

ORDINANCE

AUTHORIZING AN AGREEMENT WITH THE SAN ANTONIO HOUSING TRUST PUBLIC FACILITY CORPORATION IN AN AMOUNT UP TO \$2,535,000.00 FOR THE ACQUISITION OF APPROXIMATELY 1.57 ACRES OF PROPERTY AT 811 W. HOUSTON STREET, SAN ANTONIO, TEXAS 78207 LOCATED IN CITY COUNCIL DISTRICT 5.

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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. 2008-12-11-1173, established Tax Increment Reinvestment Zone Number Thirty, known as the Westside 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 accordance with Chapter 380 of the Local Government Code, and Sections 311.010(b) and 311.010(h) of the Texas Tax Code, the City and Board are authorized to grant funds to promote state and local economic development and to stimulate business and commercial activity in the municipality and TIRZ; and

WHEREAS, Developer is engaged in an economic development project that will be located within the city limits of the City of San Antonio consisting of the improvement of real property located at 811 W. Houston Street, San Antonio, TX 78207 (the “Property”), located within Council District 5; and

WHEREAS, the Project will include the development of a future transit-oriented affordable housing project which will be located adjacent to the VIA downtown transit center and future Silver Line; and

WHEREAS, on February 17, 2022, pursuant to Ordinance 2022-02-17-0110, City Council approved a substantial amendment to the FY22 United States Department of Housing and Urban Development Action Plan, whereby One Million Dollars and No Cents (\$1,000,000.00)(the “General Fund Grant”) for the Babcock North housing project were allocated from the City’s General Fund; and

WHEREAS, on June 8, 2023, pursuant to Ordinance 2023-06-08-0396, City Council approved the reallocation of the General Fund Grant from the Babcock North housing project to the Cattleman Square Lofts housing project; and

WHEREAS, on June 8, 2023, pursuant to Ordinance 2023-06-08-0396, City Council also approved a grant in the amount of Three Hundred Fifty Thousand Dollars and No Cents (\$350,000.00)(the “ICIF Grant”) from the Inner City Incentive Fund for the Cattleman Square Lofts housing project; and

WHEREAS, in May of 2024, the San Antonio Housing Trust Public Facilities Corporation applied for a grant in the amount of One Million One Hundred Eighty-Five Thousand Dollars and No Cents (\$1,185,000.00) (the “TIRZ Grant”)(collectively, the General Fund Grant, the ICIF Grant and the TIRZ Grant are the “Grant Funds”) from the City’s Tax Increment Financing (“TIF”) Program in order to undertake the purchase of the Property; and

WHEREAS, as part of the purchase of the property by the San Antonio Housing Trust Public Facilities Corporation, City staff recommends that the General Fund Grant and the ICIF Grant be repurposed, so that all of the Grant Funds in the amount of Two Million Five Hundred Thirty Five Thousand Dollars and No Cents (\$2,535,000.00) will be included as part of the purchase money for the Property; and

WHEREAS, on May 20, 2024, through Resolution T30 2024-05-20-01R, the Board approved the TIRZ Grant; and

WHEREAS, it is now necessary for the City Council to approve a Chapter 380 Economic Development Grant Agreement with the San Antonio Housing Trust Public Facilities Corporation for the purchase of the Property. **NOW THEREFORE**,

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

SECTION 1. The terms and conditions of a Chapter 380 Economic Development Grant Agreement with the San Antonio Housing Trust Public Facilities Corporation in an amount not to exceed \$2,535,000.00 for the purchase of the Property are hereby approved. A copy of the agreement, in substantially final form, is attached to this Ordinance as **Exhibit A**.

SECTION 2. The City Manager or his designee is authorized to execute this Agreement, which has been incorporated into this Ordinance for all purposes.

SECTION 3. TIF Division staff is hereby authorized to amend the Westside TIRZ Project and Finance Plans to include this Project.

SECTION 4. Funding in the amount of \$1,000,000.00 for this ordinance is available in Fund 11001000, Cost Center 5701020008 and General Ledger 5201040 as part of the Fiscal Year 2024 Adopted Budget approved by City Council.

SECTION 5. Funding for any projects through the Inner City Incentive Fund will be paid from Fund 29104000, Cost Center 1909010001 and General Ledger 5201040. Total funding should not exceed \$350,000.00 for the duration of this agreement.

SECTION 6. Funding for any projects through the Westside TIRZ will be paid from Fund 29086026, Cost Center 8002920001 and General Ledger 5201040. Total funding should not exceed \$1,185,000.00 for the duration of this agreement.

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 the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers 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.

TR
06/13/24
Item No. 24-200365

PASSED AND APPROVED this 13th day of June, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

TR
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Exhibit A