

AN ORDINANCE 2008-09-04-0742

**APPROVING THE LEVY OF A SPECIAL ASSESSMENT FOR THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT (PID); LEVYING AN ASSESSMENT RATE FOR FISCAL YEAR 2009 AT \$0.12 PER \$100 VALUE OF REAL PROPERTY IN THE PID; AND APPROVING THE FISCAL YEAR 2009 SERVICES AND ASSESSMENT PLAN FOR THE PID.**

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**WHEREAS**, Ordinance Number 99288, passed and approved on June 3, 2004 by the City Council of the City of San Antonio ("City"), reestablished the Downtown Public Improvement District ("PID") according to the requirements of the Public Improvement District Assessment Act, Local Government Code, Chapter 372 (the "Act"); and

**WHEREAS**, the PID is a means through which property owners in the District can self-fund additional improvements and services to enhance the appearance and safety of the San Antonio downtown area; and

**WHEREAS**, for Fiscal Year ("FY") 2009, in addition to the annual property taxes, property owners in the PID will be required to pay an additional assessment rate of eleven cents (\$0.11) per one hundred dollar (\$100.00) valuation which could raise in excess of \$1.9 million annually to fund a variety of supplemental services; and

**WHEREAS**, the City is responsible for payment of assessments against exempt municipal property in the PID and at this time, staff estimates that the City's PID contribution on City-controlled property at \$ \$81,067.96 for FY 2009, and CPS' FY 2009 contribution to be \$16,636.64; and

**WHEREAS**, although the special PID assessments will be collected by the City, in 2004 the City contracted with Centro San Antonio Management Corporation ("Centro"), a Texas non-profit corporation, to administer and coordinate daily services in the PID, as well as to provide services to the Main and Municipal Plaza areas, outside the PID boundaries, at an additional price of \$13,365.00; and

**WHEREAS**, the terms of the proposed FY 2009 Services and Assessment Plan (the "Plan") have been negotiated and agreed to between City staff and Centro and include an annual budget, a five-year fiscal forecast, the supplemental special assessment rate to fund services and improvements for the PID management program, a management program, a maintenance and landscaping program, a marketing program, and a public service representatives program; and

**WHEREAS**, payment for the services and improvements to be provided for under the Plan, attached as Exhibit A, are proposed to be paid to Centro from the PID Fund; and

**WHEREAS**, the Act requires a public hearing to be held annually to consider oral and written objections to the levying of a supplemental special assessment to fund services and improvements for the PID in the Downtown Area; and

**WHEREAS**, the Act requires notice of the public hearing to be advertised in a newspaper of general circulation at least ten (10) days before the public hearing to consider the proposed levy of a special supplemental assessment on the real property in the PID; and

**WHEREAS**, the Act requires that all property owners in the proposed PID must be notified in writing of the petitioned action and public hearing; and

**WHEREAS**, notices were mailed to individual property owners on Friday, August 22, 2008, and the required public notice appeared in the San Antonio Express News on Sunday, August 24, 2008; and

**WHEREAS**, a public hearing was held and closed on September 4, 2008, at 9:00 a.m., or as soon thereafter as possible, in the San Antonio City Council Chambers, to consider the levy of a special assessment to fund supplemental services for the PID; levying an assessment rate for FY 2009 at \$0.11 per \$100 value of real property in the PID; and approval of the FY 2009 Service and Assessment Plan of the PID; and

**WHEREAS**, at or on the adjournment of the public hearing the City Council heard and passed on any objections to the levying of the supplemental special assessment; and

**WHEREAS**, at the end of the public hearing, staff requested the levy of the supplemental special assessment, approval of the supplemental special assessment rate, and approval of the FY 2009 Service and Assessment Plan for the PID; and

**WHEREAS**, it is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Act; and

**WHEREAS**, it is now necessary for the City Council to levy a special assessment to fund supplemental services for the PID; levy an assessment rate for FY 2009 at \$0.11 per \$100 value of real property in the PID; and approve the FY 2009 Service and Assessment Plan of the PID;  
**NOW THEREFORE:**

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

**SECTION 1.** A public hearing was held at 9:00 a.m., or as soon after that time as possible, in the San Antonio City Council Chambers in accordance with Chapter 372, Texas Local Government Code to consider the levy of a Special Supplemental Assessment to fund supplemental services for the Public Improvement District.

**SECTION 2.** A Special Supplemental Assessment to fund supplemental services for the PID is approved.

**SECTION 3.** A supplemental special assessment rate of \$0.11 per \$100.00 valuation of real property in the PID during the Fiscal Year ("FY") 2009 is levied to fund supplemental improvements and services in the PID. Invoices shall be mailed to and paid by affected property owners in the same manner as ad valorem taxes are mailed.

**SECTION 4.** Based on the estimated \$77,462,113.98 value of City of San Antonio and CPS controlled property within the PID, and subject to annual appropriations by City Council, the City shall make a net contribution for FY 2009 of \$68,571.69 to the PID beginning in FY 2009 for the payment of PID assessments, and shall pay an additional \$12,496.28 to Centro for services in the Main and Municipal Plaza areas, outside the PID boundaries. The value of the net assessment on and contribution from City Public Service (CPS) controlled property for FY 2009 is established at

\$16,636.64, based upon the estimated \$15,124,218.30 value of CPS controlled property within the PID.

**S SECTION 5.** Funding for this ordinance is contingent upon approval of the FY 2009 Budget for Fund 11001000 General Fund, Cost Center 80024300007 PUBLIC IMPROVEMENT DISTRICT ASSESSMENT, General Ledger 5203050 Membership Dues and Licenses.

**SECTION 6.** If approved by the City Council, an entry for the COSA contribution debiting \$81,067.96 Fund 11001000 General Fund, Cost Center 80024300007 PUBLIC IMPROVEMENT DISTRICT ASSESSMENT, General Ledger 5203050 Membership Dues and Licenses and crediting Fund 69018000 Public Improvement District, Internal Order 207000000122 ASSESSMENT COLLECTION: PRIVATE, General Ledger 4101300 Improvement District - Current, is authorized, and payment not to exceed the budgeted amount is authorized to Centro SA in accordance with the terms of the contract, from Fund 69018000 Public Improvement District, Cost Center 1603060001 SPECIAL PUBLIC IMPMT DISTRICT FUND, General Ledger 5202020 Contractual Services.

**SECTION 7.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 8.** The FY 2009 Service and Assessment Plan, attached as Exhibit A, is approved.

**SECTION 9.** The statements set forth in the recitals of this Ordinance are true and correct, and are incorporated as a part of this Ordinance.

**SECTION 10.** This ordinance shall become effective immediately after passage upon the receipt of eight affirmative votes, or, in the absence of eight affirmative votes, ten days after passage.

*PASSED AND APPROVED* this 4<sup>th</sup> day of September 2008.



M A Y O R

**PHIL HARDBERGER**

Attest:

  
City Clerk

APPROVED AS TO FORM:

  
for City Attorney



## Agenda Voting Results - 5

<b>Name:</b>	5						
<b>Date:</b>	09/04/2008						
<b>Time:</b>	10:08:09 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	Public Hearing and consideration of an Ordinance approving the levy of a Special Assessment for the Downtown Public Improvement District; levying an assessment rate for Fiscal Year 2009 at \$0.11 (a reduction from \$0.12) per \$100.00 value of real property in the PID; and approving the Fiscal Year 2009 Services and Assessment Plan for the PID. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				x
John G. Clamp	District 10		x				

# Exhibit A

**SAN ANTONIO DOWNTOWN PUBLIC IMPROVEMENT DISTRICT  
SERVICE AND ASSESSMENT PLAN  
FOR FISCAL YEARS 2009-2013**

**I. INTRODUCTION**

This service and Assessment Plan (the "Plan") is prepared in conformance with Public Improvement District Assessment Act, Texas Local Government Code, Ann. Sec. 372.001, et seq., as amended (the "Act"). The Year Five Plan is for five years commencing October 1, 2008 and will continue to be updated annually as required in the above referenced legislation.

**II. BOUNDARIES**

The boundaries of the San Antonio Downtown Public Improvement District (the "District") are indicated on the map included as Exhibit A.

**III. IMPROVEMENTS AND/OR SUPPLEMENTAL SERVICES PLAN**

The objective of the Plan is to enhance the experience of pedestrian as well as vehicular traffic in the Downtown area by supplementing existing City services to assure a cleaner, safer and friendlier environment. The Plan anticipates that the City will continue to provide at least its current level of services throughout the District. The District may contract for some service while hiring its own employees for others.

The District is managed by the Centro San Antonio Management Corporation, a non-profit Texas corporation (the "Corporation"), pursuant to a contract with the City of San Antonio entitled Contract for Improvements and/or Services in the San Antonio Public Improvement District in the Downtown Area (the "Management Agreement"). The 15-member Board of Directors (the "Board") will meet at least quarterly to assure performance of its duties and will be directed in the conduct of its affairs by Roberts Rules of Order as well as its Articles of Incorporation and by-laws. The Board is constituted by its formal action taken at the organizational meeting held on June 29, 1999. Any vacancy which may occur on the Board will be filled by the Board with individuals with comparable demographic characteristics as the person who vacated the Board. The President of the Downtown Alliance/San Antonio will serve on the Board as an ex-officio, non-voting member. The regularly scheduled Board meetings will be held in San Antonio at the Downtown Alliance Office, 515 E. Houston St., Suite 100 or as otherwise notified. The Board meetings for FY 2009 will be held on or about November 12, 2008; February 11, 2009, May 20 2009, and August 19, 2009.

The improvements and/or services in the Plan include reimbursement of costs for the management of the District, supplemental maintenance and landscaping/streetscaping services, marketing and promotion of the District, public service representatives and other such improvements and programs as may be described in the annual plan below.

## YEAR FIVE PLAN (October 1, 2008 – September 30, 2009)

### PROGRAMS:

#### Management/Administration & District Operations

The Corporation has budgeted \$195,000 for Management/Administration, and \$160,000 for District Operations, and will provide the following administrative and management services for operations of the District:

- Provide the staff for administration and management of the District as necessary to supervise the daily services provided by the District;

The Corporation has hired an Operations Manager who will supervise the daily services provided by the District. The Manager will assist in administering contracts by sub-contractors and oversee other employees of the Corporation as applicable.

The Corporation has entered into an agreement with the Downtown Alliance / San Antonio to provide staff and support services such as clerical, bookkeeping and management oversight.

- Provide management, financial and program monitoring systems for operation of the District as required by the Management Agreement;
- Provide reports to the City concerning operations of the District as required by the Management Agreement;
- Recruit, hire, pay and supervise the work force which the Corporation will utilize to furnish services in the District;
- Provide office space and an operations center for the District's administrative and management personnel and for the Corporation's and/or its subcontractor's employees and equipment, as necessary;

The Corporation will occupy office space and share office services with the Downtown Alliance / San Antonio located at 515 E. Houston Street, Suite 100 in San Antonio, Texas. The Corporation also occupies approximately 1370 sq.ft. of street-level space and 1663 sq.ft. of garage storage space for use as an Operations Center located at 219 E. Travis St. in San Antonio, Texas. These spaces are utilized specifically for daily services described under "Maintenance", "Landscaping/Streetscaping" and "Public Service Representatives". The Operations Center includes space for equipment and uniforms, a briefing center/workroom, a shared kitchen/breakroom, equipment storage area, lockers and access to restrooms and dressing rooms.

The Corporation owns a small, light-duty GMC pick-up truck for use by the District's contractors. The truck enables the contractors to better monitor the provision of the District services and facilitate trash and equipment pick-up and removal. The Corporation has also purchased three additional light-duty "Tiger"

trucks with trailers for the Maintenance & Streetscaping crews to replace the vehicles they used respectively for power-washing and planter maintenance.

Contingent on final assessment revenues and reflected in the proposed Capital Replacement budget line item, the Corporation may purchase two additional all-electric "Tiger" trucks with trailers and power washing equipment for use by new 2-member crews added to the Maintenance program, and a third all-electric "Tiger" truck for additional trash pick-up. These purchases will be determined after final assessment values are certified and assessment revenue is confirmed.

- Coordinate with the City's designated representative concerning the needs for levels of service such as maintenance, horticultural services, infrastructure improvements, levels of police patrols, park police and other such municipal services necessary to be performed within the District;
- Participate in private or public meetings concerning operation and activities related to the District;
- Enter into and supervise contracts with subcontractors to provide landscaping, sidewalk cleaning, public service representatives or other services which the District elects to provide through subcontract;

The Corporation issued Requests for Proposals for contract services for "Maintenance", "Landscaping/Streetscaping", "Public Service Representatives", and "Marketing/Public Relations" and originally entered into agreements with those contractors on 12/7/99. The Corporation will review the contracts annually and enter into new contracts or amend existing contracts with contractors for the specific services.

As required and pursuant to the Management Agreement, the Corporation will obtain proposals for the various services to be provided under this plan. To the extent that such proposals will not allow the Corporation and District to provide all of the services outlined in this Plan for any of the programs outlined below, the Corporation, working in conjunction with the City's designated representative as provided in the Management Agreement, shall reduce the scope of services to fall within the budget for such program.

- Assist the City by providing information about District improvements and/or supplemental services related to potential downtown development proposals and projects;
- Function as the Information Center for all matters relating to the operation of the District and advise the City in a timely manner of any problems with City-owned equipment or facilities in the District;
- Provide a recommended and updated *Service and Assessment Plan* to the City Manager's Office annually, and quarterly reports on District activities to the City's designated representative.
- Support Downtown Alliance's initiative to secure the renewal of the District for a new term beginning October 1, 2009 by providing pertinent information regarding service costs.

## Maintenance

The Corporation has budgeted \$1,050,000 for the maintenance program. To the extent the Corporation can obtain subcontracts to perform the services within such budget, the following maintenance services will be provided in the District (see Exhibit B for estimated service zones):

The Corporation will subcontract sidewalk maintenance and washing services and graffiti abatement during FY2009. The contract will be executed on or about September 26, 2008 and maintenance services are expected to begin on October 1, 2008.

The Corporation will retain supervisory authority over subcontracted personnel and an operations/services manager will oversee contract administration to assure that services are performed in accordance with subcontracts, the Management Agreement and all applicable laws.

- All maintenance personnel and equipment will be distinctly identified (uniformed) as working for the District;

The Corporation will specify and require uniforms consisting of shorts, short-sleeve shirts and hats for summer months, and long pants, jackets and rain-suits or ponchos for cooler months and wet weather. The contractors or employees providing maintenance services will be required to wear uniforms while on duty. All equipment such as rolling trash bins, bicycles or other vehicles that the Corporation or the contractor may provide will be identified with the District logo.

- Utilizing "white-wing" crews circulating throughout the District, sidewalks within the District will be inspected and swept to remove litter;

Sidewalk maintenance personnel equipped with brooms, dustpans, rolling trash bins, and two-way communication devices will perform a variety of maintenance activities throughout the District. It is anticipated that the "white-wing" crews will:

- Inspect sidewalks within the District's public right-of-ways (including parks) for needed maintenance and report to the Operations Center;
- Request needed maintenance requiring City crews to the District Operations Manager, who will in turn contact and report the request to the appropriate City designated representative;
- Sweep sidewalks within the District's public right-of-ways, removing litter and placing in appropriate trash receptacles;
- Inspect sidewalks within the District public right-of-ways and remove weeds from sidewalk cracks when weather or special events interrupt standard work schedules. This service may also be accomplished utilizing volunteer service labor or adult probation labor services.
- Report needed maintenance requiring other District crews to the Operations Center.

The proposed budget is intended to provide sidewalk maintenance personnel, consisting of work crews in the respective sub-areas shown in Exhibit B. The crews will perform sidewalk maintenance services on sidewalks throughout the District from 8:00 a.m. to 9:00 p.m. on weekdays (various shifts), and from 8:00 a.m. to 5:00 p.m. on Saturday and Sunday's (excluding special events or holidays when expanded or reduced hours may apply). The budget includes two supervisors and a project manager at 40 hours each for a total of 120 hours during each week.

- Utilizing sidewalk sweeping machines, two units acquired in FY2005 will circulate throughout the District sweeping and vacuuming sidewalks to supplement the City sidewalk washing schedule;

The proposed budget is intended to provide two uniformed maintenance individuals riding mechanical sidewalk sweeping machines, which will sweep and vacuum sidewalks an average of 70 total hours per week in selected areas in public right-of-ways of the District. The locations and frequency of service shall depend on weather, season of the year and pedestrian activity. The sidewalk sweeping units are intended to supplement the "white wing" services detailed above. The sidewalk sweeping units will not block vehicular traffic operations or impede pedestrian traffic at any time during peak weekday traffic hours.

- Utilizing power washing equipment, five 2-member crews will circulate throughout the District, inspecting and washing sidewalks to supplement the City sidewalk washing schedule;

The proposed budget is intended to provide five uniformed 2-member crews, which will provide sidewalk washing services an average of 150 hours per week in selected areas in public right-of-ways throughout the District. The locations and frequency of service shall depend on weather, season of the year and the need for such services. All areas within the District will be periodically inspected for sidewalk washing and scheduling. Power washing equipment will not block vehicular traffic operations or impede pedestrian traffic at any time during peak weekday traffic hours.

This budget anticipates that in addition to the existing three 2-member power washing crews, two additional 2-member crews will be added for power washing during FY2009, contingent on final assessment revenues. If the additional crews are added, then two additional all electric "Tiger" trucks with trailers and power washing equipment will be purchased by the Corporation. The labor expense will be a part of the Maintenance budget, and the equipment and vehicle will be expensed from the Capital Replacement and Unallocated Contingency budget.

This budget also anticipates that, contingent on final assessment revenues, a third all electric "Tiger" truck will be purchased and expensed from the Capital Replacement budget line item to be used for additional street trash pick up in coordination with the COSA Downtown Operations Department.

- Inspect for and remove graffiti from public areas in the District (including street furniture, benches, drinking fountains, fountains, public art, street planters, trash receptacles, and other public streetscape improvements, pedestrian lighting, District and traffic signage, equipment

and signal cabinets, kiosks, and other related improvements in public areas) and coordinate with the City's graffiti removal program. The District will attempt to remove graffiti within a 24-hour period from the time of discovery. Graffiti includes paint, handbills and stickers, but does not include scratched or etched surfaces;

The "white-wing" crews described above will provide limited graffiti abatement of small tags, stickers, handbills and posters from painted and metal surfaces on an on-going basis as they perform litter pick-up. For graffiti abatement of a larger scale or area that is not regularly being addressed by the "white wing" crews, the District will report the graffiti and coordinate with the designated City representative to determine how and by what means the graffiti can be abated. The District will also report graffiti on private un-leased and/or vacant property to be addressed pursuant to the recently amended City graffiti ordinance.

- The Corporation does not intend to empty existing trash receptacles in the public right-of-ways unless that receptacle is over half-full or an overflow situation exists. If either condition is present, the trash receptacle is emptied, re-bagged and the full bag is placed next to the receptacle for pick-up by City and/or District crews.
- The Corporation intends to provide funding in support of the City of San Antonio's "Grackle Relocation Program" which will be implemented in FY2009. The program anticipates a dramatic reduction in grackle excrement which will reduce the daily demand for power washing on many of the District's sidewalks. The District's cost to participate in the program is anticipated to be \$35,000 to be expended out of the Maintenance expense budget.
- The Corporation intends to partner with the City's Downtown Operations Department to perform a special sidewalk cleaning operation during FY2009. \$300,000 has been committed in this year's budget to contribute to the City's initiative to contract for these special maintenance services which involves power washing using a baking soda solution to deep clean District sidewalks.
- The Corporation does not intend to provide special event maintenance services unless by contract which is not addressed in this Plan. Normal schedules and services will be adjusted to accommodate special events that occur within the District.

### **Landscaping / Streetscaping**

The Corporation has budgeted \$175,000 for the landscaping/streetscaping program. To the extent the Corporation can obtain subcontracts to perform the services and purchase items within such budget, the following landscaping/streetscaping services will be provided in the District (see Exhibit C for areas anticipated to be covered):

The Corporation will subcontract landscaping/streetscaping services during FY2009. The contract will be executed on or about September 26, 2008 and landscaping/streetscaping services are expected to begin on October 1, 2008.

The Corporation will retain supervisory authority over subcontracted personnel, and an operations/services manager will oversee contract administration to assure that

services are performed in accordance with subcontracts, the Management Agreement and all applicable laws.

- All landscaping/streetscaping personnel and equipment will be distinctly identified (uniformed) as working for the District;

The Corporation will specify and require uniforms consisting of shorts, short-sleeve shirts and hats for summer months, and long pants, jackets, rain-suits or ponchos for cooler months and wet weather. The contractors or employees providing landscaping services will be required to wear uniforms while on duty. All equipment or other vehicles that the Corporation or the contractor may provide will be identified with the District logo.

- Install and maintain approved supplemental landscaping and planters in the District as follows;
  - This Plan assumes that all supplemental landscaping and planters installed in the District will be done with the approval of the City's Historic Design and Review Commission.
  - All landscape/streetscape improvements installed in the District from FY2000 thru FY2008, shall continue to be maintained as defined below. Care will be taken to avoid impeding vehicular and pedestrian traffic when maintaining these improvements, and days and hours of maintenance service will be restricted as described for additional improvements listed below. The planters are located on light poles, stair rails and in large pot clusters throughout the District boundary. The service will include installation, planting and annual maintenance (watering, fertilizing, pruning, wound treating and disease control). The light-pole planters and stair rail planters will be replanted three times during the year. The small plants in the sidewalk clusters will also be replanted twice during the year. All dead or stolen plants will be replaced on an as-required basis. A three or four-person crew will circulate throughout the District and additional contract areas to maintain these improvements on a daily basis or as required.
  - The Corporation does not propose to install any additional railing planters on stair rails between street and river levels, or light-pole planters on light poles in the District in FY2009.
  - Contingent on assessment revenues, the Corporation will consider installing more clusters of sidewalk planters in the District in FY2009 and as noted below on Alamo Plaza. No additional sidewalk planters will be added until after final assessment values are certified and assessment revenue is determined.
  - The Corporation will maintain several clusters of sidewalk planters on Alamo Plaza that were installed during FY2005 and FY2006 that were purchased, planted and placed on Alamo Plaza by private interests, and will maintain any additional planters placed there during FY2009 if sufficient budget funds are available and with the approval of the City.
  - The Corporation may also install supplemental plant materials in planters and planting beds in other City parks and along the RiverWalk, or in the public right-of-way, if sufficient budget funds are available and with the approval of the City.

- The Corporation will advise the City's designated representative in a timely manner of the need for capital improvements, replacements, repairs and/or relocations of City landscaping/streetscape improvements or other City property in the District.

### **Public Services Representatives**

The Corporation has budgeted \$600,000 for a Public Service Representative program. To the extent the Corporation is able to provide the services within such budget, the following public service representative services will be provided (see Exhibit D for estimated coverage areas), either directly or through a subcontractor;

The Corporation will subcontract public service representative services during FY2009. The contract will be executed on or about September 26, 2008 and services are expected to begin on October 1, 2008.

The Corporation will retain supervisory authority over subcontracted personnel, and an operations/services manager will oversee contract administration to assure that services are performed in accordance with subcontracts, the Management Agreement and all applicable laws.

- All Public Service Representatives (PSR's) will be distinctly identified (uniformed) as working for the District;

The Corporation will specify and require uniforms consisting of shorts, short-sleeve shirts and hats for summer months, and long pants, jackets, rain-suits or ponchos for cooler months and wet weather. The contractors or employees providing the PSR services will be required to wear uniforms while on duty. Any equipment, bicycles or other vehicles that the Corporation or the contractor may provide related to this service will be identified with the District logo.

- The PSR's will be trained to provide information, to provide directions, to attempt to render assistance, and to observe and report undesirable conditions;

The Corporation and/or the contractor for this service will maintain and conduct a specially developed training program for the PSR's which is anticipated to consist of both classroom and in-field training covering such subjects as personal conduct, CPR and First Aid certification, public relations, downtown directions and attractions, locations of bus and trolley stops, bus route and schedule information, effective communications, use of equipment, etc. It is anticipated that various City departments will continue to cooperate and assist in the training of the public service representatives (SAPD Foot & Bicycle Patrol, SAPAR Park Police, SAFD, EMS, COSA City Attorneys office, etc.) including VIA Metropolitan Transit.

- The PSR's will be equipped with two-way communication capability;

The Corporation will purchase and/or lease two-way radios for all PSR's to carry and utilize while on duty in the District. PSR's will be in contact with the District operations center and will be able to contact other District and City service providers via the operations center.

- The PSR's will not be, or function as, deputized law enforcement officers, but will work in close coordination with public and private law enforcement individuals and agencies within and surrounding the District;
- The PSR's will circulate throughout the District in assigned sub-areas daily as shown in Exhibit D. The schedule in the sub-areas will fluctuate to meet daily, seasonal or special event needs and conditions;

The proposed budget is intended to provide PSR's in each of the respective sub-areas shown in Exhibit D, from 9:00 a.m. until 9:00 p.m., every day, Monday thru Sunday. There will also be PSR's on duty, in addition to those described above, during all shifts and days of the week that will be strategically positioned at key high-pedestrian traffic intersections in the District. Actual personnel and assignment to sub-areas may vary depending on time-of-day, weather, season, special events, holidays or public activity. In addition, one supervisor of the PSR's and one person assigned to staff the Operations Center will be on duty at all times.

- The Corporation will, as a part of the PSR program, discuss with the City's designated representative, the need for and concerning the levels of police foot and bicycle patrols, police cruisers, park police and the overall law enforcement presence in the District;
- PSR's will staff the City Information Center/Public Restroom Facility in the RiverBend Garage located at 210 N. Presa. One PSR will be on duty at the facility from 9:00 a.m. until 9:00 p.m. seven days a week throughout the year with the exception of certain holidays.
- This budget anticipates that new PDA software, hand-held information devices and corresponding printers will be purchased, and that PSR's will be trained in the use of and equipped with these units. The approximate cost of the software and PDA hardware (12 units) is \$30,000.

### **Marketing and Promotions**

The Corporation has budgeted \$125,000 for a marketing and promotion program. To the extent the Corporation is able to provide the services within such budget, the following marketing and promotion services will be provided for the District, either directly or through a subcontractor:

- Maintain a public relations/public service plan and campaign describing the services and activities of the District to reach downtown workers, residents, visitors, surrounding neighborhoods and the greater San Antonio metropolitan area. It is anticipated that the Corporation will publish a newsletter, either printed or electronically, on a regular basis throughout the year, to describe the services and activities in the District;
- Seek a wide variety of positive media exposure for and the area surrounding the District;
- Organize, publish and distribute a calendar of events in and surrounding the District;
- Cooperate and communicate with businesses, organizations and governmental entities in and surrounding the District, and serve as a communication resource for information about the District.

- Maintain the REDISCOVER DOWNTOWN SA Marketing and Education program that the District initiated in FY2002. The plan for FY2009 proposes that the Corporation continue to provide information about businesses, services and events that take place in and are located in and around the District.
- This budget and program anticipates that Centro SA will contribute funds (\$20,000) for the development of a new website that will combine the websites of Centro SA and the Downtown Alliance.
- This budget and program anticipates that Centro SA will contribute sponsorship funding (\$10,000) in support of the 2009 International Downtown Association Mid-Year meeting to be held in San Antonio in April 25-27, 2009.
- This budget and program anticipates that Centro SA will contribute funds (\$35,000) to partner with the City in the development of a Strategic Marketing Plan for the Downtown Area.

### **Other Services**

The Corporation may at some time during Year Five provide additional services and/or participate in additional programs that will be of benefit to properties located within the District as desired and directed by the Board of Directors and agreed to and approved by the City. A Program Reserve has been established in the budget for this purpose, and any unused funds remaining in this budget item at the end of the year will carry forward to the same budget category in the next fiscal year.

### **Contracts and Other Revenue**

In addition to the public and private assessment revenue, the District receives revenue from several other sources. Per an interlocal agreement between the City and VIA Metropolitan Transit, VIA provides \$60,000 annually to the District for services provided by the District on behalf of VIA. The District also proposes to re-enter into an agreement with Bexar County who has previously agreed to provide \$30,000 in funding to the District for services provided by the District in a special service area outside of the District boundary on behalf of Bexar County. Additionally, the District receives funds from the City for services provided in the special service area outside of the District boundary around Main Plaza (\$13,632 for FY2009) based on an assessment for the Municipal Plaza Building), and per an agreement the City has with the management company for the Majestic and Empire Theatres (\$15,089 for FY2009).

### **Capital Replacement, Unallocated Contingency and Program Reserve Funds**

In FY2005, the Corporation established a capital replacement fund to replace existing and purchase new equipment. This fund has been utilized since FY2005 to purchase new vehicles and equipment to replace worn equipment and help service the District. In FY2006 the Corporation established a Program Reserve Fund to establish an account to be used for special projects. Projects that the Program Reserve Fund would fund would be approved by the Corporation's Board of Directors and presented to the City's designated representative for approval. In FY2009 the Corporation intends to purchase three new all electric "Tiger" trucks for an estimated \$50,000 and two new power washing equipment packages for an estimated \$15,000 to be used by the Maintenance program. The Corporation also intends to purchase 100 additional new trash receptacles for an estimated \$100,000 to match existing trash receptacles and place them throughout the District.

**YEAR FIVE (FY2009) PROJECTED BUDGET**

<b>BEGINNING BALANCE</b>	<b>882,956</b>
Assessments (Private)*	1,945,915
Assessments (COSA and CPS)	85,208
Contracts & Other Revenue (VIA, County & other COSA)	116,328
Interest on Deposits	25,000
Delinquent Payments, Penalties & Interest	30,000
<b>TOTAL REVENUE</b>	<b>2,202,121</b>
<b>AMOUNT AVAILABLE</b>	<b>3,085,077</b>
<b>EXPENDITURES</b>	
Management/Administration (DTA)	195,000
Wages, Benefits, Taxes & G&A Expenses	
Management Subtotal	
District Operations (Centro SA)	
Op Manager - Wages, Benefits	
Op Center - Rent, Equip., Supplies	
District Operations Subtotal	160,000
Maintenance	
Contractor Expense	
District Expense	
FY2009 Special Sidewalk Cleaning Contract (\$300k)	
Maintenance Subtotal	1,050,000
Landscaping/Streetscaping	
Contractor Expense	
District Expense	
Landscaping/Streetscaping Subtotal	175,000
Public Service Representatives	
Contractor Expense	
District Expense	
PSR Subtotal	600,000
Marketing & Promotions	
Contractor & District Expense	
Marketing & Promotions Subtotal	125,000
Capital Replacement & Unallocated Contingency	125,000
FY2009 Trash Receptacle Purchase (100 units)	100,000
Program Reserve	25,000
<b>TOTAL EXPENSES</b>	<b>2,555,000</b>
<b>ENDING BALANCE</b>	<b>530,407</b>

\* Assumed 98% collection of private assessments @ \$0.11/\$100

Note : Based on Estimated Certified Private Value = \$1,805,117,119  
@ \$.11/\$100 total potential yield = \$1,985,628

**PLAN FOR YEARS SIX THROUGH NINE (Oct. 1, 2009 – Sept. 30, 2013)****PROGRAMS:****Management / Administration**

The Corporation will provide the following administrative and management services for operations:

- Provide the staff, administrative services, office space, and work force necessary to furnish services in the District;
- Provide management, supervision, and financial and program monitoring systems for operation of the District as required by the Management Agreement;
- Coordinate with and provide regular reports to the City's designated representative on operations, services provided, activities and conditions within the District as required by the Management Agreement;
- Enter into and supervise contracts with subcontractors;
- Serve as an information resource for businesses, services, activities and physical improvements within the District;
- Provide a recommended and updated *Service and Assessment Plan* to the City Manager's Office annually, and quarterly reports to the City's designated representative.

**Maintenance**

To the extent addressed in the approved Plan and budget, the Corporation shall provide the following maintenance services, either directly or through a subcontractor:

- All maintenance personnel and equipment will be distinctly identified (uniformed) as working for the District;
- Provide sidewalk sweeping, litter removal and sidewalk washing to maintain an attractive pedestrian environment within the District, coordinated with and supplementing the City's maintenance services;
- Inspect for and remove graffiti from public areas in the District (including street furniture, benches, drinking fountains, fountains, public art, street planters and other public streetscape improvements, trash receptacles, pedestrian lighting, District signage, kiosks, and other related improvements in public areas) as provided in the Plan and coordinated with the City's graffiti removal schedules.

### **Landscaping / Streetscaping**

To the extent addressed in the approved Plan and budget, the Corporation shall provide the following landscaping/streetscaping services, either directly or through a subcontractor:

- All landscaping/streetscaping personnel and equipment will be distinctly identified (uniformed) as working for the District;
- Care for and maintain all landscaping (including planters) funded, added, and/or installed by the District, its agents, servants, employees or subcontractors within the District boundary including watering, fertilizing, pruning, plant replacement, and treatment of wounds, disease control, and insect control;
- Expand program to install approved supplemental landscaping and planters in the District to the extent budgeted and able to be adequately maintained.

### **Public Service Representatives**

To the extent addressed in the approved Plan and budget, the Corporation shall provide the following public service representative program, either directly or through a subcontractor:

- All Public Service Representatives (PSR's) will be distinctly identified (uniformed) as working for the District;
- PSR's will be trained and knowledgeable about businesses and services located in and surrounding the District, equipped with communication devices and circulating throughout the District;
- The PSR's shall work in close coordination with various public and private law enforcement individuals and agencies within the District, but they will not be or function as deputized law enforcement officers.
- The District will, as a part of the PSR program, consult with the City's designated representative concerning the needs for levels of police foot patrols, police bike patrols, mounted police patrols, police cruisers, park rangers, and the overall law enforcement presence in the District.

### **Marketing and Promotions**

To the extent addressed in the approved Plan and budget, the Corporation shall provide a marketing and promotions program which shall include the following services:

- Maintain a public relations/public service plan and campaign to describe the District; the services being provided; and activities, attractions, and events occurring within and surrounding the District;
- Seek a wide variety of positive media exposure for the District and surrounding areas;

- Serve as a communication resource for information about the District.

### **Other Services and/or Improvements**

The Year Six through Year Nine Projected Budget that follows this section projects annual revenue increases of two percent per year in Public and Private Assessments. The expenses for Management/Administration/Operations and for Contractual Services (Maintenance, Landscaping/Streetscaping and Public Service Representatives) are projected to increase by two percent in Year Six through Year Nine. The projections for Years Six , Seven, Eight and Nine are hypothetical. A new budget will be established each year that will be based on the assessment rate, assessed valuation, assessment collections and services to be delivered. The remaining fund balance from each year will be carried forward for use as the beginning balance in the following year.

In the event that the District is not re-authorized to be continued after Year Five, property of the Corporation and District will be sold and funds from the sale of property added to any remaining fund balance from Year Five. The remaining fund balance will first be used to pay for expenses necessary to dissolve the District, and any remaining funds will be used as mutually agreed upon by the City and the Corporation's Board of Directors.

The Corporation may provide additional services and/or programs other than those described above when desired and directed by the Board of Directors and agreed to by the City.

**YEAR SIX (FY2010) THROUGH NINE (FY2013) PROJECTED BUDGET**

<b>FISCAL YEAR</b>	<b>YEAR SIX 2010</b>	<b>YEAR SEVEN 2011</b>	<b>YEAR EIGHT 2012</b>	<b>YEAR NINE 2013</b>
<b>BEGINNING BALANCE</b>	530,407	656,406	760,525	870,336
<b>REVENUE</b>				
Assessments (Private) *	1,984,833	2,024,530	2,065,020	2,106,321
Assessments (COSA & CPS)*	86,912	88,650	90,423	92,232
Contracts & Other Revenue	116,854	117,391	117,939	118,498
P&I, Interest on Deposits**	55,000	57,000	59,000	61,000
<b>TOTAL REVENUE</b>	2,243,599	2,287,571	2,332,382	2,378,050
<b>AMOUNT AVAILABLE</b>	2,774,006	2,943,977	3,092,907	3,248,387
<b>EXPENDITURES</b>				
Mgmt/Admin/Operations***	362,100	369,342	376,729	384,263
Maintenance***	765,000	780,300	795,906	811,824
Landscaping/Streetscaping***	178,500	182,070	185,711	189,426
Public Service Representatives***	612,000	624,240	636,725	649,459
Marketing & Promotions	100,000	102,500	102,500	105,000
Contingency, Capital Repl. & Reserve	100,000	125,000	125,000	150,000
<b>TOTAL EXPENSES</b>	2,117,600	2,183,452	2,222,571	2,289,972
<b>ENDING BALANCE</b>	656,406	760,525	870,336	958,414

\* Assumed 98% collection of private & public assessments  
& assumes 2% growth in private valuation per year

\*\* Assumed 2% growth in P&I per year

\*\*\* Assumed 2% increase in expenses per year

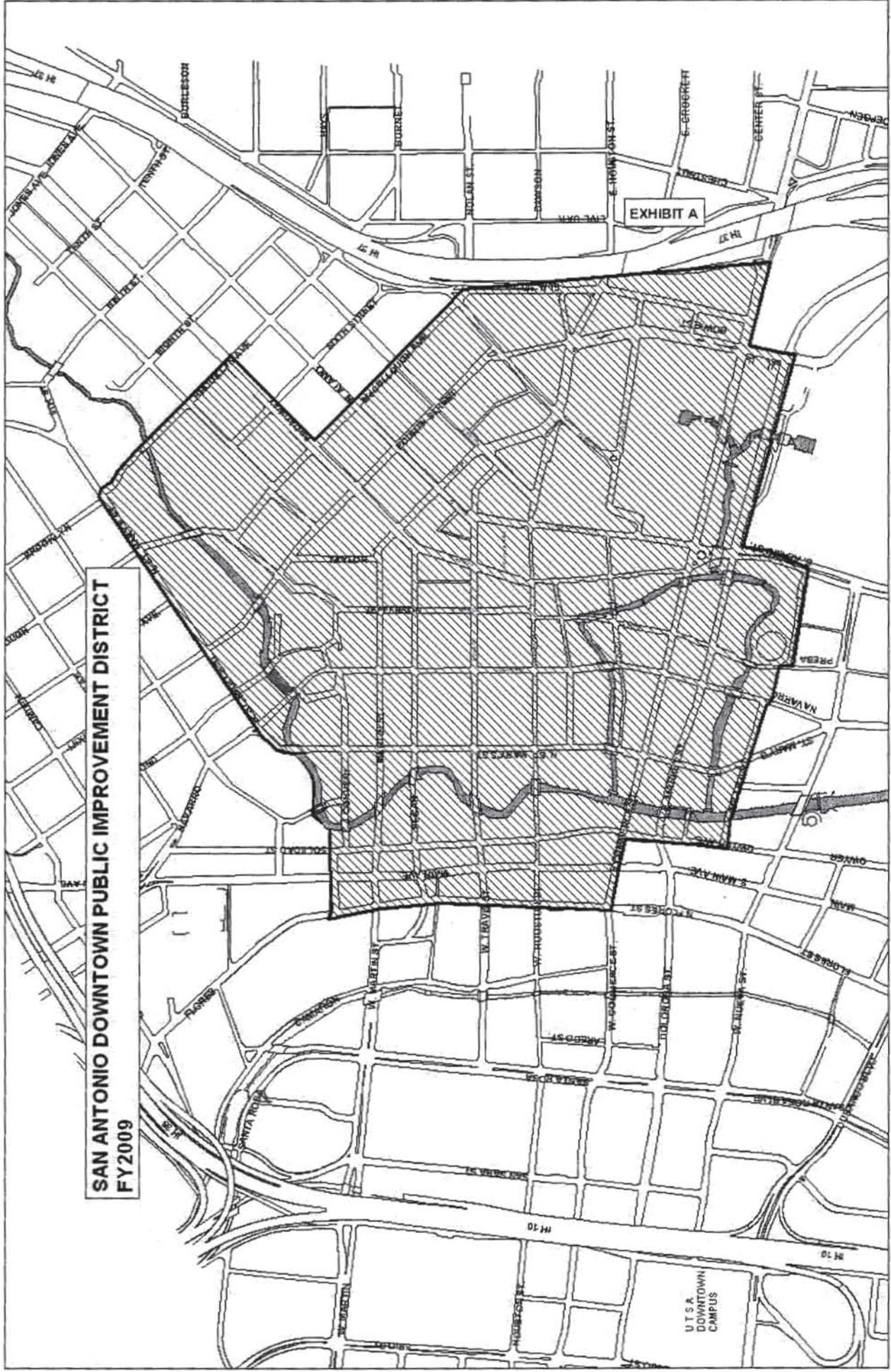
## ASSESSMENT PLAN

The assessment year will be concurrent with the City's Tax Year, January 1, through December 31. The Assessment levy against private property (based on \$.11/\$100 of assessed valuation) is estimated in Year Five to be **\$1,985,628**. For budgeting purposes, a 98% collection rate is assumed yielding approximately **\$1,945,915**. The assessment levy on private properties is expected to grow at an approximate rate of 2% per year each year thereafter through FY2013.

Each property in the District is to be assessed based on the valuation on the property as determined by the Bexar Appraisal District and as certified by the City of San Antonio Tax Assessor/Collector. Notice of the levy of assessment is to be given as provided in Section 372.001 in the Act. The Assessment Levy Statement will be sent to each property owner in the District and the assessment levy will be due and payable at the same time property taxes are due and payable to the City of San Antonio Treasury. Penalty and interest will accrue on delinquent accounts in accordance with ad valorem penalty and interest schedules of the City of San Antonio. Payments become delinquent as of February 1<sup>st</sup> after assessment is levied. Interest on any delinquent installment shall be added to each subsequent installment until all delinquent installments are paid.

Of **579** property accounts in the District, **124** are certified as exempt, leaving **455** accounts to be assessed in FY2009. These **445** accounts in the District are certified to date for a value of **\$1,801,380,829** for the 2008 assessment year. The remaining **10** accounts in the District, which are not yet certified, have a prior year value of **\$3,736,290**. This Plan assumes that the uncertified accounts will at least remain at the prior year value. When the value of the certified accounts is added to the value of the uncertified accounts, the total value of private properties in the District is **\$1,805,117,119**.

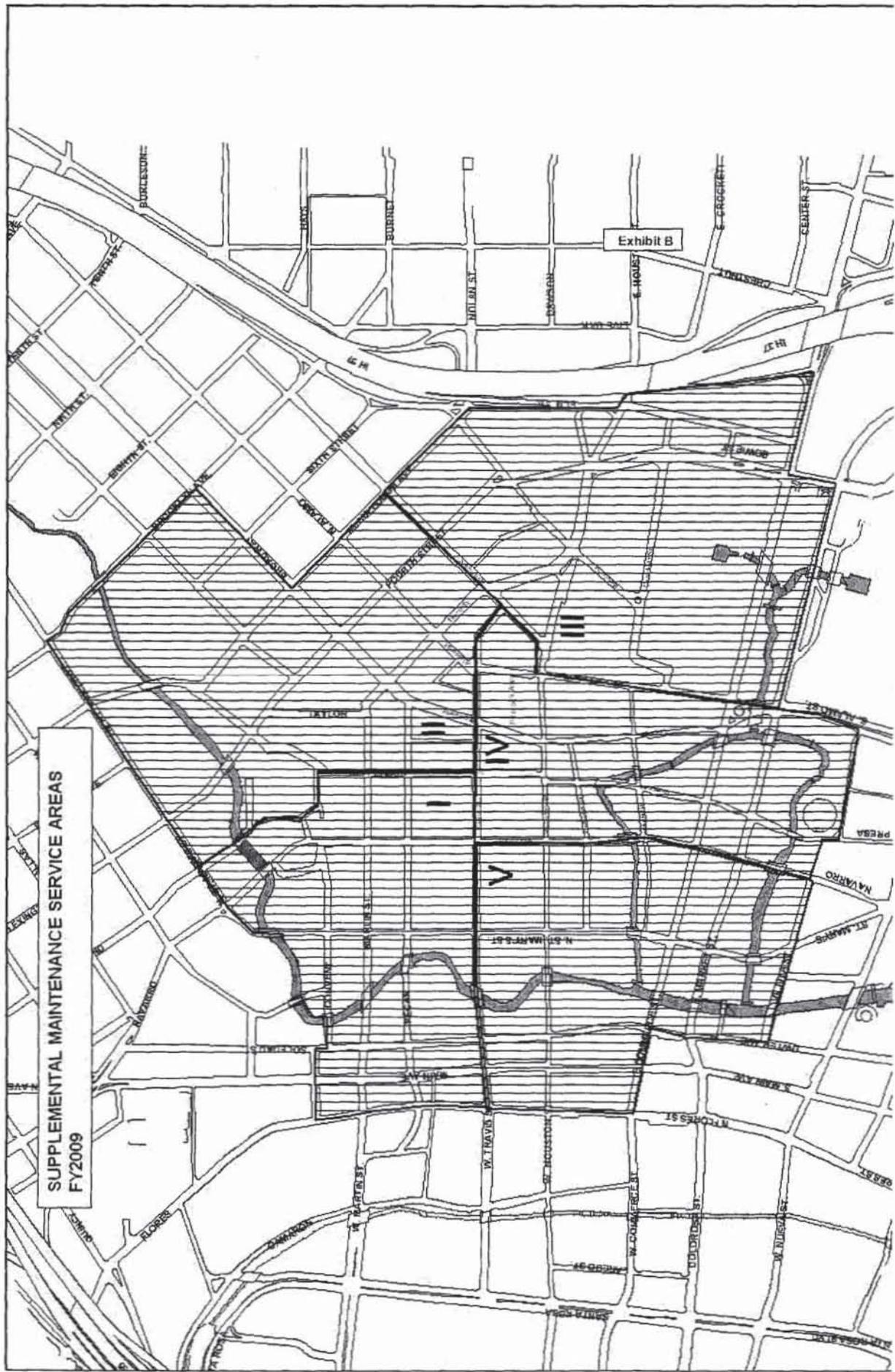
The value of taxable properties, when combined with City Exempt property values totaling **\$77,461,818** (City & CPS), provides a total valuation of the District upon which to base the assessment for FY2009 of **\$1,882,578,937**. The valuations on which the Budget is based in this plan for the remaining years of the current district's authorization are estimated to be sufficient to provide the improvements and/or services as described above in this plan.



**SAN ANTONIO DOWNTOWN PUBLIC IMPROVEMENT DISTRICT  
FY 2009**

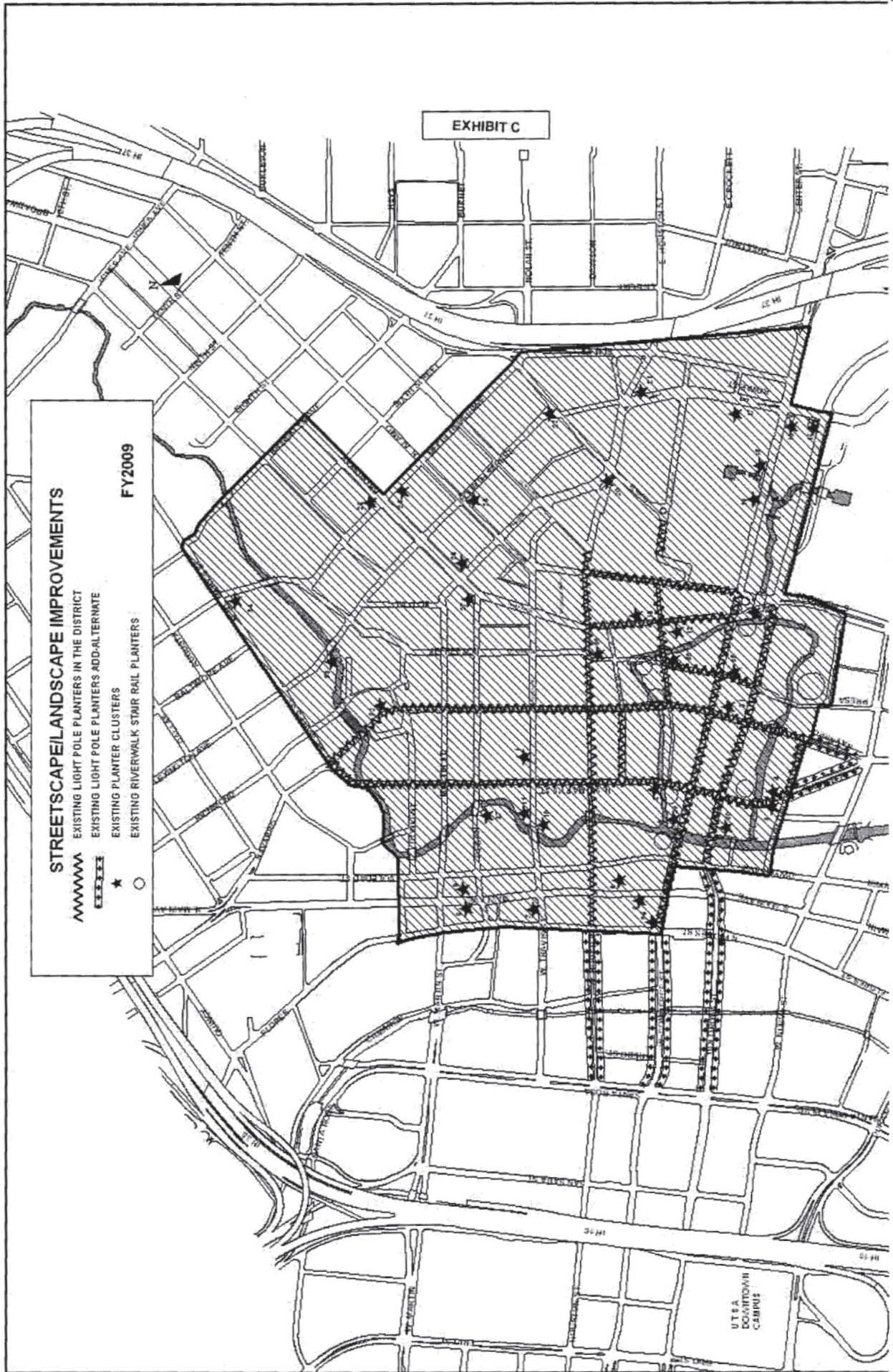
**EXHIBIT A**

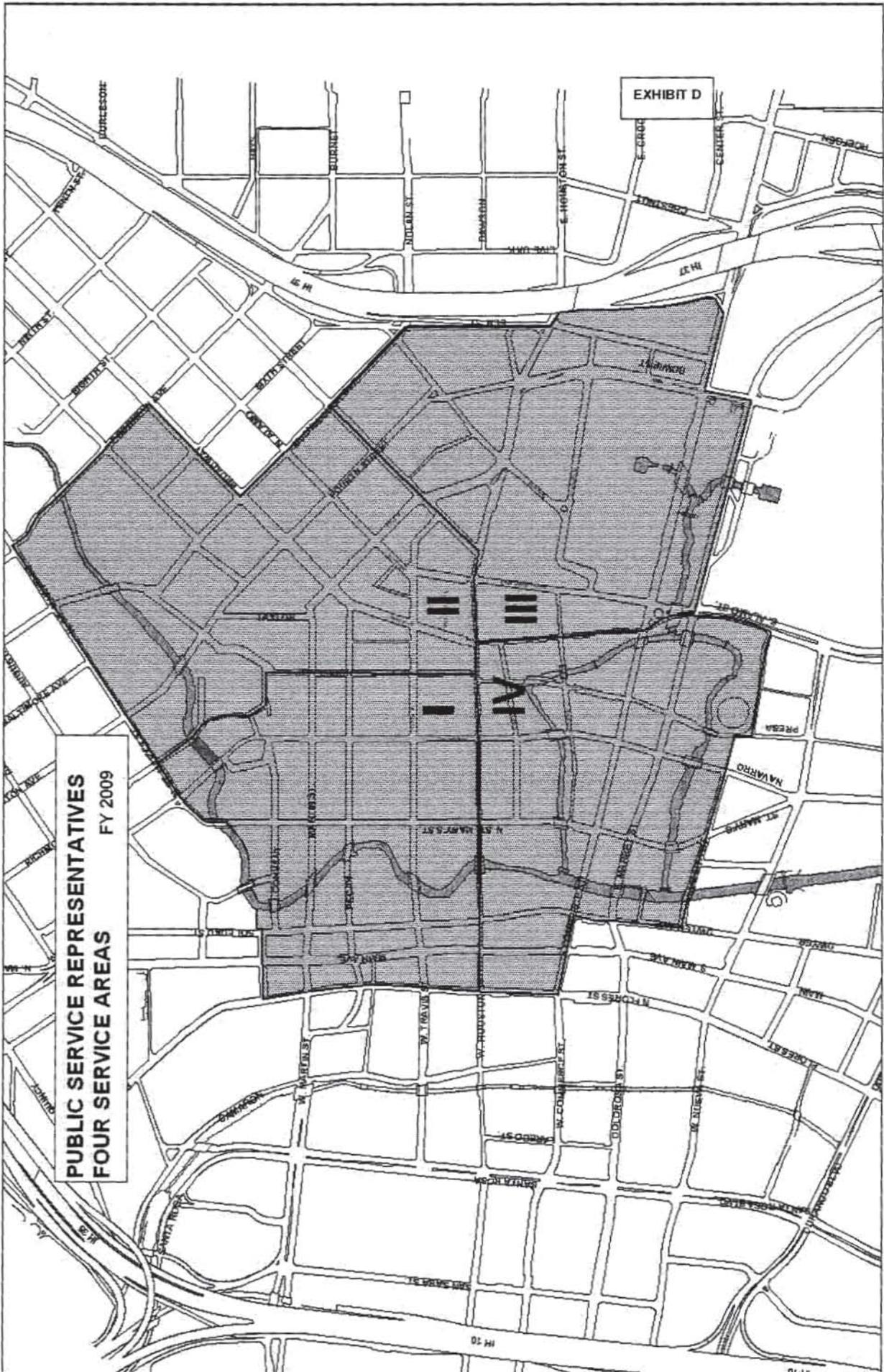
UTSA  
DOWNTOWN  
CAMPUS



SUPPLEMENTAL MAINTENANCE SERVICE AREAS  
FY2009

Exhibit B







**CITY OF SAN ANTONIO**  
**Request for Council Action**

Agenda Item # 5  
Council Meeting Date: 9/4/2008  
RFCAs Tracking No: R-3765

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**DEPARTMENT:** Downtown Operations

**DEPARTMENT HEAD:** Paula Stallcup

**COUNCIL DISTRICT(S) IMPACTED:**  
Council District 1

**SUBJECT:**  
Downtown Public Improvement District Service and Assessment Plan 2009

**SUMMARY:**

This public hearing is called to consider public comment in conjunction with City Council consideration of an ordinance approving the levy of a special assessment to fund supplemental services for the Downtown Public Improvement District (PID); levying an assessment rate at \$0.11 per \$100.00 value of real property in the PID; and approving the FY 2009 Service and Assessment Plan (the Plan). The Plan includes the annual budget for the PID, provides a five-year fiscal forecast and sets the supplemental special assessment rate to fund services and improvements for the PID. This item also includes the consideration and approval of levying the assessment, rate and plan immediately following the public hearing.

**BACKGROUND INFORMATION:**

A Public Improvement District (PID) is a mechanism that permits the City to levy an additional assessment on property owners within specified boundaries that may be used for capital improvements or services which supplement those provided by city government. The Downtown PID was created in 1999 for an initial five-year term and was reauthorized in 2004 for an additional five-year term. The PID will expire next year and the Downtown Alliance is preparing to begin the effort to work with downtown stakeholders to re-establish the district and extend the term for an additional five years.

The City contracts with Centro San Antonio Management Corporation (Centro SA), a non-profit corporation, for the provision of landscaping, maintenance and visitor information services within the PID. Each year Centro SA holds a meeting in July to solicit property owner input on the services and levels for the next fiscal year. The City also sends correspondence to property owners of the PID to advise of the public meeting and PID process. The statute requires Centro SA to prepare a Service and Assessment Plan for City Council consideration and approval. This plan details levels of services and improvements for each program during the coming fiscal year, sets the assessment rate, includes a financial plan/program budget and provides a five-year forecast.

**ISSUE:**

Centro SA has developed and is recommending the attached Service and Assessment Plan (Attachment A). The Plan reflects a total annual budget of \$2,555,000.00 with the following program services:

- Management Services including staff, office space and overhead necessary for the daily services of the PID (\$195,000.00)
- Operations management and center (\$160,000.00)
- Maintenance to include sidewalk cleaning, pressure washing services and graffiti abatement services performed by uniformed PID crews (\$1,050,000.00)
- Landscaping for light-pole mounted planters throughout the district, stair-rail planters along the River Walk and clusters of sidewalk planters throughout the PID (\$175,000.00)
- Marketing and promotions to seek a variety of positive media exposure for the PID and to publish a calendar of downtown events (\$125,000.00)
- Amigo Ambassador program which provide information for downtown tourists about various downtown sites (\$600,000.00)
- Capital replacement and unallocated contingency which may be used for the services under any of the above programs with City approval (\$125,000.00)
- Trash receptacle purchase (\$100,000.00)
- Program reserve set aside for future programs that the Centro Board SA may undertake with City approval (\$25,000.00).

The proposed enhancements included in this fiscal year are:

- Two additional pressure-washing crews and related equipment;
- One additional all-electric Tiger truck for enhanced trash pickup services;
- One-time sidewalk cleaning and maintenance contract to partner with the City of San Antonio for enhanced cleaning services;
- Handheld electronic information devices and corresponding printers for Amigo Ambassadors to provide directional information for visitors throughout downtown;
- Development of a new website that will combine websites of Centro SA and the Downtown Alliance;
- Development of a strategic marketing plan for the downtown area;
- Funding to partner with the City for downtown grackle abatement program; and
- Funding for additional trash receptacles throughout the PID.

The Service and Assessment Plan was approved by the Centro SA Board on Wednesday, August 20, 2008. The Plan is required to be approved by the City Council.

**ALTERNATIVES:**

The City Council is required to approve the Service and Assessment Plan on an annual basis. Should the City not approve this plan, the PID would cease to exist. The downtown property owners would then look to the City to fund these enhanced services which are currently funded through the additional assessment.

**FISCAL IMPACT:**

The total estimated budget for the PID is \$2,555,000.00 for Fiscal Year 2008-2009 and represents an increase of 37.4% from the FY 2008 budget of \$1,860,000.00.

The method of PID assessment is based on the value of real property as determined by the Bexar Appraisal District (BAD). The assessment rate for each fiscal year is set in the PID's Service and Assessment Plan. The total estimated value of real property in the PID for FY 2009 is \$1,805,117,119.00. This represents an increase of 21% in the total assessed value of the PID. This year, Centro SA is recommending a reduction of the assessment levy to \$0.11, instead of \$0.12, per \$100.00 value. This levy will yield the following assessments:

Private Properties:	\$1,985,628.00
CPS Energy/COSA:	\$85,208.00
VIA/County/Other:	\$116,328.00
<b>Total Assessments</b>	<b>\$2,187,164.00</b>

The City participates in the PID and receives services through a contract; for FY 2009, the City's contribution for the PID is \$81,067.96 and is based on a 2% increase in valuation which was approved at the inception of the PID for the City's contribution. In addition to the City's regular assessment, the PID receives a separate contribution of \$13,632.00 for services in Main Plaza. The PID also maintains contracts with Bexar County and VIA for services; in FY 2009 those contracts will yield \$30,000.00 and \$60,000.00 respectively.

**RECOMMENDATION:**

Staff recommends approval of the 2009 PID Service and Assessment Plan to fund services and improvements for the Downtown PID.

**ATTACHMENT(S):**

File Description	File Name
<a href="#">Attachment A - FY 2009 Plan</a>	SAPID Service Assessment Plan - FY2009 082208 FINAL to the City.pdf
<a href="#">Voting Results</a>	
<a href="#">Ordinance/Supplemental Documents</a>	200809040742.pdf

**DEPARTMENT HEAD AUTHORIZATIONS:**

Paula Stallcup Director Downtown Operations

**APPROVED FOR COUNCIL CONSIDERATION:**

Pat DiGiovanni Deputy City Manager