

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

APPROVING A CONTRACT WITH DÉCORIQ, LLC, TO PROVIDE INSTALLATION AND REMOVAL OF HOLIDAY LIGHTING ON SEVEN INTERSECTIONS ON HOUSTON STREET FOR THE CITY DEVELOPMENT & OPERATIONS DEPARTMENT (CCDO) FOR A TOTAL COST OF \$241,681.00. CCDO REQUESTED TAX INCREMENT REINVESTMENT ZONE (TIRZ) BOARD APPROVAL ON OCTOBER 30, 2023. THIS ORDINANCE ALSO APPROVES THE FUNDING AGREEMENT BETWEEN THE HOUSTON STREET TIRZ #9 BOARD OF DIRECTORS AND THE CITY OF SAN ANTONIO FOR AN AMOUNT NOT TO EXCEED \$241,681.00. FUNDING IS FROM THE CITY'S TAX INCREMENT IN THE HOUSTON STREET TIRZ.

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WHEREAS, an offer was submitted by DécorIQ, LLC, through the Texas Local Government Purchasing Cooperative (a.k.a. the “Buyboard”), to provide the City with installation and removal of LED lighting and décor on seven intersections on Houston Street for the City Development & Operations Department (CCDO) for a total cost of \$241,681.00; and

WHEREAS, this purchase meets the requirements under the terms of the Texas Local Government Purchasing Cooperative agreement adopted by the City of San Antonio by Ordinance No. 97097 on January 30, 2003; and

WHEREAS, in accordance with the Tax Increment Financing Act (the “Act”), Chapter 311 of the Texas Tax Code, the City of San Antonio through Council Ordinance No. 90969, established Tax Increment Reinvestment Zone Number Nine, known as the Houston Street TIRZ, and a Board of Directors (“Board”) authorized with all the rights, powers, and duties provided by the Act, in order to promote development and revitalization activities within the TIRZ; and

WHEREAS, in October 2023, CCDO applied for funding the \$241,681.00 from the City’s Tax Increment Financing Program (“TIF”) to provide the City with installation and removal of LED lighting and décor on seven intersections on Houston Street, located within the boundaries of the Houston Street TIRZ and City Council District 1; and

WHEREAS, in accordance with Section 311.010(b) of the Act, the City is authorized to enter into agreements to dedicate revenue from the tax increment fund to reimburse for eligible project costs that benefit the Houston Street TIRZ; and

WHEREAS, the City desires to provide financial incentives for development and revitalization projects that benefit the City and the Houston Street TIRZ and must now authorize the execution of a Funding Agreement, attached hereto in substantially final form as **Exhibit II**; **NOW THEREFORE:**

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

SECTION 1. The offer submitted by DécorIQ, LLC, to provide installation and removal of LED holiday lighting on seven intersections on Houston Street for the City Development & Operations Department for a total cost of \$241,681.00 is hereby accepted, subject to and contingent upon the deposit of all required bonds, performance deposits, insurance certificates and endorsements. The bid tabulation and contract are attached hereto and incorporated herein for all purposes as **Exhibit I**.

SECTION 2. Funding for any projects through the Houston Street TIRZ will be paid from Fund 29086006, Cost Center 703290001 and General Ledger 5201040. Total funding should not exceed \$241,681.00 for the duration of this agreement.

SECTION 3. Payment in the amount of \$241,681.00 is authorized to DécorIQ, LLC, and should be encumbered with a purchase order.

SECTION 4. The terms and conditions of the Funding Agreement by and between CCDO and the Board of Directors of Tax Increment Reinvestment Zone #9, attached hereto as **Exhibit II**, are hereby approved.

SECTION 5. The City Manager or his designee is authorized to execute this Agreement, which has been incorporated into this Ordinance for all purposes.

SECTION 6. TIF Department staff is hereby authorized to amend the Houston Street TIRZ Project and Finance Plans to include this Project.

SECTION 7. The financial allocations in this ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this ordinance.

SECTION 8. This ordinance is effective immediately upon passage by eight affirmative votes; otherwise it is effective on the tenth day after passage.

LC
__/__/23
Item No. __

PASSED and APPROVED this __ day of _____, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

DRAFT