

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

AN ORDINANCE

**APPROVING THE LEVY OF A SPECIAL ASSESSMENT FOR THE
DOWNTOWN PUBLIC IMPROVEMENT DISTRICT (“PID”); LEVYING
AN ASSESSMENT RATE FOR FISCAL YEAR 2018 AT \$0.15 PER \$100.00
VALUE OF REAL PROPERTY IN THE PID AND \$0.09 PER \$100.00
VALUE OF RESIDENTIAL CONDOMINIUMS IN THE PID; AND
APPROVING THE FISCAL YEAR 2018 SERVICES AND ASSESSMENT
PLAN FOR THE PID.**

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WHEREAS, in 1999 City Council established the PID pursuant to the Public Improvement District Assessment Act, Local Government Code, Chapter 372 (“Act”) as 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 Council has subsequently re-established the PID since then, most recently in May 2013; and

WHEREAS, for Fiscal Year (“FY”) 2018, in addition to the annual property taxes, property owners in the PID will be required to pay an additional assessment rate of \$0.15 per \$100.00 valuation on commercial real property and \$0.09 per \$100.00 of value on residential condominiums, which could raise in excess of \$4 million to fund a variety of supplemental services; and

WHEREAS, the City pays an assessment on exempt municipal property in the PID which staff estimates will be \$267,597.00 for FY 2018, and there are agreements for participation in the PID with Bexar County, VIA, Christus Santa Rosa, and City Public Service; and

WHEREAS, since the establishment of the PID the City has contracted with Centro Public Improvement District (“Centro”), a Texas non-profit corporation, to administer and coordinate daily services in the PID; and

WHEREAS, the terms of the proposed FY 2018 Services and Assessment Plan (“Plan”) with Centro include an annual budget, a five-year fiscal forecast, and the special assessment rate to fund services and improvements for the PID, including maintenance, beautification and landscaping, hospitality ambassador services, outreach and security services, marketing and promotion of the District, community events and programs, economic development activities, including business recruitment and retention activities, project management, planning and research initiatives, and capital projects; and

WHEREAS, the Act requires that all property owners in the proposed PID be notified in writing of the petitioned action and public hearing; that notice of an annual public hearing be advertised in a newspaper of general circulation at least ten days before the public hearing to consider oral

and written objections to the levying of a special assessment to fund services and improvements for the PID in the downtown area; and

WHEREAS, notices were mailed to individual property owners on August 25, 2017 and the required public notice appeared in the San Antonio Express News on Sunday August 27, 2017; and

WHEREAS, a public hearing was held and closed on Thursday, September 7, 2017, 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 services for the PID; levying an assessment rate for FY 2018 at \$0.15 per \$100.00 value of commercial real property and \$0.09 per \$100.00 value for residential condominiums in the PID; and approval of the FY 2018 Service and Assessment Plan of the PID; and

WHEREAS, at the end of the public hearing, staff requested the levy of the special assessment, approval of the special assessment rate, and approval of the FY 2018 Service and Assessment Plan for 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 special assessment; 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

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

SECTION 1. A public hearing was held on September 7, 2017 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 Assessment to fund services for the Public Improvement District.

SECTION 2. A special assessment rate of \$0.15 per \$100.00 valuation of commercial real property and \$0.09 per \$100.00 value for residential condominiums in the PID during FY 2018 is levied to fund 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 3. Funding for this Ordinance in the amount of \$267,597.00 is contingent upon City Council approval of the Fiscal Year 2018 Budget in Fund 11001000, Cost Center 8002430007 and General Ledger 5203050.

SECTION 4. If approved by City Council, the amount of \$267,597.00 shall be appropriated in Fund 11001000, Cost Center 8002430007 and General Ledger 5203050. This amount is authorized to be transferred as Contributions to the PID Fund and shall be deposited in Fund 69018000, entitled "Special Public Improvement District Fund," Internal Order 207000000122 and General Ledger 4101300.

SECTION 5. Any other Contributions to the PID Fund shall be deposited in Fund 69018000, entitled "Special Public Improvement District Fund," Internal Order 207000000122 and General Ledger 4101300.

SECTION 6. 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 7. The FY 2018 Service and Assessment Plan attached to this Ordinance as **Attachment I** is approved.

SECTION 8. The statements set forth in the recitals of this Ordinance are true and correct, and are incorporated as a part of this Ordinance.

SECTION 9. This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

PASSED AND APPROVED this 7th day of September, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek
City Clerk

Andrew Segovia
City Attorney