

CONSENT AGENDA
ITEM NO. 6

**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 Six (Mission del Lago)

DATE: October 6, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance will reappoint Jim Mattox and Virginia Rogers and appoint Eva Garza, Lynda Rodriguez, and Ryan Garth Wilson to the Board of Directors for the Tax Increment Reinvestment Zone Number Six (6), City of San Antonio, Texas, known as the Mission del Lago TIRZ, for two-year terms beginning October 6, 2005. This ordinance will also provide for waivers of Section 2-402 of the City Code that relate to the process for at-large appointments for these terms only and of Section 2-403 (c) regarding residency requirements for Jim Mattox and Virginia Rogers. In addition, this ordinance will appoint Jim Mattox as chairman for this Board of Directors for a one-year term effective January 1, 2006.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

Following the submission of a petition to the City by property owners in the proposed zone, the City Council authorized the designation of the Mission del Lago TIRZ on August 19, 1999. The purpose of the Mission del Lago TIRZ is to support new housing development on approximately 812 acres of land located in City Council District 3. The project is located in the southern section of the City, within the general area along South U.S. Highway 281, South of Loop 410, near Mitchell Lake, and surrounding the Mission del Lago Municipal Golf Course. Several factors delayed the development of the TIRZ for several years, but staff has been working diligently with the project's developer to facilitate resumption of TIRZ activity.

In accordance with the requirements of the TIF Act, a TIRZ Board of Directors was created and composed of nine (9) members who serve two-year terms. Each school district or county that levies taxes on real property in the zone may appoint one member of the board if the school district or county has approved the payment of all or part of the tax increment produced by the TIRZ. The State Senator and State Representative in whose districts the zone is located shall also be members of this Board, except that either may designate another individual to serve in the

member's place at the pleasure of the member. The City appoints the remaining members of the board.

In compliance with the board composition set out in the Act, this board is composed of five (5) directors appointed by the City, one (1) director appointed by Bexar County, one (1) director appointed by the Southside Independent School District, and the two (2) respective state legislators or designees. State law further prescribes that to be eligible for appointment, a person must "(A) be at least 18 years of age; and (B) own real property in the zone or be an employee or agent of a person that owns real property in the zone."

The City appointed Jim Mattox, Virginia Rogers, Lance Elliott, John Pleuthner and Will Richardson to this Board in August 2002. While John Pleuthner and Will Richardson have resigned and the terms of all five (5) of the above City appointees expired in September 2004, all five (5) appointees remain on the Board on a holdover basis, pursuant to the holdover provision in the City Charter. Replacement appointments by City Council are now necessary to allow further TIRZ activity. Other members of this Board are State Senator Frank Madla (District 19), State Representative Carlos I. Uresti (District 118) and Commissioner Sergio (Chico) Rodriguez (Precinct 1). The Southside Independent School District has yet to communicate to the City its appointee for this Board.

POLICY ANALYSIS

On July 14, 2005, City Council passed and approved Ordinance Number 101119, amending Chapter 2, Article VIII of the City Code, which governs the creation and operation of all boards and commissions created by ordinance or resolution passed by the 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 expedite appointments for this Zone, staff requests that this round of board appointments be exempted from Chapter 2, Article VIII, Section 2-402 of the City of San Antonio City Code related to at-large appointments, for the following five (5) individual appointees and for these terms only, and of Section 2-403 (c) of the same chapter regarding residency requirements for Jim Mattox and Virginia Rogers.

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 Chapter 2, Article VIII, Section 2-408. 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 Code will be considered an automatic removal consistent with the City Boards and Commissions Rules.

Staff advertised an invitation for Applications for Appointment to TIRZ Boards in January 2005. Five (5) applications were received. All applicants meet statutory requirements. The five (5) applicants are:

Jim Mattox
Virginia Rogers
Eva Garza
Lynda Rodriguez
Ryan Garth Wilson

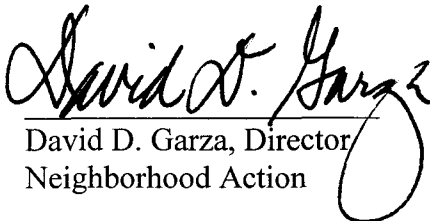
These appointees will serve a term of two years that will begin on October 6, 2005 and expire on October 6, 2007. Jim Mattox will serve as Chairman from January 1, 2006 to December 31, 2006.


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, Director
Neighborhood Action


Jelynn LeBlanc Burley
Assistant City Manager


+ J. Rolando Bono
City Manager