

## ORDINANCE

### **APPROVING A FUNDING AGREEMENT BETWEEN THE MIDTOWN TAX INCREMENT REINVESTMENT ZONE #31 AND THE CITY'S OFFICE OF HISTORIC PRESERVATION IN AN AMOUNT UP TO \$225,000 TO RECONCILE ALL OF THE EXISTING PLANS RELATED TO BRACKENRIDGE PARK AS WELL AS THE NECESSARY SUPPORT STAFF TO FACILITATE THE EFFORT.**

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**WHEREAS**, in accordance with the Tax Increment Financing Act (the “Act”), Chapter 311 of the Texas Tax Code, the City through Council Ordinance No. 2008-12-11-1134, established Tax Increment Reinvestment Zone Number Thirty-One, known as the Midtown 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 TIRZ; and

**WHEREAS**, the City and Board recognizes the importance of their continued role in economic development, community development and urban design; and

**WHEREAS**, the focus of the TIRZ will be on the four city owned cultural facilities along the Broadway Cultural Corridor: Brackenridge Park, San Antonio Botanical Garden, San Antonio Zoo, and The Witte Museum; and

**WHEREAS**, the Brackenridge Park Master Plan was approved by City Council on March 2, 2017, with three approved public strategies to include (1) restoration of natural park features; (2) restore, preserve, and articulate park cultural and historic features and (3) increase visibility and pedestrian access within Brackenridge Park; and

**WHEREAS**, the City Council adopted the Midtown Regional Center Plan in June 2019 which includes several goals and strategies for the neighborhoods and commercial districts surrounding the Brackenridge Park; and

**WHEREAS**, the Brackenridge Park Conservancy released a Cultural Landscape Report (CLR) in 2021 to build upon the recommendations of the Masterplan through the development of an interdisciplinary systems-based approach to the Park’s preservation and future growth and sets four intentions: (1) to heal Brackenridge Park’s ecology, (2) to protect and celebrate its many layers of historic significance and cultural diversity, (3) to elevate its identity locally and nationally, and (4) to usher it into the 21st century; and

**WHEREAS**, in order to reconcile the various plans relating to Brackenridge Park, the City through the Office of Historic Preservation requested funding in the amount of \$150,000 to engage a consultant; and

**WHEREAS**, in connection with the reconciliation of the various plans, the Office of Historic Preservation will enter into a funding agreement with the Brackenridge Park Conservancy in the amount of \$75,000.00 to fund administrative and project support; 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**, the City desires to provide financial incentives for development and revitalization projects that benefit the City and the Midtown TIRZ and must now authorize the execution of a Funding Agreement between the Office of Historic Preservation and the Board, attached hereto in substantially final form as **Exhibit A**; **NOW THEREFORE**,

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

**SECTION 1.** The terms and conditions of the Funding Agreement by and between the City's Office of Historic Preservation and the Board of Directors of Tax Increment Reinvestment Zone #31 for Two Hundred Twenty-Five Thousand Dollars and No Cents (\$225,000.00), attached hereto as **Exhibit A**, are hereby approved.

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

**SECTION 3.** The Office of Historic Preservation is authorized to enter into a contract with a consultant to undertake the reconciliation of the Brackenridge Park plans in an amount not to exceed \$150,000.00.

**SECTION 4.** The Office of Historic Preservation is authorized to enter into a contract with the Brackenridge Conservancy to fund the retention of administrative support for the reconciliation of the Brackenridge Park plans in an amount not to exceed \$75,000.00.

**SECTION 5.** TIF Department staff are hereby authorized to amend the Midtown TIRZ Project and Finance Plans to include this Project.

**SECTION 6.** Funding for any projects through the Midtown TIRZ will be paid from Fund 29086024, Cost Center 8002900001 and General Ledger 5201040. Total funding should not exceed \$225,000.00 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 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 8.** 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 \_\_\_\_ day of May, 2023.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney

TR  
5/18/2023  
Item No. 23-191086

## **EXHIBIT A**