

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

ORDINANCE

**AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR THE
DEVELOPMENT OF TRANSITIONAL HOUSING UNITS AND
PROVISION OF SERVICES BETWEEN THE CITY OF SAN ANTONIO
AND THE YOUNG WOMEN’S CHRISTIAN ASSOCIATION OF SAN
ANTONIO (“YWCA”) FOR THE WOMEN’S LIVE AND LEARN
CAMPUS TO INCORPORATE THE PARTNERSHIP BETWEEN
YWCA SAN ANTONIO AND ITS AFFILIATED ENTITY YWCA SAN
ANTONIO SUPPORT CORPORATION, AND AUTHORIZING STAFF
TO EXECUTE ALL OTHER DOCUMENTS NECESSARY FOR THE
YWCA SAN ANTONIO SUPPORT CORPORATION’S APPLICATION
FOR NEW MARKETS TAX CREDITS AND COMPLETION OF THE
WOMEN’S LIVE AND LEARN CENTER PROJECT.**

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WHEREAS, the YWCA currently owns the property on which the Women’s Live and Learn Campus is located, at 2318 Castroville Road in Council District 5; and

WHEREAS, on May 4, 2023, through Ordinance 2023-05-04-0282, City Council approved Agreements for the Development of Transitional Housing Units and Provision of Services between the City of San Antonio and the YWCA (“Agreements”) providing several incentives for the Development of the YWCA of San Antonio Women’s Live and Learn Campus (*the “Project”*) which will provide a transitional shelter to women typically ages 18-25 and their children who are at risk of becoming homeless, fleeing domestic violence, opportunity youth, or aging out of foster care, including, without limitation, any ancillary purposes related thereto (e.g. administrative offices, navigation to post-secondary education or degree programs, childcare, schooling for the children, workforce training, health, wellness and nutrition services, case management, counseling, meals, financial literacy, and homeownership and rentership training, and/or other similar supporting services), and will typically serve households earning at or below 30% AMI for at least twenty (20) years; and

WHEREAS, the YWCA is pursuing New Markets Tax Credits to finance upcoming phases of the project; and

WHEREAS, in order to secure the tax credits, the Property must be owned by a separate entity, which the YWCA has created, named the YWCA San Antonio Support Corporation, a 501(c)3 nonprofit entity (Support Corporation); and

WHEREAS, the Support Corporation will enter into a lease agreement with the YWCA San Antonio, through which the YWCA will complete the construction of the development and operate the Live and Learn Center as required by the City's Agreement; and

WHEREAS, the change in corporate ownership structure will require amendments to the Agreement, a release of the security instruments against the fee simple Property which will be owned by the Support Corporation, and the execution and filing of new instruments securing the City's loan to the YWCA as lessee of the Property; and

WHEREAS, City staff is requesting City Council approval to amend the City's Agreement to accommodate the conveyance of the Property to the Support Corporation, to release the Deed of Trust and Real Estate Lien currently recorded with the County property records against the Property, and to execute and record a Leasehold Deed of Trust and New Lien Note to secure the city's rights to the YWCA's leasehold interest in the Property in the event of future default of the Agreement. **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the Neighborhood and Housing Services or designee, is authorized to execute an amendment to the Agreement for the Development of Transitional Housing Units and Provision of Services ("Agreement") between the City of San Antonio and the YWCA of San Antonio for the Women's Live and Learn Campus to incorporate the partnership between YWCA San Antonio and its affiliated entity YWCA San Antonio Support Corporation, authorizing staff to prepare and record security instruments and execute all other documents necessary for the YWCA San Antonio Support Corporation's application for and closing on New Markets Tax Credits, and the completion of the Women's Live and Learn Center Project. A copy of the amended Agreement is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. The City Manager or designee, or the Director of the Neighborhood and Housing Services or designee, is further authorized to negotiate and execute any other contracts, including amendments to contracts, security instruments, and to take other steps as necessary to carry out the intent and purpose of this Ordinance and to ensure completion of the Women's Live and Learn Center Project. Staff is not authorized to amend contracts that would increase the contract amount without further action of city council.

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 _____ day of August 2024.

M A Y O R

Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney