

AN ORDINANCE 90635

PROVIDING FOR THE APPOINTMENT OF SIX (6) ADDITIONAL VOTING MEMBERS TO THE SAN ANTONIO HOUSING AUTHORITY BOARD OF COMMISSIONERS TO ITS CURRENT MEMBERSHIP OF FIVE (5) MEMBERS THEREBY INCREASING BOARD MEMBERSHIP TO ELEVEN (11) MEMBERS (ONE FOR EACH DISTRICT AND MAYOR), TWO OF WHOM SHALL BE PUBLIC HOUSING RESIDENTS; AND AMENDING RESOLUTION OI-51, PASSED AND APPROVED ON JUNE 17, 1937, AND ORDINANCE 87008 PASSED AND APPROVED ON NOVEMBER 20, 1997, TO REFLECT CHANGES IN STATE LAW ALLOWING MORE THAN FIVE (5) COMMISSIONERS. (AMENDS RESOLUTION NO. OI-51 DATED JUNE 17, 1937; AND ORDINANCE NO. 87008 DATED NOVEMBER 20, 1997)

* * * * *

WHEREAS, the City of San Antonio created the San Antonio Housing Authority pursuant to state law now codified as V.T.C.A., Local Government Code Chapter 392; and

WHEREAS, the statute creates housing authorities for the purpose of addressing problems of unsafe and unsanitary housing and gives the authorities certain powers, including the authority to acquire land, sell bonds, enter into contracts and mortgages and exercise all other powers reasonably necessary to build and operate public housing; and

WHEREAS, before an authority is created in a City, a governing body must make a finding by passage of a resolution that the need for such a body is due to housing shortages or due to the unsatisfactory condition of available housing, and the City of San Antonio City Commissioners passed such a resolution in 1937 (Resolution OI-51, June 17, 1937); and

WHEREAS, the San Antonio Housing Authority Board of Commissioners is currently comprised of five voting members and six non-voting Ex Officio members pursuant to City Council Ordinance 87008 passed and approved on November 20, 1997 and it is now necessary to amend this Ordinance; and

WHEREAS, the 76th Legislature amended housing authority law, Sections 392.031 and 392.034 of the Local Government Code, to allow municipalities to have housing authority boards of commissioners consisting of five, seven, nine, or eleven members, with the further requirement that two Commissioners be tenants of a housing project for boards consisting of seven or more members; and

WHEREAS, the City Council of the City of San Antonio is comprised of ten members from ten districts and a Mayor elected by the entire City and the City of San Antonio may now have one housing authority commissioner to represent each City Council District and the Mayor's office; and

WHEREAS, the City now desires to appoint six (6) additional voting commissioners to the San Antonio Housing Authority Board thereby increasing Board membership to eleven (11) voting members based on the belief that such a change will allow for more representation; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. There shall hereby be created six (6) additional voting commissioner positions to the San Antonio Housing Authority. Therefore, there shall be appointed eleven (11) voting commissioners to the San Antonio Housing Authority after the effective date of this Ordinance. Two (2) of the Commissioners shall be public housing residents. The addition of the six (6) voting members shall effect the necessary quorum of the San Antonio Housing Authority to conduct business.

SECTION 2. The eleven (11) San Antonio Housing Authority Commissioners shall be subject to and comply with Section 141 of the City Charter, the Code of Ethics of the City of San Antonio effective January 1, 1999, and all other applicable laws that currently apply to the existing five (5) Commissioners.

SECTION 3. The current five (5) sitting Commissioners are hereby re-appointed on the effective date of this Ordinance to the following terms as required by Section 392.034(b) of the Local Government Code:

<u>District</u>	<u>Member</u>	<u>Term</u>
Mayor	Lupita Gutierrez	10/18/99 to 10/18/2001
3	Bob Beltran	10/18/99 to 10/18/2000
1	Emilio Amaya	10/18/99 to 10/18/2000
7	Ross Omar Garcia	10/18/99 to 10/18/2001
9 (Tenant)	Iris Woodard	10/18/99 to 10/18/2000

The six (6) new position vacancies hereby created in the San Antonio Housing Authority Board shall be filled by a majority vote of the City Council after the effective date of this Ordinance.

SECTION 4. Resolution OI-51, passed and approved on June 17, 1937, and Ordinance 87008, passed and approved on November 20, 1997, are both hereby amended in accordance with the changes authorized herein and Chapter 392 of the Local Government Code as amended.

SECTION 5. The City Council of the City of San Antonio hereby directs the San Antonio Housing Authority to amend its By-laws in accordance with this Ordinance.

PWC:jmr
10/07/99
Item 26

SECTION 6. In the event that any portion of this Ordinance is deemed to be invalid, illegal, or unenforceable, such invalidity, illegality, or unenforceability shall not affect the validity, legality or enforceability of the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall become effective ten (10) days after passage hereof.

PASSED AND APPROVED this 7th day of October, 1999.



M A Y O R
PRO TEM

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney

99-40

DO NOT TYPE IN THIS SPACE		CITY OF SAN ANTONIO Request For Ordinance/Resolution	For CMO use only
Approval			Date Considered _____ Consent <input type="checkbox"/> Individual <input type="checkbox"/> Item No. <u>26</u> Ord. No. _____
Finance	Budget		
Legal	Coordinator		

Date: Sept. 28, 1999	Department: Office of City Clerk	Contact Person/Phone # Norma S. Rodriguez/X7253
Date Council Consideration Requested: October 7, 1999	Deadline for Action:	Dept. Head Signature: <i>Norma S. Rodriguez</i>

SUMMARY OF ORDINANCE

This ordinance will amend the Housing Authority of the City of San Antonio by expanding the board to eleven (11) voting commissioners and providing for an additional public Housing tenant.

The terms of office shall be for two-year staggered terms.

Council Memorandum Must Be Attached To Original

Other Depts., Boards, Committees Involved (please specify): Housing Authority	Intergovernmental Relations;
Contract signed by other party Yes <input type="checkbox"/> No <input type="checkbox"/>	

FISCAL DATA (If Applicable)	Budgetary Implications
Fund No. _____ Amt. Expended _____	Funds/Staffing Budgeted Yes <input type="checkbox"/> No <input type="checkbox"/>
Activity No. _____ SID No. _____	Positions Currently Authorized _____
Index Code _____ Project No. _____	Impact on future O & M _____
Object Code _____	If positions added, specify class and no. _____ _____ _____

Comments: 	Coordinator — White Legal — Green Budget — Canary Finance — Pink Originator — Gold
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**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
INTERDEPARTMENTAL CORRESPONDENCE SHEET**

TO: Mayor and Councilmembers
FROM: Councilwoman Debra Guerrero, District 3
COPIES TO: City Manager, City Clerk, City Attorney, Assistant to City Council and Mayor, File
SUBJECT: COUNCIL AGENDA ITEM

DATE: August 31, 1999

RECEIVED
OFFICE OF THE CITY CLERK
CITY OF SAN ANTONIO
69 SEP - 3 AM 9:51

I respectfully request Council concurrence to direct staff to take the appropriate steps to bring forward for Council consideration an amendment for the City of San Antonio to expand the Board of Managers of the San Antonio Housing Authority to up to 11 members, and also require that 2 of the 11 members must be public housing residents. Recent passage of Senate Bill 1185 allows the City Council after September 1st to expand the San Antonio Housing Authority.

Attached is a copy of Bill 1185.

Your kind consideration of this request is appreciated.

Debra Guerrero
DEBRA GUERRERO, DISTRICT 3

HW
HOWARD W. PEAK, MAYOR

Jose Menendez
JOSE MENENDEZ, DISTRICT 6

Bobby Perez
BOBBY PEREZ, DISTRICT 1

Ed Garza
ED GARZA, DISTRICT 7

Mario Salas
MARIO SALAS, DISTRICT 2

Bonnie Conner
BONNIE CONNER, DISTRICT 8

Raul Prado
RAUL PRADO, DISTRICT 4

Tim Bannwolf
TIM BANNWOLF, DISTRICT 9

Rick Vasquez
RICK VASQUEZ, DISTRICT 5

David Carpenter
DAVID CARPENTER, DISTRICT 10

AN ACT

1-1 relating to the permissible number of commissioners of certain
 1-2 public housing authorities.

1-3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-4 SECTION 1. Subsection (a), Section 392.031, Local Government
 1-5 Code, is amended to read as follows:
 1-6 (a) Each municipal housing authority shall be governed by
 1-7 five, seven, nine, or 11 commissioners. The presiding officer of
 1-8 the governing body of a municipality shall appoint five, seven,
 1-9 nine, or 11 persons to serve as commissioners of the authority. An
 1-10 appointed commissioner of the authority may not be an officer or
 1-11 employee of the municipality. Appointments made under this section
 1-12 must comply with the requirements of Section 392.0331, if
 1-13 applicable.

1-14 SECTION 2. Subsection (b), Section 392.0331, Local
 1-15 Government Code, is amended to read as follows:
 1-16 (b) In appointing commissioners under Section 392.031, a
 1-17 municipality with a municipal housing authority composed of five
 1-18 commissioners shall appoint at least one commissioner to the [~~a~~
 1-19 ~~municipal housing~~] authority who is a tenant of a public housing
 1-20 project over which the [~~municipal housing~~] authority has
 1-21 jurisdiction. In appointing commissioners under Section 392.031, a
 1-22 municipality with a municipal housing authority composed of seven
 1-23 or more commissioners shall appoint at least two commissioners to
 1-24 the authority who are tenants of a public housing project over
 2-1 which the authority has jurisdiction.

2-2 SECTION 3. Section 392.034, Local Government Code, is
 2-3 amended to read as follows:
 2-4 Sec. 392.034. Terms of Office of Commissioners. (a) Two of
 2-5 the original commissioners of a [~~municipal or~~] county housing
 2-6 authority shall be designated to serve one-year terms from the date
 2-7 of their appointment, and three shall be designated to serve
 2-8 two-year terms. Subsequent commissioners are appointed for
 2-9 two-year terms.

2-10 (b) (1) The original commissioners of a municipal housing
 2-11 authority shall serve terms as follows:
 2-12 (A) for an authority with five commissioners,
 2-13 two shall be designated to serve one-year terms and three shall be
 2-14 designated to serve two-year terms;
 2-15 (B) for an authority with seven commissioners,
 2-16 three shall be designated to serve one-year terms and four shall be
 2-17 designated to serve two-year terms;
 2-18 (C) for an authority with nine commissioners,
 2-19 four shall be designated to serve one-year terms and five shall be
 2-20 designated to serve two-year terms; and
 2-21 (D) for an authority with 11 commissioners, five
 2-22 shall be designated to serve one-year terms and six shall be
 2-23 designated to serve two-year terms.

2-24 (2) Subsequent municipal housing commissioners are
 2-25 appointed for two-year terms.

2-26 (c) Commissioners of a regional housing authority are
 3-1 appointed for two-year terms.

3-2 (d) [~~(e)~~] Vacancies shall be filled for the unexpired term.

3-3 SECTION 4. The presiding officer of the governing body of a
 3-4 municipality entitled to make appointments to a municipal housing
 3-5 authority under Section 392.031, Local Government Code, as amended
 3-6 by this Act, shall make the appropriate appointments as soon as
 3-7 practicable after the effective date of this Act.

3-8 SECTION 5. This Act takes effect September 1, 1999.

3-9 SECTION 6. The importance of this legislation and the
 3-10 crowded condition of the calendars in both houses create an
 3-11 emergency and an imperative public necessity that the

3-12 constitutional rule requiring bills to be read on three several
3-13 days in each house be suspended, and this rule is hereby suspended.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1185 passed the Senate on April 8, 1999, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 27, 1999, by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1185 passed the House, with amendment, on May 22, 1999, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

CITY OF SAN ANTONIO
CITY CLERK'S OFFICE

INTERDEPARTMENTAL CORRESPONDENCE

TO: Mayor and Members of City Council *MB*

FROM: Norma S. Rodriguez, City Clerk

COPIES: Alexander E. Briseño, City Manager; Travis Bishop, Asst. to City Manager;
Frank Garza, City Attorney; File

SUBJECT: Housing Authority of the City of San Antonio - Restructuring

DATE: September 28, 1999

Summary

This ordinance will amend the Housing Authority of the City of San Antonio by expanding the board to eleven (11) voting commissioners; provide for an additional public housing tenant, and amend Ordinance No. 87008, passed and approved on November 20, 1997.

Background

The San Antonio Housing Authority (SAHA) was created by City Ordinance in 1937. The original Ordinance allowed for five commissioners as required by state law. State law was subsequently amended to require that at least one of those commissioners be a public housing resident. In November of 1997, the City amended the 1937 ordinance to provide for a board of commissioners consisting of five (5) voting members and six (6) non-voting "ex-officio" members.

State law has since been amended pursuant to Senate Bill No. 1185. This new law which went into effect on September 1, 1999 allows the City to increase the Housing Authority's board of commissioners up to eleven (11) voting members. The new law also requires that at least two of these commissioners must be public housing residents.

In that respect, the Housing Authority will be assisting by soliciting applicants from the various housing units, in addition to the City's advertisement.

Appointments

At its meeting held on September 22, 1999, the Policy and Planning Committee recommended that interviews be conducted for only those vacant slots. Presently, there are six (6) ex-officio non-voting slots, five of the slots are filled. Should City Council decide to maintain these five members, they would not have to go through the interview process. The terms of office shall be two-year staggered terms. (Attached for your reference is a copy of the present membership).

An interview session will be scheduled for October 21, 1999, for any new member being nominated for appointment.

Financial Impact

There is no financial impact associated with the approval of this ordinance.

Coordination

This Council action has been coordinated with the City Attorney's Office and Intergovernmental Relations Office.


NORMA S. RODRIGUEZ, CMC/AAE
City Clerk

HOUSING AUTHORITY OF THE CITY OF SAN ANTONIO

(CITY COUNCIL APPOINTMENT)

<u>DIST.</u>	<u>MEMBER</u>	<u>ADDRESS</u>	<u>ORIG. APPT.</u>	<u>LAST APPT.</u>	<u>EXPIRATION</u>
<u>VOTING MEMBERS:</u>					
M	Lupita Gutierrez	1523 W. Mistletoe 78210	4/7/97	4/29/99	4/6/2001
3	Bob Beltran	1639 Highland Blvd. 78210	4/23/98	4/23/98	4/6/2000
1	Emilio Amaya	13606 Chatwood Dr. 78217	1/29/98	1/29/98	4/6/2000
7	Ross Omar Garcia	2135 W. Kings Hwy. 78201	7/29/99	7/29/99	4/6/2001
9	Iris Woodard Tenant of Public Housing	2814 N. Pan Am 78208	4/23/98	4/23/98	4/6/2000
<u>NON-VOTING MEMBERS:</u>					
2	Arlene Washington (Resigned)	1706 Nolan 78202	2/19/98	2/19/98	4/6/2000
4	Connie A. Sonnen	336 Kendalia 78214	1/22/98	6/24/99	4/6/2001
5	Gloria Martinez	555 Cumberland Rd. 78204	10/1/98	10/1/98	4/6/2000
6	Christine Ortega	5422 San Fernando 78237	1/22/98	1/22/98	4/6/2000
8	James Mayor	2006 Elm Crest 78230	4/2/98	4/22/99	4/6/2001
10	Henry Hall	5010 Hiddenwell 78247	3/25/99	3/25/99	4/6/2001

July, 1999

DISCUSS

CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
INTERDEPARTMENTAL CORRESPONDENCE

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CITY OF SAN ANTONIO
CITY MANAGER'S OFFICE
09 SEP -3 AM 9:51

TO: Mayor and Councilmembers

FROM: Councilwoman Debra Guerrero, District 3

COPIES TO: City Manager, City Clerk, City Attorney, Assistant to City Council and Mayor, File

SUBJECT: COUNCIL AGENDA ITEM

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99 SEP -3 A9:51

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Speaker of the House

I hereby certify that S.B. No. 1185 passed the Senate on April 8, 1999, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 27, 1999, by a viva-voce vote.

Secretary of the Senate

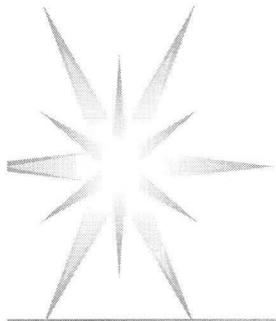
I hereby certify that S.B. No. 1185 passed the House, with amendment, on May 22, 1999, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

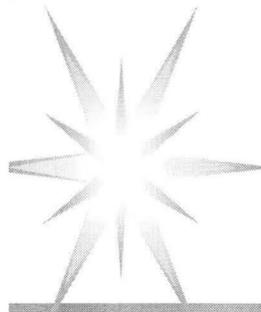


Increasing the SAHA Board of Commissioners

This Ordinance will increase the San Antonio Housing Authority Board of Commissioners from its current membership of 5 to 11 members

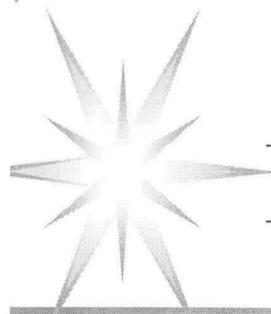
Agenda Item #26

October 7, 1999



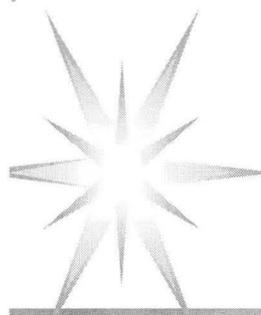
Historical Background

- San Antonio Housing Authority (SAHA) was created on June 17, 1937.
- The SAHA Board of Commissioners originally consisted of 5 voting members, one of whom is a public housing resident.



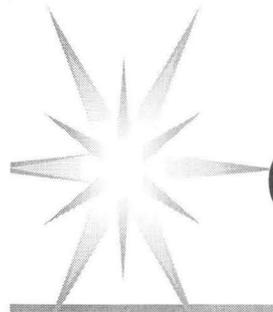
Historical Background (Cont'd)

- On November 20, 1997, City Council added 6 non-voting ex-officio Commissioners to increase representation for each City Council District and the Mayor's office.



Change in State Law

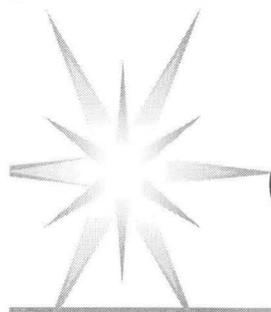
- City of San Antonio supported Senate Bill 1185 which would allow cities to increase board membership to 7, 9, or 11 commissioners.
- The Bill became law on September 1, 1999.



Ordinance

- Increases the SAHA Board of Commissioners to eleven voting Commissioners.
- One Commissioner will represent each City Council District and the Mayor's office.
- The five current voting Commissioners will be reappointed to staggered terms. Two for two-year terms and three for a one-year term.

PRESENT VOTING MEMBERS: MAYOR, DISTRICTS 1, 3, 7, 9
DISTRICT 9 - TENANT OF PUBLIC HOUSING



Ordinance (Cont'd)

- The six remaining non-voting commissioners who represent Council Districts 2, 4, 5, 6, 8 and 10 may be appointed after the effective date of this ordinance . Four of those Commissioners shall be appointed to a two year term and two shall be appointed for a one year term.
- After these original eleven terms, all terms shall be for two years.

OCTOBER 21, 1999 - INTERVIEWS FOR GKDC (DEADLINE FOR APPLICATIONS - OCTOBER 8, 1999)
HOUSING AUTHORITY - ONLY FOR NEW APPOINTEES.