CWK
Item No. 17
09/20/18

AN ORDINANCE 2018-09-20-0743

ESTABLISHING EXEMPTIONS TO THE CITY COUNCIL PROJECT FUND GUIDELINES ELECTION YEAR MORATORIUM TO ACCOMMODATE NON-BRANDED WELLNESS, ARTS, CULTURAL AND HERITAGE EVENTS.

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WHEREAS, the City Council Project Fund supports events and programs that promote the health, safety and welfare of the community; family, social and economic stability; community fitness and recreation; and community education and training; and

WHEREAS, the guidelines governing the use of CCPF were updated in November 2013 by Ordinance No. 2013-11-07-0761 to establish an election year moratorium that begins with the first day of the filing period for Council office and ends when the election is canvased by City Council for each office, extending to specific District run-off elections, and prohibits any expenditure of funds for any event or activity that would occur during that period of time; and

WHEREAS, agencies who in non-election years requested the use of CCPF for wellness activities and arts, cultural and heritage events have often had to reschedule or postpone events during election years due to the moratorium; and

WHEREAS, it is now necessary to establish exemptions to the City Council Project Fund election year moratorium to accommodate wellness, arts, cultural and heritage events requested by entities or agencies hosting these events and clarify that the supporting elected officials' name, likeness or logo may not appear on any promotional material connected to the event, including but not limited to signs, posters, emails or flyers; **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 Attachment 1 are approved, and shall replace the Guidelines incorporated into Ordinance 2013-11-07-0761.

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 20h day of September, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

Leticia M. Vacek
City Clerk

APPROVED AS TO FORM:

for Andrew Segovia
City Attorney

Agenda Item:	**17 (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26)**
Date:	09/20/2018
Time:	09:35:36 AM
Vote Type:	Motion to Approve
Description:	Ordinance establishing exemptions to the City Council Project Fund election year moratorium that would accommodate non-branded wellness events and arts, cultural and heritage events. [John Peterek, Assistant to the City Manager, Christopher Callanen, Assistant to City Council]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8	x					
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

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ATTACHMENT I

ATTACHMENT 1

CITY COUNCIL PROJECT FUND

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:

1) Education;
2) City Council District / community events; or
3) 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:

1) City Council District Offices for district events;

2) 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;

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

4) 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.

City Council Project Funds Guidelines

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. The election year moratorium provides an exemption to allow the funding of wellness, arts, cultural and heritage events requested by entities or agencies that are hosting these types of events and that are not branded with elected officials' name, likeness, or logo, including any promotional materials associated with the event.

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.