

AN ORDINANCE 2009-06-18-0523

EXPANDING THE BOARD OF DIRECTORS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER THIRTY, CITY OF SAN ANTONIO, TEXAS, KNOWN AS THE WESTSIDE TIRZ AND APPOINTING THE COUNCILMEMBERS OF DISTRICTS 1 AND 5 AS EX-OFFICIO MEMBERS TO THE WESTSIDE TIRZ BOARD FOR A TWO-YEAR TERM OF OFFICE TO COINCIDE WITH THEIR CITY COUNCIL TERM OF OFFICE.

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WHEREAS, the Westside TIRZ and a five-member board of directors for the TIRZ were created by the City Council pursuant to Ordinance Number 2008-12-11-1187, passed and approved on December 11, 2008; and

WHEREAS, pursuant to Section 311.009(e) of Chapter 311, Texas Tax Code, known as the Tax Increment Financing Act, members may be appointed to a TIRZ board by City Council upon a finding that the individual is a qualified voter of the municipality or is at least eighteen (18) years of age and owns real property in the TIRZ, whether or not the individual resides in the municipality; and

WHEREAS, the Act provides in Section 311.009(h)(1) that a member of the board of directors of a reinvestment zone is not a public official by virtue of that position; and

WHEREAS, as the Westside TIRZ covers portions of City Council Districts 1 and 5 and it is desirable to have the input on redevelopment in the TIRZ from the Councilmembers of Districts 1 and 5; and

WHEREAS, Section 311.0091(b) of the Act allows for a board of directors to be as large as fifteen (15) members; and

WHEREAS, the Westside TIRZ board of directors must be expanded to seven (7) members in order to accommodate the appointment of the Councilmembers of District 1 and 5 to the TIRZ board; and

WHEREAS, the City Code, Chapter 2, Article XI, Boards and Commissions, Sections 2-526 through 2-528 set out the processes for application, review and at-large appointments of board and commission members; and

WHEREAS, as an ex-officio members of the TIRZ board, it is recommended by staff that Councilmembers of Districts 1 and 5 be exempted from compliance with those processes; and

WHEREAS, it is now necessary for City Council to waive the application of the above City Code provisions to Councilmembers of Districts 1 and 5 and to appoint them as ex-officio Westside TIRZ board members, with a term to correspond to that of their City Council term;
NOW THEREFORE:

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

SECTION 1. The Board of Directors of the Tax Increment Reinvestment Zone Number Thirty, City of San Antonio, Texas, also known as the Westside TIRZ, is hereby expanded to seven (7) members.

SECTION 2. Sections 2-526 through 2-528 of the City Code, Chapter 2, Article IX, Boards and Commissions, which speak to the processes for application, review and at-large appointments of board and commission members are hereby waived for Councilmembers of Districts 1 and 5, as ex-officio members of the Westside TIRZ Board of Directors.

SECTION 3. The City Councilmembers of Districts 1 and 5 are hereby appointed to the Board of Directors for the Westside TIRZ, as ex-officio members, for a two-year term corresponding with their term on City Council. Because they serve in an ex-officio capacity, when the individuals no longer hold those offices, their terms as members of the Board are assumed, without further action required by the City Council, by their successors in office.

SECTION 4. The statements set forth in the recitals of this ordinance are found to be true and correct, and are hereby incorporated as a part of this ordinance.

SECTION 5. This ordinance shall be effective immediately upon the receipt of eight (8) affirmative votes, or in the alternative, on the tenth day after passage hereof.

PASSED and APPROVED this 18th day of June 2009.


M A Y O R
JULIÁN CASTRO

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

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|------------------------|--|--------------------|------------|------------|----------------|---------------|---------------|
| Agenda Item: | 23 (in consent vote: 4, 5, 8, 9, 11, 12, 13, 14, 15, 16, 17, 19, 20, 22A, 22B, 22C, 22D, 22E, 22F, 22G, 22H, 23, 24, 25, 26, 28, 29, 31, 33) | | | | | | |
| Date: | 06/18/2009 | | | | | | |
| Time: | 09:36:59 AM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | An Ordinance expanding the Board of Directors for Tax Increment Reinvestment Zone Number Thirty (Westside TIRZ) to seven members; appointing City Councilmembers of Districts 1 and 5 as ex-officio voting members to the TIRZ Board with a two-year term of office to coincide with the City Councilmember's term of office. [T.C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services] | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Julian Castro | Mayor | | x | | | | |
| Mary Alice P. Cisneros | District 1 | | x | | | | |
| Sheila D. McNeil | District 2 | | x | | | x | |
| Jennifer V. Ramos | District 3 | | x | | | | |
| Philip A. Cortez | District 4 | | x | | | | |
| Lourdes Galvan | District 5 | | x | | | | |
| Ray Lopez | District 6 | | x | | | | |
| Justin Rodriguez | District 7 | | x | | | | x |
| Diane G. Cibrian | District 8 | | x | | | | |
| Elisa Chan | District 9 | | x | | | | |
| John G. Clamp | District 10 | x | | | | | |