

AN ORDINANCE

99657

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A FIVE (5) YEAR INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT FOR ITS ANNUAL CONTRIBUTION OF AN AMOUNT NOT TO EXCEED \$60,000.00 UPON PASSAGE OF THE ADVANCED TRANSPORTATION DISTRICT REFERENDUM, BUT IN ANY EVENT, NOT LESS THAN \$30,000.00, TO THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT, TO BEGIN OCTOBER 1, 2004.

\* \* \* \* \*

**WHEREAS**, pursuant to Ordinance Number 99288, passed and approved on June 3, 2004, the City Council approved the re-establishment of the Downtown Public Improvement District ("PID") pursuant to the Public Improvement District Assessment Act, Local Government Code, Chapter 372; 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**, the City Council approved the levy and rate of the special assessment and the Service and Assessment Plan for the PID for FY 2005 on September 2, 2004, with the expectation that other governmental agencies would contribute funds to the PID; and

**WHEREAS**, VIA Metropolitan Transit ("VIA") desires to contribute at least thirty thousand dollars (\$30,000.00) annually to the San Antonio Downtown Public Improvement District because VIA realizes the benefits it will receive from the improvements and services to be funded through the PID; and

**WHEREAS**, in the event the Advanced Transportation District ("ATD") Referendum passes, VIA desires to contribute an amount not to exceed \$60,000.00 annually to the San Antonio Downtown Public Improvement District;

**WHEREAS**, it is now necessary to authorize the City Manager or her designee to negotiate and execute an Interlocal Agreement with VIA to establish the terms under which VIA shall contribute to the PID fund; **NOW THEREFORE:**

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

**SECTION 1.** The City Council of the City of San Antonio hereby authorizes the City Manager or her designee to negotiate and execute an Interlocal Agreement to establish the terms under which VIA shall contribute and the City shall accept an amount not to exceed \$60,000.00 if the Advanced Transportation District ("ATD") Referendum passes, but in any event, not less than \$30,000.00, annually. A copy of the Agreement, in substantially final form, is attached as Exhibit A. The authority granted herein to execute this Agreement shall extend for 60 days from the effective date of this ordinance. The failure to exercise this authority within this time period shall result in further action regarding this matter to be subject to future City Council consideration.

**SECTION 2.** Pursuant to this Agreement, these contributions from VIA to the San Antonio Downtown Public Improvement District shall be limited to funding supplemental services in the

San Antonio downtown area in accordance with the San Antonio Downtown Public Improvement District's Service and Assessment Plans.

**SECTION 3.** Revenues collected from VIA under the Interlocal Agreement shall be deposited in fund 69-018000, Agency Trust Funds, Special Public Improvement District Fund, in index code 063248, entitled "Assessment Collection: VIA".

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

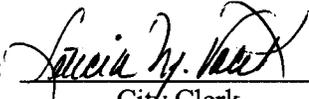
**SECTION 5.** This ordinance shall become effective on the tenth (10<sup>th</sup>) day after passage hereof.

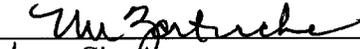
PASSED AND APPROVED THIS 2<sup>nd</sup> day of September 2004.



M A Y O R

EDWARD D. GARZA

Attest:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney

# Agenda Voting Results

**Name:** 3C. 99657

**Date:** 09/02/04

**Time:** 02:42:15 PM

**Vote Type:** Multiple selection

**Description:** C.An ordinance authorizing the negotiation and execution of a five (5) year Interlocal Agreement with VIA Metropolitan Transit for its annual contribution of an amount not to exceed \$60,000.00 upon passage of the Advanced Transportation District Referendum, but in any event, not less than \$30,000.00, to the Downtown Public Improvement District (PID), to begin October 1, 2004 and terminate on September 30, 2009.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7	Not present			
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9		x		
CHRISTOPHER "CHIP" HAAS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		