VZ
11/7/13
Item No. 30

AN ORDINANCE 2013-11-07-0761

ADOPTING IMPROVEMENTS TO THE CITY COUNCIL PROJECT FUND GUIDELINES ESTABLISHED BY ORDINANCE 2011-12-08-1011; AND PROVIDING FOR AN EFFECTIVE DATE OF DECEMBER 1, 2013

* * * * *

WHEREAS, the adopted FY 2014 budget provides for individual City Council district discretionary funds in the amount of $50,000.00 each, which are commonly referred to as City Council Project Funds (CCPF) for programs, activities, events, scholarships, goods, or services that promote specified municipal public purposes set out in guidelines approved by City Council pursuant to Ordinance 2011-12-08-1011 dated December 8, 2011; and

WHEREAS, City staff has recommended, and the Governance Committee has agreed, to certain improvements to the Guidelines that will strengthen the administration of these Funds, which improvements the City Council desires to implement; **NOW THEREFORE:**

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

SECTION 1. The City Council Project Fund Guidelines set out in **Exhibit I** are hereby approved, shall be effective December 1, 2013, and shall replace the Guidelines incorporated into Ordinance 2011-12-08-1011. Requests for use of CCPF which are submitted prior to this date shall be reviewed for eligibility and processed in the manner set out in the Guidelines incorporated into Ordinance 2011-12-08-1011.

SECTION 2. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 7th day of November, 2013.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Michael D. Bernard, City Attorney

Agenda Item:	**30 (in consent vote: 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, , , 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35)**
Date:	11/07/2013
Time:	11:18:38 AM
Vote Type:	Motion to Approve
Description:	An Ordinance adopting improvements to the City Council Project Fund Guidelines established by Ordinance 2011-12-08-1011; and providing for an effective date of December 1, 2013. [Edward Benavides, Chief of Staff; Chris Callanen, Assistant to City Council]
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				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x			x	
Shirley Gonzales	District 5	x					
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Carlton Soules	District 10		x				

EXHIBIT "I"

1.) Eligibility

Allocations of CCPF may be made to City Council District Offices and external applicants provided that the proposed expenditure serves a municipal public purpose, fits into one of the following eligible categories, and satisfies all other criteria set out in these guidelines:

A. Education;
B. City Council District / community events; or
C. Youth or senior activities.

City Council finds that investment of CCPF in programs, activities, events, scholarships, goods or services deemed eligible under these guidelines serve a municipal public purpose. Examples include costs associated with events or programs that promote: (1) the health, safety and welfare of the community; (2) family, social and economic stability; (3) community fitness/recreation; and (4) community education and training, which, in part, prepares the workforce for productive employment and meets the needs of the community.

The following qualify as eligible Applicants for CCPF:

A. City Council District Offices for district events;

B. Non-profit entities that are: a) exempt from federal income tax or is able to show proof at the time of application for CCPF of having filed for tax exempt status as determined by the Internal Revenue Service under section 501(c)(3) of the United States Internal Revenue Code, or is an affiliate of a non-profit, tax-exempt corporation; b) able to show proof of exemption from franchise taxes by the Texas State Comptroller at the time of application for CCPF; and c) able to demonstrate that the proposed services, programs and events funded by CCPF will be open the public;

C. Neighborhood associations or other legally formed entities whose purpose as stated in its organizational documents is defined as serving the community;

D. Another governmental entities, such as a municipality, county, school district, or other political subdivision of the State of Texas, which is requesting CCPF for a project it is not required to carry out under its own charter or mandates by state or federal law, unless it involves a joint project with the City.

Applicants shall be required to apply once and select all District offices from which the Applicant is seeking funding in a single application if for the same program, activity, event, good or service. A ninety (90) day deadline, following submission of an application to the Office of the City Council, for Applicants to submit vendor quotes or invoices in support of the CCPF application and for Council District offices to approve an application is hereby established. The Assistant to City Council may, in his or her sole and absolute discretion, waive or extend the application expiration period on a case by case basis.

2) Limitations

A. City Council finds that CCPF are prohibited for use when expenses do not serve a public purpose. Examples of ineligible expenses are set out Attachment I.

B. No more than $10,000 of unallocated City Council Project Funds may be carried forward by the Mayor or Councilperson from one fiscal year into the next fiscal year.

C. Designated Council staff shall attend monthly meetings scheduled by the City Council Office to review budget reports, CCPF applications and expenses.

3) Elections

A. Four months of prorated funding based upon the CCPF allocation for the applicable fiscal year shall be reserved for use by the incoming Mayor or Councilperson following a General Election.

B. A moratorium on Mayor or Councilperson approval of CCPF expenditures begins with the first day of the filing period for office and ends when the elected official is sworn into office.

C. No CCPF events or activity shall occur during the moratorium.

D. Non-election year spending in binding and printing, mail and parcel post, and advertising and publications from the CCPF and Operating budget between February and June shall not be exceeded during the same time period during an election year.

4) City Council approval, as evidenced by the adoption of Ordinance, shall be required for allocations exceeding $10,000 to an Applicant for the same program, activity, events, good or service.

5) The City Manager, or her designee, or the Assistant to City Council, is authorized to execute contracts in support of the projects, programs approved under these guidelines.

CITY COUNCIL PROJECT FUND GUIDELINES

ATTACHMENT I

ADDITIONAL EXAMPLES OF INELIGIBLE EXPENSES

a.) Services which are primarily commercial, religious or political in nature.

b.) Permanent improvements to any Non – City owned structure or property so that it becomes an integral part of the real property and its removal would do harm to the building or land, including those improvements that are bolted, nailed, screwed or wired into the wall, ceiling or floor.

c.) Expenditures for the operation of City Department or supporting other governmental entities in carrying out functions mandated by their charter or statute, except for joint projects where City programs are also involved.

d.) Funding for tuition at private primary or secondary schools, except funding for scholarship awards for the benefit of students attending an institution of higher education.

e.) Funding for the purchase of gas, gift cards, clothing or apparel that will be owned by an individual unless part of a workforce program; rental or purchase of animals, alcohol, and amusement rides.

f.) General operating expenses or expenses to support on-going operation of the applicant, including, but not limited to, salaries, utilities, rent and regular administrative expenses, travel unless representing the City of San Antonio.

g.) Funding to support the project of an organization already receiving funding, such as a delegate agency, that is duplicative in nature or otherwise deemed ineligible by authorized staff in the Office of the City Council to receive CCPF due to previous misuse of CCPF (or funds previously designated as HDSF) or due to a violation of the policies, rules or guidelines for CCPF.