

AN ORDINANCE 100922

DESIGNATING THE CITY SOUTH MANAGEMENT AUTHORITY ("AUTHORITY") WITH THE BOUNDARIES OF THE PROPERTY GENERALLY DESCRIBED AS: THAT LAND WITHIN LOOP 410 TO THE NORTH, IH-35 TO THE WEST, A LINE 1,350 FEET SOUTH OF THE CENTERLINE OF THE MEDINA RIVER TO THE SOUTH AND INCLUDING AN AREA TO THE SOUTH GENERALLY BETWEEN STATE HWY 16 AND PLEASANTON RD.; THE SOUTHERN BOUNDARY OF THE AREA FOLLOWING AND THEN PARALLEL TO S LOOP 1604 W FOR AN APPROXIMATE DISTANCE OF 4.85 MILES TO PLEASANTON RD. AND CONTINUING ALONG 1,350 FEET SOUTH OF THE MEDINA RIVER TO AN EAST BOUNDARY LINE OF IH 37, AND COMPRISING APPROXIMATELY 63 SQUARE MILES; CREATING A BOARD OF DIRECTORS FOR THE AUTHORITY; GRANTING THE AUTHORITY THOSE POWERS AUTHORIZED BY THE TEXAS LOCAL GOVERNMENT CODE, CHAPTER 375, SUBCHAPTER O, AND AS MAY BE AMENDED, INCLUDING BUT NOT LIMITED TO THE POWER TO DEVELOP AND IMPLEMENT A MASTER PLAN FOR THE AUTHORITY, THE ZONING AND PLANNING POWERS OF A MUNICIPALITY UNDER THE TEXAS LOCAL GOVERNMENT CODE CHAPTERS 211 AND 212 AND THE POWER TO LEVY ASSESSMENTS AND TO IMPOSE A SALES AND USE TAX.

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WHEREAS, in 2001, the 78th Texas Legislature passed the Defense Adjustment Management Authority (DAMA) Act (the Act) to foster economic opportunity, job generation, and capital investment by promoting an favorable business climate and preparing the workforce for productive employment; and

WHEREAS, pursuant to Section 375.304 of the Act, the City may designate as a DAMA, an area in the same county as a military installation or base that is closed or realigned under the Defense Base Closure and Realignment Act of 1990 and its subsequent amendments; or a base efficiency project as defined by Section 378.001, Local Government Code; and in the extraterritorial jurisdiction of a municipality with a population of at least 1.1 million and that has been annexed for limited purposes by the municipality under Subchapter F, Chapter 43, Local Government Code; and

WHEREAS, one of the goals of the City is to balance San Antonio's growth by attracting new residents and businesses by promoting sustainable development and economic growth in an area rich with environmental, historical, human and economic resources. One method to achieve that goal is to create a Defense Adjustment Management Authority (DAMA), to be named the City South Management Authority, in the statutorily eligible area of City South; and

WHEREAS, the Act provides that there shall be a board of directors for a DAMA, consisting of fifteen (15) members, six of whom shall be appointed by the municipality, six (6) by the county in which the municipality is primarily located, and three (3) by the school districts whose boundaries overlap that of the DAMA; and

WHEREAS, Section 375.305 of the Act requires that before a municipality may create a DAMA, two public hearings must be held not earlier than the 60th day or later than the 30th day before the date the creation is considered by the Council, with notice of the two public hearings published in a newspaper of general circulation in the area at least seven days before each public hearing; and

WHEREAS, it is hereby officially found and determined that notices of the public hearings to be held on April 7, 2005 and April 14, 2005, were duly published in the San Antonio Express-News in its issues dated March 31, 2005 and April 6, 2005, in compliance with of the Act; and

WHEREAS, it is hereby officially found and determined that two public hearings were held on April 7 and 14, in the Council Chambers, City Hall to consider the creation of a DAMA and its respective benefits to the City and to property in the proposed authority, in compliance with the terms of the Act; and

WHEREAS, it is now necessary to create the City South Management Authority in the area stated above and as described in the map attached hereto as exhibit "A"; create a board of directors, and grant the Authority the powers authorized by the Act; and

WHEREAS, it is hereby 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 Chapter 551, Texas Government Code; **NOW THEREFORE:**

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

SECTION 1. DESIGNATING THE AREA AS THE CITY SOUTH MANAGEMENT AUTHORITY (the "Authority"). That land within Loop 410 to the North, IH-35 to the West, a line 1,350 feet South of the centerline of the Medina River to the South and including an area to the South generally between State Hwy 16 and Pleasanton Rd.; the Southern boundary of the area following and then parallel to S. Loop 1604 W for an approximate distance of approximately 4.85 Miles to Pleasanton Rd. and continuing along 1,350 feet South of the Medina River to an East boundary line of IH 37, and contains approximately 63 square miles, with the boundaries as more specifically described in Section 2 below, is hereby designated as the City South Management Authority.

SECTION 2. MAP OF THE BOUNDARIES OF THE AUTHORITY. Attached hereto as Exhibit "A", which is incorporated herein by reference for all purposes as if copied herein verbatim, is a map of the boundaries of the Authority created hereby, consisting of approximately 63 square miles in City South.

SECTION 3. DESCRIPTION OF THE BOUNDARIES OF THE AUTHORITY. Attached hereto as Exhibits "B1" and "B2" which are incorporated herein by reference for all purposes as if copied herein verbatim, are the descriptions of the boundaries of the Authority created hereby.

SECTION 4. CREATION AND COMPOSITION OF A BOARD OF DIRECTORS FOR THE AUTHORITY. There is hereby created a Board of Directors (the "Board") for the Authority, with all the rights, powers and duties as provided by the Act to such Boards or by action of the City Council. Pursuant to Section 375.306 of the Texas Local Government Code, as amended, the Board shall consist of at fifteen (15) members, to be appointed in accordance with the provisions of the Act.

SECTION 5. POWERS OF THE AUTHORITY. The Authority is hereby given those powers authorized by the Texas Local Government Code, Chapter 375, Subchapter O, and as may be amended, including, but not limited to: the power to develop and implement a master plan for the Authority, the zoning and planning powers of a municipality under the Texas Local

Government Code Chapters 211 and 212 and the power to levy assessments and to impose a sales and use tax.

SECTION 6. INCORPORATION OF RECITALS. The Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the Council hereby incorporates such recitals as a part of this Ordinance.

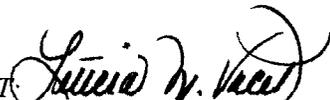
SECTION 7. SEVERABILITY. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, as if such invalid provision had never appeared herein, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

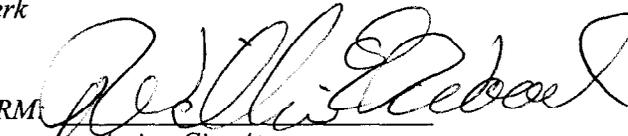
SECTION 8. This ordinance shall be effective immediately upon the receipt of eight (8) affirmative votes; or in the alternative, on the tenth day after passage hereof.

PASSED AND APPROVED this 19th day of May 2005.



M A Y O R
EDWARD D. GARZA

ATTEST 
City Clerk

APPROVED AS TO FORM 
Acting City Attorney

Agenda voting Results

Name: 40.

Date: 05/19/05

Time: 08:54:38 PM

Vote Type: Multiple selection

Description: An Ordinance designating the City South Management Authority ("Authority") with the boundaries of the property generally described as: that land within Loop 410 to the North, IH-35 to the West, a line 1,350 feet South of the centerline of the Medina River to the South and including an area to the South generally between State Hwy 16 and Pleasanton Rd.; the Southern boundary of the area following and then parallel S Loop 1604 W for an approximate distance of 4.85 miles to Pleasanton Rd. and continuing along 1,350 feet South of the Medina River to an East boundary line of IH 37, and comprising approximately 63 square miles; creating a board of directors for the Authority; granting the Authority those powers authorized by the Texas Local Government Code, Chapter 375, Subchapter O, and as may be amended, including but not limited to the power to develop and implement a master plan for the Authority, the zoning and planning powers of a municipality under the Texas Local Government Code Chapters 211 and 212 and the power to levy assessments and to impose a sales and use tax. [Presented by Jelynne LeBlanc Burley, Assistant City Manager; J. Rolando Bono, Interim City Manager]

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		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9			x	
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		