

RESOLUTION NO. 22-57

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS,
ADOPTING A CITY COUNCIL POLICY FOR A GREAT HOMES DESIGN ECONOMIC
DEVELOPMENT PROGRAM.**

WHEREAS, the City of Sugar Land's ("City") Two-Year Action Plan ("Plan") outlines the strategic direction of the City for the next three to five years; and

WHEREAS, the Plan, which is adopted annually by the City Council, outlines key objectives and strategies for the future of the City; and

WHEREAS, in addition to focus area objectives and guiding statements, the Plan outlines all-in initiatives which are the top and most important priorities for the City and the future of the community; and

WHEREAS, residential reinvestment has been identified as a key priority that will help promote economic development in the City and achieve the purposes stated in the Plan; and

WHEREAS, the City would like to incentivize residential homeowners in the City to engage in exterior design services to encourage the rehabilitation, enhancement, or refurbishment of the exterior of single-family homes, by providing vouchers for discounted exterior design services and a rebate for exterior improvements completed from those designs; and

NOW THEREFORE, the City Council wishes to adopt a policy establishing an economic development program to promote local economic development by providing homeowners vouchers for discounted exterior design services that encourage the rehabilitation, enhancement, or refurbishment of the exterior of single-family homes, and providing a rebate for exterior improvements completed from those designs; NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That the City Council adopts the following policy:

**CITY COUNCIL POLICY
FOR A GREAT HOMES DESIGN
ECONOMIC DEVELOPMENT PROGRAM**

A. Purpose.

The purpose of this Policy is to:

1. Establish an economic development program as authorized by Section 380.001 of the Texas Local Government Code; and
2. Provide for the City's distribution of vouchers and rebate of funds to qualifying projects to promote local economic development.

B. Policy.

The City may distribute Vouchers to Voucher Applicants for Qualifying Exterior Design Projects and provide Rebates to Rebate Applicants for Completed Projects.

C. Definitions.

City means the City of Sugar Land, Texas.

Community-Based Organization means an HOA, POA, or an RCG.

Completed Design means a completed design provided by the Vendor for Exterior Design Services, pursuant to a Voucher.

Completed Project means a project for which the Vendor provided a Completed Design, and where a Homeowner then substantially incorporated one or more of the Exterior Improvements identified in the Completed Design into the Property.

Exterior Design Services means the preparation of an exterior design for a Voucher Recipient, for Exterior Improvements.

Exterior Improvements means: (1) exterior painting; (2) the addition of new exterior siding, soffit, or trim; (3) exterior siding repair and replacement; (4) window replacement; (5) garage door replacement; and/or (6) accent lighting, which are improvements that rehabilitate, enhance, or refurbish a Property.

Homeowner means the person or entity that owns a Property for which a Voucher Application and/or Rebate Application have been submitted to the City pursuant to this Policy. Homeowner does not include Community-Based Organizations.

Homeowners Association (HOA) means an organization of homeowners of a specific subdivision in the City of Sugar Land, incorporated and formally registered with the Texas Secretary of State, that makes and enforces rules for the properties within its jurisdiction. HOAs are governed by restrictive covenants recorded in the Real Property Records of Fort Bend County. HOA membership is generally mandatory through rules tied to the ownership of property like deed restrictions.

Policy means this City Council Policy for a Great Homes Design Update Economic Development Program.

Program means the Great Homes Design Economic Development Program created by this Policy.

Program Staff means those City employees, contracted employees or consultants charged with implementing and administering the Program.

Property means a single-family home, with a unique identifying address, located within City limits, that is the subject of a Voucher Application and/or Rebate Application.

Property Owners Association (POA) means those informal organizations of homeowners of the various subdivisions in the City of Sugar Land that oversee properties within their jurisdictions. POAs are not homeowner associations and membership is typically voluntary or informal, with activities that typically focus on general advocacy and community events. In some cases, POAs may exist simultaneously with HOAs, and each may not encompass identical boundaries.

Qualifying Exterior Design Project means a project that meets the requirements of this Policy and is found to be eligible for a Voucher.

Rebate means the funds the City pays to a Rebate Applicant under this Policy for a Completed Project, which will be in the amount of Five Hundred and No/100 Dollars (\$500.00).

Rebate Application means the form developed by the City and submitted by a Voucher Recipient who received a Completed Design, whereby the Voucher Recipient is applying for a Rebate for a Completed Project.

Rebate Applicant means a Homeowner who submits a Rebate Application to the City in accordance with this Policy.

Recognized Community Group (RCG) means a defined organized group of residents that is in a neighborhood without an HOA or POA.

Vendor means the company, whether one or more, procured by the City, who has entered into a contract with the City and agreed to provide the City with Vouchers in accordance with this Policy.

Voucher means a voucher issued to the City by the Vendor, for distribution by the City to a Voucher Recipient, whereby the Vendor will provide discounted Exterior Design Services for the Qualifying Exterior Design Project.

Voucher Applicant means a Homeowner or Community-Based Organization who submits a Voucher Application to the City in accordance with this Policy.

Voucher Application means the form developed by the City and submitted by a Voucher Applicant, whereby the Voucher Applicant is applying for a Voucher for a Property.

Voucher Recipient means a Voucher Applicant whose project has been deemed by the City to

be a Qualifying Exterior Design Project, and to whom the City has provided a Voucher.

D. Voucher and Rebate Overview.

1. Homeowners and Community-Based Organizations in the City can be eligible for a significant discount of Exterior Design Services through the Vendor.
2. Homeowners are eligible to receive one (1) Voucher per Property.
3. Community-Based Organizations can apply for up to two (2) Vouchers per residential neighborhood. These Vouchers may be used for residential homes selected by the Community-Based Organizations, to provide the Community-Based Organizations with examples of how exterior design improvements can facilitate the rehabilitation, enhancement, or refurbishment of the exteriors of residential properties in their respective neighborhoods. The participation of Community-Based Organizations in this Program is limited to Vouchers, and Community-Based Organizations are NOT eligible to receive Rebates under this Program.
4. Completed Projects are eligible to receive a Rebate, provided that the Exterior Improvements are completed within six (6) months of the date the Vendor provided the Completed Design for the Property.

E. Property Eligibility.

1. This Program is available only to single-family residential homes. Townhouses, multi-family buildings, condominiums, and commercial properties are not eligible
2. The Property must be physically located within City limits.
3. The Property must be current on taxes and insurance.

F. Voucher Application Process.

In order for a Voucher Application to be deemed complete, all of the following must be submitted and determined to be sufficient by the City:

1. A completed Voucher Application;
2. Color photographs at the level of detail determined by Program Staff of the existing exterior conditions of the Property that is the subject of the Voucher Application;
3. Documentation confirming ownership of the Property that is the subject of the Voucher Application;
4. Proof that property taxes are current on the Property that is the subject of the Voucher Application; and

5. Proof that the Property that is the subject of the Voucher Application is covered by a valid and current homeowner's insurance policy (including flood insurance if applicable).

G. Voucher Application Review and Distribution.

1. Voucher Applications will be reviewed for eligibility when they are determined to be complete by Program Staff.
2. Once Program Staff have completed their review of a Voucher Application, the Voucher Applicant will be notified whether or not the project has been determined to be a Qualifying Exterior Design Project.
3. If a project is determined to be a Qualifying Exterior Design Project, Program Staff will deliver a Voucher to the Voucher Applicant, via electronic mail, within thirty (30) days of the date the Voucher Application is approved.

H. Rebate Overview.

1. Homeowners who are Voucher Recipients may apply for a Rebate for a Completed Project by submitting a Rebate Application to the City.
2. The Exterior Improvements must have been completed within six (6) months of the date the Vendor provided the Homeowner the Completed Design for the Property.
3. Homeowners must submit a Rebate Application to the City within ninety (90) days of the date the Completed Project is fully complete.

I. Rebate Application Process.

In order for a Rebate Application to be deemed complete, all of the following must be submitted and determined to be sufficient by the City:

1. A completed Rebate Application;
2. A copy of the Completed Design;
3. Proof that the Completed Project substantially incorporated at least one Exterior Improvement from the Completed Design. This may be in the form of detailed color photographs at the level of detail determined by Program Staff; and
4. A letter from the Homeowner warranting that the Exterior Improvements have been completed as provided for in the Completed Design and the total cost to the Homeowner for the Completed Project.

J. Rebate Application Review and Payment.

1. Program Staff will review Rebate Applications for completeness within thirty (30) days from receipt. If a Rebate Application is missing information, Program Staff will notify the Rebate Applicant in writing and provide them an additional thirty (30) days to provide any missing or incomplete information. If the Rebate Application is not complete at the end of that additional 30 days, the City will have no obligation to pay the Rebate.
2. The City will pay the Rebate no later than three (3) months after a Rebate Application has been determined to be complete by Program Staff.

K. Additional Program Requirements.

1. Only one Voucher and Rebate check shall be awarded for a Property. Vouchers are personal in nature and are therefore not transferrable or assignable.
2. The City may have a finite number of Vouchers available for this Program in any given Program year. Vouchers will be distributed on a first-come, first-approved basis. Once the City is out of Vouchers for a given Program year, the City will have no obligation to acquire additional Vouchers.
3. Not all Completed Projects meeting the eligibility requirements of the Program will be able to receive Rebates. Eligibility and awards under this Program will be determined by the City in its sole discretion. Eligibility for a Rebate is based on current funding available for the Program. Lack of funding may result in the rejection of otherwise eligible Rebate Applications.
4. Program participants may be required to indemnify, defend, and hold the City, as well as any of its officers, directors, employees, and from any claims, damages, losses and expenses, including but not limited to attorneys' fees, asserted against the parties related in any way to this Program.
5. Program participants will be required to provide the City with the unrestricted right to use, for any lawful purpose, any photographs or video footage taken of Properties pursuant to this Program, whether included in a Voucher Application, Rebate Application, and copies of any Completed Designs.
6. Decisions on the eligibility of Voucher Applications and Rebate Applications under this Program will be determined by the City, in its sole discretion.
7. All projects must adhere to applicable deed restrictions and restrictive covenants. Applicants are solely responsible for obtaining any HOA/POA approvals needed for a project, as well as any permits required by the City or any other governmental entity.

L. Program Funding. Each fiscal year, subject to the discretion of the City's City Council as to whether or not to fund the Program for that year, the City may choose to adopt a budget to be

used for the purchase of Vouchers and the issuance of Rebates under this Policy. Funding is subject to the availability of funds within the City's budget and will be used in accordance with applicable State law. If all funds in a given year are spent or committed to Vouchers and Rebates, the City may, but is not required to, appropriate additional funds to allow additional Vouchers and/or Rebates to be funded.

PASSED AND APPROVED on _____, 2023.

Joe R. Zimmerman, Mayor

ATTEST:

Thomas Harris, III, City Secretary

APPROVED AS TO FORM:

DAnn Shea Snick