains all necessary permits from the applicable environmental agencies.

Each Eligible Facility shall be reviewed on its merits utilizing the factors provided above. After such review, Abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

I. **Denial of Abatement.** An Abatement Agreement shall not be authorized if it is determined that:

(1) there would be substantial adverse effect on the provision of government services or tax base;

(2) the applicant has insufficient financial capacity;

(3) applicant activities would violate applicable codes or laws; or

(4) any other reason deemed appropriate by the City.

J. **Taxability.** From the execution of the Abatement to the end of the Agreement period, taxes shall be payable as follows:

- (1) the value of ineligible property as provided in Section II(E) shall be fully taxable;
- (2) the base year value of existing eligible property as determined each year shall be fully taxable; and
- (3) the additional value of new eligible property shall be fully taxable at the end of the Abatement period.

SECTION III. APPLICATION

A. Any present or potential owner of taxable property in the City may request Tax Abatement by filing a written application with the City Council.

B. The application shall consist of a business plan of the applicant; applicant's projections on the employment impact and fiscal impact of the project; a general description of the new improvements to be undertaken; a descriptive list of the improvements for which an Abatement is requested; a list of the kind, number and location of all proposed improvements of a property; a map and property description; and a time schedule for undertaking and completing the proposed improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The City Council may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors pertaining to the applicant to be attached to the application.

C. The City shall give notice as provided by the Property Tax Code, including written notice to the presiding officer of the governing body of each taxing unit in which the property to be subject to the Agreement is located, not later than seven (7) days before acting upon the application.

D. The application process described in this Section III shall be followed regardless of whether a particular reinvestment zone is created by City of Snyder or a taxing entity within Scurry County. No other notice or hearing shall be required except compliance with the open meetings act, unless the City Council deem them necessary in a particular case.

SECTION IV. AGREEMENT

A. After approval, the City Council shall formally pass a resolution and execute an Agreement with the owner of the facility and lessee, as required, which shall:

- (1) include a list of the kind, number and location of all proposed improvements to the property;

- (2) provide access to and authorize inspection of the property by the taxing unit to insure compliance with the Agreement;
- (3) limit the use of the property consistent with the taxing unit's development goals;
- (4) provide for recapturing property tax revenues that are lost if the owner fails to make improvements as provided by the Agreement;
- (5) include each term that was agreed upon with the property owner and require the owner to annually certify compliance with the terms of the Agreement to each taxing unit; and
- (6) allow the taxing unit to cancel or modify the Agreement at any time if the property owner fails to comply with the terms of the Agreement.

SECTION V. RECAPTURE

A. In the event that the applicant or its assignee (1) allows its ad valorem taxes owed to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or content; or (2) violates any of the terms and conditions of the Abatement Agreement and fails to cure during the cure period, the Agreement may be terminated and all taxes previously abated by virtue of the Agreement will be recaptured and paid within thirty (30) days of the termination.

B. Should the City determine that the applicant or its assignee is in default according to the terms and conditions of its Agreement, the City shall notify the applicant in writing at the address stated in the Agreement, and if such is not cured within the time set forth in such notice (the "Cure Period"), then the Agreement may be terminated.

SECTION VI. ADMINISTRATION

A. The Chief Appraiser of the Scurry County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving Abatement shall furnish the appraiser with such information as may be necessary for the Abatement. Once value has been established, the Chief Appraiser will notify the City Council of the amount of the assessment.

B. The City may execute a contract with any other jurisdiction(s) to inspect the facility to determine if the terms and conditions of the Abatement Agreement are being met. The Abatement Agreement shall stipulate that employees and/or designated representatives of the City will have access to the reinvestment zone during the term of the Abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after giving twenty-four (24) hours prior notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and/or operation of the

facility. All inspections will be made with one or more representatives of the applicant present and in accordance with its safety standards.

C. Upon completion of construction, a designated representative of the City shall annually evaluate each facility receiving Abatement to insure compliance with the Agreement and shall formally report such evaluations to the City Council.

SECTION VII. ASSIGNMENT

The Abatement Agreement may be transferred and assigned by the holder to a new owner or lessee of the same facility either upon the approval by resolution of the City Council or in accordance with the terms of an existing Tax Abatement Agreement. No assignment or transfer shall be approved if the parties to the existing Agreement, the new owner, or new lessee are liable to any jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably delayed or withheld. Notice shall be given to the City Council at least twenty (20) days in advance of any transfer or assignment.

SECTION VIII. SUNSET PROVISION

These Guidelines and Criteria are effective upon the date of their adoption, and shall supersede and replace any and all prior guidelines and criteria for Tax Abatement in the City. These Guidelines and Criteria shall remain in force for two (2) years, unless amended by a three-quarters (3/4) vote of the City Council, at which time all reinvestment zones and Tax Abatement Agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on such review, the Guidelines and Criteria will be modified, renewed or eliminated; provided, however, no modification or elimination of the Guidelines and Criteria shall affect Tax Abatement Agreements that have been previously approved until the parties thereto shall agree to amend such Agreements.

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PASSED, APPROVED AND ADOPTED on this the 1st day of August, 2015.

Formatted: Superscript

CITY OF SNYDER, TEXAS

Tony Wofford, Mayor

ATTEST:

Shai Green, City Secretary

STATE OF TEXAS

CITY OF SNYDER

TAX ABATEMENT GUIDELINES AND CRITERIA

(Texas Tax Code Chapter 312)

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It is the goal of the City to grant Tax Abatements on the same terms and conditions as the other taxing units having jurisdiction of the property. However, nothing herein shall limit the discretion of the City to consider, adopt, modify, or decline any Tax Abatement request.

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C. **"Base Year Value"** means the assessed value on the eligible property as of January 1 preceding the execution of the Agreement.

D. **"Deferred Maintenance"** means improvements necessary for continued operation which do not improve productivity or alter the process technology.

E. **"Eligible Facilities"** means new, expanded, or modernized buildings and structures, including fixed machinery and equipment, which is reasonably likely as a result of granting the Abatement to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development of City of Snyder. Eligible facilities may include, but shall not be limited to a(n):

- aquaculture/agriculture facility;
- distribution center facility;
- manufacturing facility;
- office building;
- commercial residential property (multi-family);
- regional entertainment/tourism facility;
- research service facility;
- regional service facility;

historic building in a designated area;
restaurant/retail sales establishments;
wind energy facility; or
other basic industrial facility.

F. **"Expansion"** means the addition of building structures, machinery, equipment, or payroll for purposes of increasing production capacity.

G. **"Facility"** means property improvement(s) completed or in the process of construction which together comprise an interregional whole.

H. **"Modernization"** means a complete or partial demolition of facilities and the complete or partial reconstruction or installation of a facility of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery, or equipment.

I. **"New Facility"** means a property previously undeveloped which is placed into service by means other than or in conjunction with Expansion or Modernization.

J. **"Productive Life"** means the number of years property improvement(s) is/are expected to be in service in a facility.

SECTION II. ABATEMENT AUTHORIZED

A. **Eligible Facilities.** Upon application, Eligible Facilities shall be considered for Tax Abatement as hereinafter provided.

B. **Creation of New Values.** Abatement may only be granted for the additional value of eligible property improvement(s) made subsequent to and specified in an Abatement Agreement between the City and the property owner or lessee, subject to such limitations as the City may require.

C. **New and Existing Facilities.** Abatement may be granted for the additional value of eligible property improvement(s) made subsequent to and specified in an Abatement Agreement between the City and the property owner or lessee, subject to such limitations as the City may require.

D. **Eligible Property.** Abatement may be extended to the value of new, expanded, or modernized buildings, structures, fixed machinery and equipment, site improvements, and related fixed improvements necessary to the operation and administration of the facility, and all other real and tangible personal property permitted by Chapter 312 of the Texas Tax Code.

E. **Ineligible Property.** The following types of property shall be fully taxable and ineligible for Tax Abatement: land; animals; inventories, supplies; tools; furnishings; vehicles; vessels; aircraft; single family owner occupied housing or residential property; single family housing or residential property to be rented or leased; deferred maintenance investments;

hotels/motels; property to be rented or leased, except as provided in Section II(F); property owned or used by the State of Texas.

F. Owned/Leased Facilities. If a leased facility is granted Abatement, the Agreement shall be executed with the lessor and the lessee. If the land is leased, but the facility constructed or installed thereon is owned by the lessee, the lessee shall execute the Agreement.

G. Economic Qualifications. In order to be eligible for designation as a reinvestment zone and receive Tax Abatement, the planned improvement:

- (1) must be an Eligible Facility;
- (2) must add at least Five Hundred Thousand Dollars (\$500,000.00) to the tax roll of eligible property;
- (3) must be reasonably expected to have an increase in positive net economic benefit to City of Snyder of at least One Million Dollars (\$1,000,000.00) over the life of the Abatement, computed to include (but not be limited to) new sustaining payroll and/or capital improvement. The creation of new jobs will also factor into the decision to grant an Abatement; and
- (4) must not be expected to solely or primarily have the effect of transferring employment from one part of City of Snyder to another.

H. Standards for Tax Abatement. The following factors, among others, will be considered in determining whether to grant Tax Abatement:

- (1) value of existing improvements, if any;
- (2) type and value of proposed improvements;
- (3) productive life of proposed improvements;
- (4) number of existing jobs to be retained by proposed improvements;
- (5) number and type of new jobs to be created by proposed improvements;
- (6) amount of local payroll to be created;
- (7) whether the new jobs to be created will be filled by persons residing or projected to reside within the affected taxing jurisdiction;
- (8) amount by which property tax base valuation will be increased during the term of Abatement and after Abatement, which shall include a definitive commitment that such valuation shall not, in any case, be less than Five Hundred Thousand Dollars (\$500,000.00);

(9) expenses to be incurred in providing facilities directly resulting from the new improvements;

(10) the amount of ad valorem taxes to be paid to the City during the Abatement period considering (a) the existing values, (b) the percentage of new value abated, (c) the Abatement period, and (d) the value after expiration of the Abatement period;

(11) the population growth of City of Snyder that occurs directly as a result of new improvements;

(12) the types and values of public improvements, if any, to be made by applicant seeking Abatement;

(13) whether the proposed improvements compete with existing businesses to the detriment of the local economy;

(14) the impact on the business opportunities of existing business;

(15) the attraction of other new businesses to the area;

(16) the overall compatibility with the zoning ordinances and comprehensive plan for the area; and

(17) whether the project obtains all necessary permits from the applicable environmental agencies.

Each Eligible Facility shall be reviewed on its merits utilizing the factors provided above. After such review, Abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

I. Denial of Abatement. An Abatement Agreement shall not be authorized if it is determined that:

(1) there would be substantial adverse effect on the provision of government services or tax base;

(2) the applicant has insufficient financial capacity;

(3) applicant activities would violate applicable codes or laws; or

(4) any other reason deemed appropriate by the City.

J. Taxability. From the execution of the Abatement to the end of the Agreement period, taxes shall be payable as follows:

- (1) the value of ineligible property as provided in Section II(E) shall be fully taxable;
- (2) the base year value of existing eligible property as determined each year shall be fully taxable; and
- (3) the additional value of new eligible property shall be fully taxable at the end of the Abatement period.

SECTION III. APPLICATION

A. Any present or potential owner of taxable property in the City may request Tax Abatement by filing a written application with the City Council.

B. The application shall consist of a business plan of the applicant; applicant's projections on the employment impact and fiscal impact of the project; a general description of the new improvements to be undertaken; a descriptive list of the improvements for which an Abatement is requested; a list of the kind, number and location of all proposed improvements of a property; a map and property description; and a time schedule for undertaking and completing the proposed improvements. In the case of modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately preceding the application. The City Council may require such financial and other information as deemed appropriate for evaluating the financial capacity and other factors pertaining to the applicant to be attached to the application.

C. The City shall give notice as provided by the Property Tax Code, including written notice to the presiding officer of the governing body of each taxing unit in which the property to be subject to the Agreement is located, not later than seven (7) days before acting upon the application.

D. The application process described in this Section III shall be followed regardless of whether a particular reinvestment zone is created by City of Snyder or a taxing entity within Scurry County. No other notice or hearing shall be required except compliance with the open meetings act, unless the City Council deem them necessary in a particular case.

SECTION IV. AGREEMENT

A. After approval, the City Council shall formally pass a resolution and execute an Agreement with the owner of the facility and lessee, as required, which shall:

- (1) include a list of the kind, number and location of all proposed improvements to the property;
- (2) provide access to and authorize inspection of the property by the taxing unit to insure compliance with the Agreement;

- (3) limit the use of the property consistent with the taxing unit's development goals;
- (4) provide for recapturing property tax revenues that are lost if the owner fails to make improvements as provided by the Agreement;
- (5) include each term that was agreed upon with the property owner and require the owner to annually certify compliance with the terms of the Agreement to each taxing unit; and
- (6) allow the taxing unit to cancel or modify the Agreement at any time if the property owner fails to comply with the terms of the Agreement.

SECTION V. RECAPTURE

A. In the event that the applicant or its assignee (1) allows its ad valorem taxes owed to become delinquent and fails to timely and properly follow the legal procedures for their protest and/or content; or (2) violates any of the terms and conditions of the Abatement Agreement and fails to cure during the cure period, the Agreement may be terminated and all taxes previously abated by virtue of the Agreement will be recaptured and paid within thirty (30) days of the termination.

B. Should the City determine that the applicant or its assignee is in default according to the terms and conditions of its Agreement, the City shall notify the applicant in writing at the address stated in the Agreement, and if such is not cured within the time set forth in such notice (the "Cure Period"), then the Agreement may be terminated.

SECTION VI. ADMINISTRATION

A. The Chief Appraiser of the Scurry County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving Abatement shall furnish the appraiser with such information as may be necessary for the Abatement. Once value has been established, the Chief Appraiser will notify the City Council of the amount of the assessment.

B. The City may execute a contract with any other jurisdiction(s) to inspect the facility to determine if the terms and conditions of the Abatement Agreement are being met. The Abatement Agreement shall stipulate that employees and/or designated representatives of the City will have access to the reinvestment zone during the term of the Abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after giving twenty-four (24) hours prior notice and will only be conducted in such a manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the applicant present and in accordance with its safety standards.

C. Upon completion of construction, a designated representative of the City shall annually evaluate each facility receiving Abatement to insure compliance with the Agreement and shall formally report such evaluations to the City Council.

SECTION VII. ASSIGNMENT

The Abatement Agreement may be transferred and assigned by the holder to a new owner or lessee of the same facility either upon the approval by resolution of the City Council or in accordance with the terms of an existing Tax Abatement Agreement. No assignment or transfer shall be approved if the parties to the existing Agreement, the new owner, or new lessee are liable to any jurisdiction for outstanding taxes or other obligations. Approval shall not be unreasonably delayed or withheld. Notice shall be given to the City Council at least twenty (20) days in advance of any transfer or assignment.

SECTION VIII. SUNSET PROVISION

These Guidelines and Criteria are effective upon the date of their adoption, and shall supersede and replace any and all prior guidelines and criteria for Tax Abatement in the City. These Guidelines and Criteria shall remain in force for two (2) years, unless amended by a three-quarters (3/4) vote of the City Council, at which time all reinvestment zones and Tax Abatement Agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on such review, the Guidelines and Criteria will be modified, renewed or eliminated; provided, however, no modification or elimination of the Guidelines and Criteria shall affect Tax Abatement Agreements that have been previously approved until the parties thereto shall agree to amend such Agreements.

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PASSED, APPROVED AND ADOPTED on this the 1st day of August, 2016.

CITY OF SNYDER, TEXAS

Anthony Wofford, Mayor

ATTEST:

Shai Green, City Secretary

