

AN ORDINANCE 100994

APPOINTING COUNCILWOMAN SHEILA MCNEIL AS AN EX-OFFICIO MEMBER TO THE BOARD OF DIRECTORS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS, KNOWN AS THE INNER CITY TIRZ, FOR A TWO-YEAR TERM OF OFFICE TO COINCIDE WITH THE CITY COUNCILMEMBER TERM OF OFFICE; PROVIDING FOR A WAIVER OF CHAPTER 2, ARTICLE VIII, BOARDS AND COMMISSIONS, SECTIONS 2-400 – 2-402 OF THE CITY CODE; AND APPOINTING COUNCILWOMAN SHEILA MCNEIL AS CHAIRPERSON OF THE BOARD FOR A ONE-YEAR TERM EFFECTIVE JANUARY 1, 2006.

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WHEREAS, the Inner City TIRZ (the “TIRZ”) and the board of directors for the TIRZ were created by the City Council pursuant to Ordinance Number 93101, passed and approved on December 12, 2000; and

WHEREAS, pursuant to Section 311.009(e) of Chapter 311, Texas Tax Code, known as the Tax Increment Financing Act (the “Act”), members may be appointed to the Board by City Council upon a finding that the individual is a qualified voter of the municipality or is at least eighteen (18) years of age and owns real property in the Zone, whether or not the individual resides in the municipality; and

WHEREAS, the Act provides in Section 311.009(g)(1) that a member of the board of directors of a reinvestment zone is not a public official by virtue of that position; and

WHEREAS, as the TIRZ covers portions of City Council Districts (“District” or “Districts”) 1, 2 and 5, the Councilmembers of Districts 1, 2 and 5 have been appointed by the City Council as members of the board of directors for the TIRZ; and

WHEREAS, since the creation of the TIRZ, the Councilmember for District 2 has been appointed by the City Council as Chairperson for the TIRZ board, as more of that District is in the TIRZ than are Districts 1 and 5; and

WHEREAS, Sheila McNeil was elected on May 7, 2005, to the position of City Councilmember for District 2; and

WHEREAS, the City Code, Chapter 2, Article VIII, Boards and Commissions, Sections 2-400 through 402 set out the processes for application, review and at-large appointments of board and commission members; and

WHEREAS, as an ex-officio member of the TIRZ board, it is recommended by staff that Councilwoman McNeil be exempted from compliance with those processes; and

WHEREAS, it is now necessary for City Council to appoint Councilwoman Sheila McNeil to the Board as an ex-officio board member, with a term to correspond to that of her City Council term, to waive the application of the above City Code provisions to Councilwoman Sheila McNeil, and to appoint her Chairperson of the board of directors for the TIRZ; **NOW THEREFORE:**

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

SECTION 1. Councilwoman Sheila McNeil is hereby appointed to the Board of Directors for Reinvestment Zone Number Eleven, City of San Antonio, Texas, also referred to as the Inner-City TIRZ, as an ex-officio member, for a two-year term to correspond with her term as a City Councilmember.

SECTION 2. Sections 2-400 through 2-402 of the City Code, Chapter 2, Article VIII, Boards and Commissions, which speak to the processes for application, review and at-large appointments of board and commission members are hereby waived for Councilwoman Sheila McNeil, as an ex-officio member of the board of directors.

SECTION 3. Councilwoman Sheila McNeil is hereby appointed Chairperson of the board of directors, for a term of office to begin January 1, 2006.

SECTION 4. The statements set forth in the recitals of this ordinance are found to be true and correct, and are hereby incorporated as a part of this ordinance.

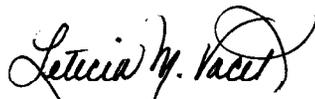
SECTION 5. This ordinance shall be effective immediately upon the receipt of eight (8) affirmative votes, or in the alternative, on the tenth day after passage hereof.

PASSED and APPROVED this 9th day of June 2005.

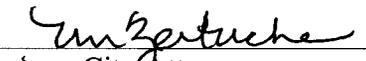


M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


for City Attorney