

**CITY OF SAN ANTONIO  
NEIGHBORHOOD ACTION DEPARTMENT  
CITY COUNCIL AGENDA MEMORANDUM**

**TO:** Mayor and City Council

**FROM:** David D. Garza, Director, Neighborhood Action Department

**SUBJECT:** Appointments to Tax Increment Reinvestment Zone Board Number Sixteen –  
Brooks City-Base

**DATE:** May 5, 2005

**SUMMARY AND RECOMMENDATIONS**

This ordinance will appoint Virginia Cobarrubias, Catherine Ann Dean, Ray Gill, Kirklan Warren King, Richard Elwood Nitschke, Jerrold Ray Rowray and Thomas M. Rumora to the Board of Directors for the Tax Increment Reinvestment Zone Number Sixteen (16), City of San Antonio, Texas, known as Brooks City-Base, for two-year terms beginning January 1, 2005. This ordinance will also provide for waivers, for these terms only, of Section 2-402 of the City Code regarding the process for at-large appointments for these appointees, and of Section 2-403(c) of the same article regarding the City residency requirement for Richard Elwood Nitschke. Pursuant to Ordinance Number 100073, passed and approved on December 9, 2004, City Council authorized the designation of the Brooks City-Base reinvestment zone to support mixed-use development on approximately 2,500 acres of land whose boundaries lie approximately west of I-37, south of South New Braunfels Avenue and S.E. Military Drive, east of South Presa Street and Old Corpus Christi Road, and north of Dave Erwin Drive and S.E. Loop 410. Each year the board of directors of a reinvestment zone shall elect one of its members to serve as presiding officer for a term of one year.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

Soon after Board appointments are approved by the City Council, the Board will convene to consider the Final Project and Final Finance Plans and to complete the TIRZ creation process by executing all the necessary legal documents.

This Reinvestment Zone was designated by city initiative. When the City designates a TIRZ, the TIF Act requires that the City Council establish a reinvestment zone board of directors. Pursuant to the section of the TIF Act applicable when the Zone was created, city-initiated Reinvestment Zones require a Board of Directors composed of at least five (5) members, unless a greater number is necessary to comply with the statute.

In compliance with the formula for board composition in the Act, the initial composition of this city-initiated Tax Increment Reinvestment Zone board shall be seven (7) directors appointed by the City for two-year terms. The TIF Act does not provide seats on this board to the State Senator and State Representative in whose districts the zone is located. In the event that other taxing entities wish to participate by contributing their increment to the TIRZ Fund, the Board composition will be adjusted up to fifteen (15) board members, with appointments based on a pro-rata share of the total projected revenue. All appointees will continue to serve until reappointed or replaced by City Council action, or else removed for noncompliance by the City Clerk. State law prescribes that that to be eligible for appointment, a person must: "(A) be a qualified voter of the municipality; or (B) be at least 18 years of age and own real property in the zone, whether or not the individual resides in the municipality."

### **POLICY ANALYSIS**

On December 16, 2004, City Council passed and approved Ordinance Number 100199, which governs the creation and operation of all boards and commissions created by ordinance or resolution passed by the City of San Antonio City Council. It has been the City's policy, and continues to be, that the boards and commissions policies of the City of San Antonio apply to TIRZ Boards, except as provided otherwise by state law.

Due to the unique nature of TIRZ boards, and in an effort to comply with the amended City Code, staff requests that for these terms only, these appointees to this board be exempted from Section 2-302 of the City Code, regarding the process for at-large appointees to boards and commissions, and Richard Elwood Nitschke be exempted from Section 2-403(c), regarding the requirement that all board appointees be residents of the City.

While TIRZ Board members by state law are not City officials, it is City policy to require them to comply with the Financial Disclosure Report statement provision of the City Ethics Code. All board and commission members must file a Financial Disclosure Report with the Office of the City Clerk upon appointment, and annually thereafter, throughout the member's term and any possible holdover status. Failure to file a Financial Disclosure Report within the time required by the City Ethics Code will be considered an automatic removal.

Staff advertised for Applications for Appointment to TIRZ Boards in January 2005. After one (1) application was withdrawn out of the original eight (8) applications received, seven (7) applicants remained. All applicants meet Statutory requirements. These seven (7) applicants include:

#### **Applicant**

Virginia Cobarrubias  
Catherine Ann Dean  
Ray Gill  
Kirklan Warren King  
Richard Elwood Nitschke  
Jerrold Ray Rowray  
Thomas M. Rumora

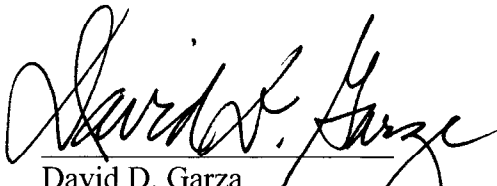
These appointments will serve a term of two years that will begin retroactively on January 1, 2005 and expire on December 31, 2006.

**FISCAL IMPACT**

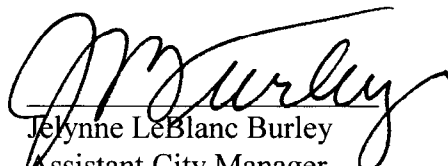
There is no fiscal impact associated with this item.

**COORDINATION**

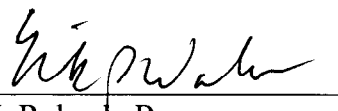
This item has been coordinated with the City Attorney's Office and the City Clerk's Office.



David D. Garza  
Neighborhood Action Department



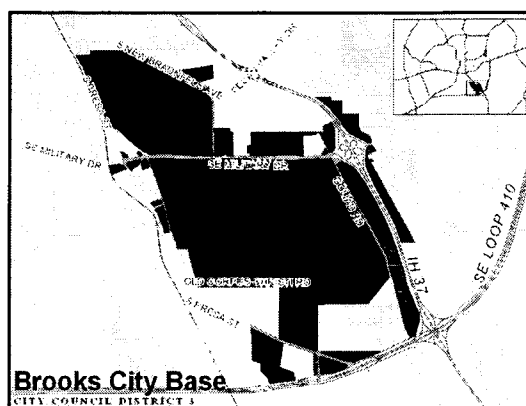
Jelynn LeBlanc Burley  
Assistant City Manager



J. Rolando Bono  
Interim City Manager

# Brooks City-Base

Tax Increment Reinvestment Zone Number 16



## BACKGROUND

- **Designated:** December 9, 2004
- **Location:** Approximately, west of I-37, south of South New Braunfels Avenue and S.E. Military Drive, east of South Presa Street and Old Corpus Christi Road, and north of Dave Erwin Drive and S.E. Loop 410
- **Developer:** Brooks Development Authority
- **City Council District:** 3
- **Local School District(s):** San Antonio ISD, East Central ISD
- **Bexar County Precinct:** 4
- **State Representative District:** 119
- **State Senator District:** 19
- **Proposed Developments:** 225.5 acres of commercial and 140 acres of park development, some multi-family development
- **Zone Term:** 24.82 Years
- **Participating Taxing Entities:** City
- **Size:** 2,522 Acres

## Construction Schedule

Proposed Projects: Streets, Drainage and Water Improvements	
N. New Braunfels - SW Military to Sidney Brooks	\$1,325,000
N. New Braunfels - Sidney Brooks to Boyle	\$1,150,000
N. New Braunfels - Sidney Brooks to Boyle	\$1,150,000
N. New Braunfels - Boyle to Outer Loop	\$1,150,000
N. New Braunfels - Outer Loop to South Property Line	\$800,000
Retail Loop - Walmart to Boyle	\$ 360,000
Retail Loop - Boyle to Goliad	\$ 1,090,000
Boyle Road - Retail Loop to N. New Braunfels	\$1,225,000
Boyle Road - N. New Braunfels to SW property corner	\$2,175,000
Interior Streets and Utility/Infrastructure Improvements	\$7,500,000

\* The Brooks City-Base finance plan has its Sources and Uses information structured in this way owing to its nature as a City-initiated reinvestment zone designed to leverage ongoing area development in support of a special joint project between the U.S. Air Force and the City of San Antonio to successfully convert and redevelop the former Brooks Air Force Base.

- **Next steps:** Appoint TIRZ Board, TIRZ Board consideration of Final Project, Finance Plans and Legal documents, and City Council consideration of Final Project, Finance Plan and Legal documents.