

ORDINANCE

APPROVING A DEVELOPMENT AGREEMENT BETWEEN CITY OF SAN ANTONIO, HOUSTON STREET TAX INCREMENT REINVESTMENT ZONE, AND ARTPACE FOR AN AMOUNT NOT TO EXCEED \$175,000 FOR THE ARTPACE PROJECT LOCATED AT 445 NORTH MAIN IN THE HOUSTON STREET TIRZ IN CITY COUNCIL DISTRICT 1.

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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. 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, Artpace submitted a proposal request for \$350,000.00 in TIF funding, with \$175,000.00 coming from the City’s contribution to the Houston Street TIRZ Fund and \$175,000.00 coming from the County’s contribution to the Houston Street TIRZ Fund, to undertake public improvements and public infrastructure at 445 N. Main Ave., San Antonio, Texas 78205 (the “Artpace Project”); 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 Midtown TIRZ; and

WHEREAS, on October 30, 2023, the Houston Street TIRZ Board approved a Resolution authorizing the negotiation and execution of a Funding Agreement with Artpace for funding of public infrastructure and public improvements related to the Artpace Project in an amount not to exceed \$175,000.00 from the City’s Houston Street TIRZ Fund available tax increment; 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 negotiation and execution of the Funding Agreement with Artpace; **NOW THEREFORE**,

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

SECTION 1. The City Manager or his designee is authorized to negotiate and execute a funding agreement between Artpace, the City of San Antonio and the Board in an amount not to exceed ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$175,000.00) in connection with the Artpace Project.

SECTION 2. TIF Department staff is hereby authorized to amend the Houston Street TIRZ Project and Finance Plans to include the Artpace Project.

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SECTION 3. Funding for any projects through the Houston Street TIRZ will be paid from Fund 29086006, Cost Center 703280001 and General Ledger 5201040. Total funding should not exceed \$175,000.00 for the duration of this agreement.

SECTION 4. 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 Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance is effective immediately upon passage by eight affirmative votes; otherwise, it is effective on the tenth day after passage.

PASSED and APPROVED this 9th day of November, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney