

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

**ORDINANCE**

**APPROVING AN OMNIBUS AMENDMENT AGREEMENT TO THE CONTRACT FOR THE SALE OF LAND FOR PRIVATE REDEVELOPMENT AND ASSIGNMENT AGREEMENT WITH FRANKLIN DEVELOPMENT PROPERTIES, LTD. AND THE SAN ANTONIO HOUSING TRUST PUBLIC FACILITY CORPORATION TO PROVIDE ADDITIONAL IMPROVEMENTS FOR THE GREENLINE NORTH AFFORDABLE HOUSING PROJECT, LOCATED IN COUNCIL DISTRICT 3, AND INCREASED FUNDING FOR THE PROJECT TO A TOTAL OF UP TO \$796,876.86. FUNDING IN THE AMOUNT OF \$744,835.07 IS AVAILABLE FROM THE 2017 GENERAL OBLIGATION BOND AND \$52,041.79 WILL BE APPROPRIATED FROM THE FY 2023 TREE CANOPY PRESERVATION AND MITIGATION FUND.**

\* \* \* \* \*

**WHEREAS**, pursuant to Ordinance No. 2019-10-03-0806, passed and approved on October 3, 2019, the City Council approved a Contract for the Sale of Land for Private Development (“**Contract**”) between the City of San Antonio through the Urban Renewal Agency of the City of Antonio, doing business as the Office of Urban Redevelopment San Antonio (“**OUR SA**”) to Franklin Development Properties, Ltd. (“**Developer**”) for the development of affordable housing in Council District 3, a copy of which is attached as **Attachment I**; and

**WHEREAS**, the Contract provided for the sale of the Property to the Developer for \$485,000.00 and reimbursement for eligible expenses of up to \$4,200,000.00 under the 2017 Neighborhood Improvements Bond Program Urban Renewal Plan to build a 292 mixed-income affordable housing development called Greenline North (the “**Development**”), which is a partnership between the Developer and the San Antonio Housing Trust Public Facility Corporation (“**SAHTPFC**”); and

**WHEREAS**, in August of 2020, the City, through OUR SA, approved an assignment agreement through which the Developer assigned its rights and obligations under the Contract to the SAHTPFC, a copy of which is attached as **Attachment II**; and

**WHEREAS**, the Neighborhood & Housing Services Department (NHSD) and the Developer later determined that certain additional public improvements, including and a mid-block pedestrian crossing and irrigation systems to support the growth of native plants and shade trees would be required in order to safely connect residents to adjacent amenities. These proposed improvements

are in alignment with the San Antonio Vision Zero Plan to eliminate traffic fatalities and to enhance the safety of our transportation system; and

**WHEREAS**, the construction of a mid-block pedestrian crossing in front of the Development will add an elongated z-crossing to create a safer pedestrian crossing across S. New Braunfels. The design includes the infrared pedestrian imaging detection system with flashing beacon lights. This crossing is directly in front of the Development and connects to the movie theater and shopping center that houses Pre-K for SA across the street; and

**WHEREAS**, the construction of right-of-way improvements along S. New Braunfels will create a 10' wide bicycle and pedestrian sidewalk as a connection from the Development to the intersection at S.W. Military across from Brooks City Base and the Greenline North trail system. The design includes low impact development design ("**LID**") that filters stormwater runoff through planting beds featuring native plants and shade trees; and

**WHEREAS**, the City and Developer have determined that it is necessary to execute an Omnibus Amendment Agreement, a copy of which is attached as **Attachment III**, to increase the scope of work that is currently incorporated into the Contract and to increase the funding to the Developer by \$796,876.86, bringing the total amount to be paid to the Developer for the Development to \$4,996,876.86; and

**WHEREAS**, the funding increase approved by this Ordinance will consist of \$744,835.07 in General Obligation bonds from the 2017 Neighborhood Improvements Bond, and \$52,041.79 from the FY 2022 Tree Canopy Preservation and Mitigation Fund Adopted Budget, which will be used for tree plantings and supporting irrigation at the right-of-way improvements and of which \$17,634.00 will be reimbursement for earlier tree design costs; and

**WHEREAS**, it is the desire of the City Council to approve the Omnibus Amendment Agreement to the Contract for the Sale of Land for Private Redevelopment and the Assignment Agreement with Franklin Development Properties, Ltd, and the SAHTPFC, to provide for additional scope of work to include pedestrian safety, connectivity and irrigation improvements for the Greenline North affordable housing development, and for additional funds to be paid to the developer in the amount not to exceed \$796,876.86. **NOW, THEREFORE:**

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

**SECTION 1.** The Omnibus Amendment Agreement ("**Amended Agreement**") amending the Contract for the Sale of Land for Private Redevelopment ("**Contract**") and the Assignment Agreement with Franklin Development Properties, Ltd. ("**Developer**") and the San Antonio Housing Trust Public Facility Corporation ("**SAHTPFC**"), to provide for additional scope of work to include pedestrian safety, connectivity and irrigation improvements for the Greenline North affordable housing development and for additional funds to be paid to the Developer in the amount not to exceed \$796,876.86 is hereby approved. A copy of the Amended Agreement is attached hereto and incorporated herein by reference as **Attachment III**.

**SECTION 2.** Funding in the amount of \$744,835.07 for the applicable improvements in the scope of work included in Attachment I is appropriated and allocated from general obligation bonds under the 2017 Neighborhood Improvements Bond. Funding in the amount of \$52,041.79 for the applicable improvements in the scope of work included in Attachment I is appropriated and allocated from the FY 2022 Tree Canopy Preservation and Mitigation Fund Adopted Budget.

**SECTION 3.** The City Manager or his designee, the Director of the Neighborhood and Housing Services Department or her designee, and the Chairman of the Board of Commissioners of OUR SA or her designee, are hereby authorized to execute all documents and agreements to effectuate the above transaction and carry out the purposes of this Ordinance.

**SECTION 4.** Funding in the amount of \$744,835.07 for this Ordinance is available in Fund \_\_\_\_\_, Internal Order \_\_\_\_\_ and General Ledger \_\_\_\_\_ as part of the 2017 Neighborhood Improvements Bond.

**SECTION 5.** Additional funding in the amount of \$52,041.79 for this Ordinance is available in Fund \_\_\_\_\_, Cost Center \_\_\_\_\_ and General Ledger \_\_\_\_\_ as part of the FY 2022 Tree Canopy Preservation and Mitigation Fund Adopted Budget.

**SECTION 6.** Payments authorized by this Ordinance are authorized and should be encumbered with purchase orders.

**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 the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED this 2<sup>nd</sup> day of February, 2023.**

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

JYW  
02/02/2023  
Item No.

Debbie Racca-Sittre, Acting City Clerk

Andrew Segovia, City Attorney

DRAFT

JYW  
02/02/2023  
Item No.

**ATTACHMENT I**  
Second Amendment to the  
Contract for the Sale of Land for Private Redevelopment

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