

ORDINANCE

APPROVING A FUNDING AGREEMENT BETWEEN THE MISSION DRIVE IN TIRZ AND THE CITY OF SAN ANTONIO FOR AN AMOUNT NOT TO EXCEED \$1,200,000 FOR THE MISSION DRIVE-IN CAMPUS WORLD HERITAGE CENTER PROJECT, AND AUTHORIZING THE APPROPRIATION AND AMENDING OF THE FY2023-FY2028 CAPITAL IMPROVEMENTS PROGRAM.

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WHEREAS, in accordance with the Tax Increment Financing Act, Texas Tax Code, Chapter 311 (the “Act”), the City through Ordinance No. 2008-12-11-1174 established Tax Increment Reinvestment Zone Number Thirty-Two, San Antonio, Texas, known as the Mission Drive-In TIRZ (“TIRZ”), to promote development and redevelopment which would not otherwise occur solely through private investment in the reasonably foreseeable future and created the Board and authorized the Board to exercise all the rights, powers, and duties as provided to such boards under the Act; and

WHEREAS, in November 2022, the City’s World Heritage Office (“WHO”), applied for funding from the City’s Tax Increment Financing Program (“TIF”) in order to undertake the construction of public improvements for the World Heritage Center (the “Project”), which will serve as a gateway to the San Antonio Missions and a gathering place for San Antonio residents and visitors in City Council District 3, and the Mission Drive-In TIRZ; and

WHEREAS, the proposed funding will be utilized for public infrastructure, public improvement costs, and other necessary costs to complete the World Heritage Center Project; and

WHEREAS, the cost for capital improvements related to the World Heritage Center Project is approximately \$1,200,000.00; and

WHEREAS, in accordance with Section 311.010(b) of the Act, the Board is authorized to enter into agreements to dedicate revenue from the tax increment fund to pay for eligible project costs related to the construction of public infrastructure and eligible project costs that benefit the TIRZ; and

WHEREAS, on May 16, 2023, the Mission Drive-In TIRZ Board approved Resolution T32 2023-05-16-01R authorizing a Funding Agreement in an amount not to exceed \$1,200,000.00 for public improvements and public infrastructure for the World Heritage Center Project located in Council District #3; and

WHEREAS, it is now necessary for the City Council to approve the Funding Agreement. **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, attached hereto as **Exhibit A**, between the City and the Board to provide available tax increment funding in an amount not to exceed ONE MILLION TWO HUNDRED THOUSAND DOLLARS AND NO CENTS (\$1,200,000.00) for eligible project costs for the World Heritage Center Project within the Mission Drive-In TIRZ in City Council District 3, are hereby approved.

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 Department staff is hereby authorized to amend the Mission Drive-In TIRZ Project and Finance Plans to include this Project.

SECTION 4. Funds in the amount of \$1,200,000.00 are authorized to be appropriated in Fund 29086025, Internal Order 39000000xxxx and GL account 6102100 and amends the FY 2023 – FY 2028 Capital Improvement Program.

SECTION 5. Funds in the amount of \$1,200,000.00 are authorized to be transferred and shall be appropriated in Fund 45099000, WBS Element 23-04040-90-14-02 and GL account 6101100.

SECTION 6. Funds in the amount of \$165,000.00 shall be appropriated in Fund 45099000, WBS Element 23-04040-01-02-10 and GL account 5201170.

SECTION 7. Funds in the amount of \$90,000.00 shall be appropriated in Fund 45099000, WBS Element 23-04040-05-02-10 and GL account 5201140.

SECTION 8. 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 9. 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, Acting City Clerk

Andrew Segovia, City Attorney

TR
6/15/23
Item No. 23-192218

EXHIBIT A