

2012-09-20-0713

AN ORDINANCE AMENDING, RATIFYING, RECONFIRMING, AND READOPTING THE PLAN RELATING TO THE EXPANSION FOR THE CONVENTION CENTER COMPLEX; AND ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE

WHEREAS, the CITY OF SAN ANTONIO, TEXAS (the "***City***") is authorized, pursuant to Chapter 351, as amended, Texas Tax Code, and other applicable laws, to issue obligations to finance and refinance the costs of expanding its Convention Center; and

WHEREAS, the City is an "eligible central municipality" as defined in Section 351.001(7), as amended, Texas Tax Code, and pursuant to Section 351.1065, as amended, Texas Tax Code, imposes a municipal hotel occupancy tax at the rate of 9%; and

WHEREAS, the City has previously adopted a Plan for the Expansion of the Henry B. Gonzalez Convention Center pursuant to an ordinance adopted on September 30, 1993, together with the Architectural Program and Master Plan developed by Kell Munoz Wigodsky, Inc., Thompson, Ventulett, Stainback & Associates, Inc., Haywood Jordan McCowan SAT, Inc. originally dated February 17, 1995 as revised on March 15, 1995 and as subsequently amended by an ordinance adopted on September 4, 1997 (collectively, the "***Original Plan***") to set forth eligible projects designated therein as the "Expansion Project"; and

WHEREAS, pursuant to Ordinance No. 99285 adopted by the City Council on June 3, 2004, the City amended the Original Plan to clarify the term "Expansion Project" to include the expansion of the Convention Center facilities, renovation of existing Convention Center facilities, renovation of the Mexican Cultural Institute, expansion of the plant to provide chilled water to the Convention Center, constructing improvements to the City's Municipal Auditorium, construction of improvements to the Alamodome including site improvements, the construction of a hotel (within 1,000 feet of the Convention Center) to serve the Convention Center facilities, and the acquisition of a building and site from the San Antonio Water System ("SAWS") to be utilized temporarily for City staff providing support for the Convention Center, until the facility is demolished and the Convention Center facilities are expanded to include this site (collectively, the "***2004 Amended Plan***"); and

WHEREAS, pursuant to Ordinance No. 99285, the City Council further found and determined that the pedestrian walkway and bridge, the existing easements, and existing rights-of-way link the existing Convention Center site to the Alamodome and that such facilities should be included as part of the Convention Center complex and therefore included in the 2004 Amended Plan; and

WHEREAS, pursuant to Ordinance No. 99285, the City Council further found and determined that the location of the SAWS site and the existing utility easements and rights-of-way link the Convention Center site to the SAWS site and that such facilities also should be included as part of the Convention Center complex and included in the 2004 Amended Plan; and

WHEREAS, the Original Plan, as amended by the 2004 Amended Plan, are referred to collectively herein as the "Plan"; and

WHEREAS, all improvements to the Convention Center which were included in the 2004 Amended Plan have been completed or substantially completed; and

WHEREAS, the City Council now determines that it is necessary and desirable to further amend the Plan; and

WHEREAS, the City Council hereby finds and determines that it is desirable for the City to construct and equip a major expansion of its Convention Center complex in order to provide additional opportunities for the City to host and support larger and additional conventions, which expansion, upon completion, will directly enhance and promote tourism and the convention and hotel industry; and

WHEREAS, the Plan, as amended by this Ordinance, is available for review in the office of the City Clerk; and

WHEREAS, the adoption of this Ordinance is in the best interests of the residents of the City; **NOW, THEREFORE;**

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

SECTION 1. The Plan for the expansion of the Convention Center complex is hereby amended, ratified, readopted, and reconfirmed to include the construction and equipping of approximately 100,000 square feet of additional convention center facilities located to the east of the existing Convention Center complex towards Interstate 37 (which expansion includes construction of a new, well-defined entrance into the Convention Center, enlarging the contiguous exhibit halls, loading docks, circulation and kitchen area, and adding a multipurpose room and a 50,000+ foot ballroom), and the demolition of the western portion of the existing Convention Center complex upon completion of such addition to make room for future Hemisfair expansion and redevelopment projects.

SECTION 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 3. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 6. It is officially found, determined, and declared that the meeting at which this Ordinance was adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 7. The effective date of this Ordinance shall be governed by the provisions of Section 1-15 of the City's Code and the City's Home Rule Charter and this Ordinance shall become effective immediately upon its passage by eight affirmative votes, and it is so enacted.

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MBM 9/20/12
ITEM #6B

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AT A REGULAR MEETING ON THIS 20TH DAY OF SEPTEMBER, 2012.



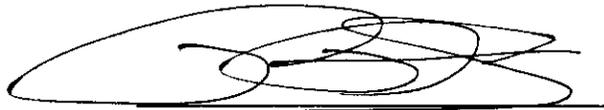
M A Y O R
Julián Castro

ATTEST:



Leticia M. Vicek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney

(CITY SEAL)



** ** * * * * *

CERTIFICATE FOR ORDINANCE

I, the undersigned City Clerk of the CITY OF SAN ANTONIO, TEXAS (the "City"), hereby certify as follows:

1. The City Council of the City convened in REGULAR MEETING ON THE 20TH DAY OF SEPTEMBER, 2012 at the City Hall, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Julián Castro, Mayor
Diego M. Bernal, Councilmember, District 1
Ivy R. Taylor, Councilmember, District 2
Leticia d. Ozuna, Councilmember, District 3
Rey Saldaña, Councilmember, District 4
David Medina, Jr., Councilmember, District 5

Ray Lopez, Councilmember, District 6
Cris Medina, Councilmember, District 7
W. Reed Williams, Councilmember, District 8
Elisa Chan, Councilmember, District 9
Carlton Soules, Councilmember District 10

all of said officers and members of said City Council were present, except the following absentees:
NONE. Whereupon, among other business, the following was transacted at said Meeting: a written

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was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Ordinance be passed on first reading and, after due discussion, said motion carrying with it the adoption of said Ordinance, prevailed and carried by the following vote:

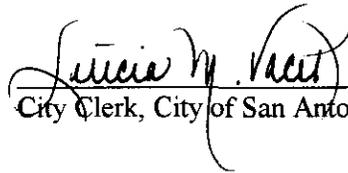
AYES: 11 NOES: 0 ABSTENTIONS: 0

2. A true, full and correct copy of the aforesaid Ordinance adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; the Ordinance has been duly recorded in said City Council's minutes of said Meeting; the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the passage of said Ordinance; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for passage at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting 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.

SIGNED AND SEALED THE 20TH DAY OF SEPTEMBER, 2012.

(Seal)



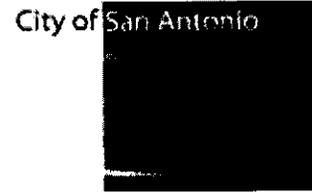


City Clerk, City of San Antonio, Texas

Execution Page to Certificate for Ordinance Approving an Amendment to the
Convention Center Capital Improvement Plan in Connection with the Issuance of
City of San Antonio, Texas Public Facilities Corporation
Improvement and Refunding Lease Revenue Bonds, Series 2012
(Convention Center and Expansion Project)



Request for
**COUNCIL
ACTION**



Agenda Voting Results - 6B

Name:	6A, 6B, 6C, 6D, 6E						
Date:	09/20/2012						
Time:	10:30:09 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance amending the City's Capital Improvement Plan for the Convention Center Facilities to incorporate a major expansion generally located east of the existing Convention Center Facilities towards Interstate 37.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				x
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				