

ORDINANCE

APPROVING A REIMBURSEMENT AGREEMENT IN THE AMOUNT OF \$73,304.42 TO ATLANTIC PACIFIC FOR DELINQUENT TAXES PAID TO THE BEXAR COUNTY TAX COLLECTOR FOR 301 SPRIGGSDALE.

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WHEREAS, in 2013, following a default of the terms of a Chapter 380 Agreement, the Mexican American Unity Council (“MAUC”) transferred a piece of real property located at 301 Spriggsdale (the “Property”) through a deed in lieu of foreclosure to the City of San Antonio. The Property remained in the City’s inventory for approximately 7 years; and

WHEREAS, on December 3, 2020, the City entered into a development agreement to transfer the Property to the San Antonio Housing Trust (SAHT) for the development of affordable housing. SAHT partnered with the George Gervin Youth Center (GGYC) and Atlantic Pacific to develop the Echo East project which would provide affordable housing and amenities to District 2; and

WHEREAS, following the transfer of the Property from the City to SAHT, it was discovered during the process of financing the project that MAUC had a delinquent tax bill that had accrued prior to the City’s ownership of the Property, which included penalties and interest; and

WHEREAS, to expedite the development of the Project, meet required deadlines and secure ARPA funds from Bexar County, Atlantic Pacific paid all outstanding taxes and penalties in October 2022. The total cumulative amount of taxes paid was \$158,007.28. Atlantic Pacific has requested reimbursement due to the taxes having not been part of the project budget; and

WHEREAS, in November 2022, the City reimbursed Atlantic Pacific in the amount of \$43,991.54 for the taxes associated with the non-City taxing entities, funded through the Inner City Incentive Fund (ICIF). The remaining amount to be reimbursed is \$114,015.74, which will be split between the City (\$73,304.42) and the SAHT (\$40,711.32); and

WHEREAS, it is now necessary for the City Council to approve the reimbursement payment to Atlantic Pacific. **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 undertake a reimbursement payment to Atlantic Pacific in the amount of SEVENTY-THREE THOUSAND THREE HUNDRED FOUR DOLLARS AND FORTY-TWO CENTS (\$73,304.42) from the Inner City Incentive Fund.

SECTION 2. Funding in the amount of \$73,304.42 for this ordinance is available in Fund 29104000 and Cost Center 1909010001 as part of the Fiscal Year 2023 Adopted Budget approved by City Council.

SECTION 3. Payment is authorized to Atlantic Pacific and should be encumbered with a purchase order.

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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers 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 ____ day of June, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney