

AN ORDINANCE     **2011-12-08-1011**

**ADOPTING REVISED GUIDELINES EFFECTIVE JANUARY 1, 2012, TO INCLUDE ELIGIBILITY CRITERIA, FOR THE CITY COUNCIL PROJECT FUNDS (CCPF), FORMERLY KNOWN AS THE HUMAN DEVELOPMENT SERVICES FUND; APPROVING THE PUBLIC PURPOSES FOR EXPENDITURES; AND AUTHORIZING THE EXECUTION OF CONTRACTS.**

\* \* \* \* \*

**WHEREAS**, the adopted FY 2012 Budget provided for individual City Council district discretionary funds in an account previously referred to as the Human Development Services Fund (HDSF) and transferred the management and oversight of the program from the Department of Human Services to the Office of the City Council; and

**WHEREAS**, prior HDSF guidelines were established pursuant to Ordinances 100192, adopted on December 16, 2004, and 2007-01-11-0057, on January 11, 2007, and included eligible uses and limitations; and

**WHEREAS**, the transition of the program to the Office of the City Council provided an opportunity to offer recommendations to improve the application process and the guidelines; and

**WHEREAS**, on October 19, 2011 and November 16, 2011, staff presented recommendations for several improvements to HDSF to the City Council Governance Committee, including renaming the program the "City Council Project Funds", streamlining the application and payment processes and outlining several limitations on the types of items eligible for funding; and

**WHEREAS**, City Council desires to improve the application and payment process and adopt revised guidelines for the expenditure these funds; **NOW THEREFORE:**

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

**SECTION 1.** The category of City funds currently referred to as "Human Development Services Funds" shall now be referred to as the "City Council Project Funds."

**SECTION 2.** Effective January 1, 2012, the funding initiatives, eligibility criteria (eligible applicants, projects and expenditures), expenditure guidelines and contract execution authority for the Human Development Services Funds (HDSF) established under Ordinances 100192, passed and approved on December 16, 2004, and 2007-01-11-0057, passed and approved on January 11, 2007, are repealed.

**SECTION 3.** All applications for City Council Project Funds (CCPF) received on and after January 1, 2012 shall be evaluated for eligibility in accordance with the guidelines established under this ordinance.

**SECTION 4.** Allocations of CCPF may be made to internal (City Council District Offices) and external applicants (“Applicants”) only if the proposed expenditure serves a municipal public purpose, fits into one of the following eligible categories, and satisfies all other criteria or guidelines set forth in this ordinance:

- 1) education;
- 2) City Council District / community events; or
- 3) youth or senior activities.

**SECTION 5.** City Council finds that investment of CCPF in programs, activities, events, scholarships, goods or services deemed eligible under the criteria and guidelines established under this ordinance serve the municipal public purposes of:

- a) promoting the health, safety and welfare of the community;
- b) promoting family, social and economic stability;
- c) promoting community education and training, which, in part, prepares the workforce for productive employment and meets the professional needs of the City;
- d) promoting community recreation;
- e) preventing homelessness; and
- f) revitalizing neighborhoods.

**SECTION 6.** City Council finds that the following qualify as eligible Applicants for CCPF:

- 1) A City Council District Office for district events;
- 2) A non-profit entity that: a) is 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) is able to show proof of exemption from franchise taxes by the Texas State Comptroller at the time of application for CCPF; and c) demonstrates that the proposed services, programs and events funded by CCPF will be open the public;
- 3) A neighborhood association or other legally formed entity whose purpose as stated in its organizational documents is defined as serving the community;
- 4) Another governmental entity, such as a municipality, county, school district, or other political subdivision of the State of Texas, who 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.

**SECTION 7.** City Council Project Funds may not be used for the following:

- a) Any sectarian or religious facility or activity
- b) Projects, activities, events, or programs, including delegate agency programs, currently funded by the City, and therefore deemed duplicative in nature as determined by authorized staff in the Office of City Council.
- c) Services which are primarily commercial in nature

- d) Programs devoted primarily to political advocacy
- e) 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
- f) Allocations made for the primary benefit of a single individual
- g) Services and/or products subject to any proprietary interest
- h) 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
- i) Funding to support other governmental entities in carrying out functions mandated by their charter or statute, except for joint projects where City programs are also involved
- j) 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
- k) Funding to support events that have a sole or primary purpose of fundraising
- l) Allocations for the purchase of clothing or apparel that will be owned by an individual unless a part of a workforce program
- m) Funding for out of town travel unless the traveler is representing the City of San Antonio in their travels
- n) Expenditures for the operation of City Departments
- o) Funding for the purchase of gas and gift cards
- p) Funding for the purchase or rental of livestock
- q) Funding for the purchase of alcohol
- r) Funding to support the project of an organization deemed ineligible by authorized staff in the Office of 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.

**SECTION 8.** The following additional limitations apply to CCPF expenditures during a City Council election year:

- 1) Four months of prorated funding based upon the CCPF allocation for the applicable fiscal year shall be reserved for the incoming Councilperson or Mayor's use following the General Election; and
- 2) A moratorium on a Councilperson or Mayor's approval of CCPF expenditures sixty (60) days prior to and thirty (30) days after the General Election is established.

**SECTION 9.** No more than \$25,000 of unallocated City Council Project Funds may be carried forward by a Councilperson or the Mayor from one fiscal year into the next fiscal year.

**SECTION 10.** 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.

**SECTION 11.** A ninety (90) day deadline for an Applicant to expend and invoice City Council Project Funds that are awarded is hereby established. This deadline is authorized to be incorporated into CCPF contracts. The Assistant to City Council may, in his or her sole and absolute discretion, waive or extend the expenditure / invoice deadline on a case by case basis.

**SECTION 12.** The City Manager, or her designee, or the Assistant to City Council, is authorized to execute contracts in order to expend CCPF in accordance with the project selections made by the Mayor and each Council Member so long as the CCPF expenditures are made in accordance with this ordinance and all other applicable law, and so long as the allocation amount to an Applicant is \$10,000 or less, whether from a single Council District or whether from multiple Council Districts, for the same program, activity, events, good or service. An online and paper contract template, as first reviewed and approved by the City Attorney, shall be used in connection with CCPF expenditures.

**SECTION 13.** 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.

**SECTION 14.** This ordinance shall become effective on and after January 1, 2012.

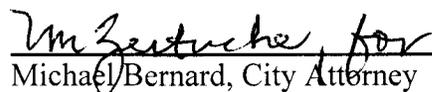
**PASSED AND APPROVED** this 8<sup>th</sup> day of December, 2011.

  
M A Y O R  
Julián Castro

**ATTEST:**

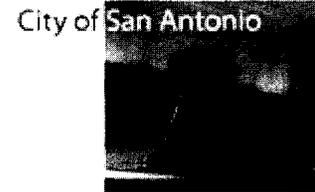
  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Michael Bernard, City Attorney



Request for  
**COUNCIL**  
 ACTION



## Agenda Voting Results - 14

<b>Name:</b>	7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21A, 21B, 22A, 22B						
<b>Date:</b>	12/08/2011						
<b>Time:</b>	02:17:02 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance adopting revised guidelines effective January 1, 2012, to include eligibility criteria, for the City Council Project Funds (CCPF), formerly known as the Human Development Services Fund; approving the public purposes for expenditures; and authorizing the execution of contracts. [ Edward Benavides , Chief of Staff; Christopher Callanen, Assistant to City Council]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				x
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				