

City of San Antonio



AGENDA

City Council A Session

Municipal Plaza Building
114 W. Commerce Street
San Antonio, Texas 78205

Thursday, March 27, 2025

9:00 AM

Municipal Plaza Building

The City Council will hold its regular meeting in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building beginning at the above referenced date and time for the following items. Once convened, the City Council will take up the following items in any order during the meeting but no sooner than the designated times.

9:00AM: Call to Order

Members of the public can comment on items on the agenda. To sign up to speak visit www.saspeakup.com. Click on meetings and events and select the meeting you'd like to participate in. Sign up to speak or submit a written comment. Questions relating to these rules may be directed to the Office of the City Clerk at (210) 207-7253.

Individuals signing up for public comment may register for VIA bus fare or parking validation at www.saspeakup.com. VIA bus fare or parking at City Tower Garage (located at 100 Blk N. Main) will be provided to individuals who request the assistance. Staff will provide VIA bus fare passes and parking validation tickets in the lobby of City Council Chambers.

To view the Live meeting please view our [Live Stream](#)

During the meeting, the City Council may meet in executive session for consultation with the City Attorney's Office concerning attorney-client matters under Chapter 551 of the Texas

Government Code.

ACCESS STATEMENT

The City of San Antonio ensures meaningful access to City meetings, programs and services by reasonably providing: translation and interpretation, materials in alternate formats, and other accommodations upon request. To request these services call (210) 207-2098 or Relay Texas 711 or by requesting these services online at <https://www.sanantonio.gov/DEI/Language-Services>. Providing at least 72 hours' notice will help to ensure availability.

Intérpretes en español estarán disponibles durante la junta del consejo de la ciudad para los asistentes que lo requieran. También se proveerán intérpretes para los ciudadanos que deseen exponer su punto de vista al consejo de la ciudad. Para más información, llame al (210) 207-7253.

For additional information on any item on this agenda, please visit www.sanantonio.gov or call (210) 207-7080.

- 16.** Ordinance approving the issuance by the Las Varas Public Facility Corporation of its “Multifamily Housing Governmental Notes (Riverbreeze Apartments) Series 2025” (the “Notes”) for purposes of Section 147 (f) of the Internal Revenue Code (the “Code”). [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer].

THE CITY COUNCIL MAY RECESS FOR LUNCH AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS

6:00 P.M. – If the Council has not yet adjourned, the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.

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City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 16

Agenda Date: March 27, 2025

In Control: City Council A Session

DEPARTMENT: Finance Department

DEPARTMENT HEAD: Troy Elliott

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Approval of financing for the purposes of the Internal Revenue Code

SUMMARY:

This Ordinance approves the issuance by the Las Varas Public Facility Corporation of its “Multifamily Housing Governmental Notes (Riverbreeze Apartments) Series 2025” (the “Notes”) for purposes of Section 147 (f) of the Internal Revenue Code.

BACKGROUND INFORMATION:

Section 147(f) of the Internal Revenue Code (“the Code”) requires that the issuance of any private activity bond obligations, such as the Notes, be approved by the applicable elected representative of the governmental unit in which the project is located after a public hearing following reasonable public notice.

The City was contacted regarding Las Varas Public Facility Corporation (the “Issuer”) financing the costs of acquiring, constructing, rehabilitating and equipping a 364-unit affordable multifamily housing facility (the “Project”) to be located at approximately the southwest corner of SW Loop 410 and Palo Alto Road, in City Council District 4, for the benefit of Riverbreeze Apartments, LP (the “Borrower”). All units in the project will be made available to families whose income

averages 60% or less than the median income. In addition, the rents will be restricted to 30% of each tenant's income. These restrictions will remain in place for 30 years. A telephonic public hearing with respect to the Project and issuance of the Notes was held on March 10, 2025, in compliance with Section 147(f) of the Code.

No comments were received at the public hearing.

ISSUE:

To meet the requirements of the Code, the Borrower has requested that City Council adopt an Ordinance confirming public approval of the financing plan and issuance of the one or more series of Notes by the Issuer up to a maximum aggregate amount of \$40,000,000, all of which will be used to finance the costs of acquisition, construction, rehabilitation and equipping of the Project. The consideration and approval of this action is consistent with the City's practice of providing consent for projects located in the City that involve qualified institutions obtaining tax-exempt financing for capital improvement projects through conduit issuers.

ALTERNATIVES:

If the City does not adopt a Resolution confirming public approval of the bond issuance by the Issuer, this financing cannot be effectuated.

FISCAL IMPACT:

The Resolution does not obligate the City to pay the debt or Notes, and does not obligate or create any expectations of, or liabilities for, the City. The Borrower is solely responsible for paying all debt service and other costs associated with the Notes. The Borrower will pay the City an administrative fee of \$40,000.00 upon the adoption of the requested Ordinance and the fee will go to the Affordable Housing Fund.

RECOMMENDATION:

Staff recommends approval of the Ordinance approving the issuance by the Las Varas Public Facility Corporation of its Multifamily Housing Governmental Notes (Riverbreeze Apartments) Series 2025 for the benefit of Riverbreeze Apartments, LP, for purposes of Section 147(f) of the Internal Revenue Code.

AN ORDINANCE

BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS APPROVING THE ISSUANCE OF GOVERNMENTAL NOTES DESIGNATED AS “LAS VARAS PUBLIC FACILITY CORPORATION MULTIFAMILY HOUSING GOVERNMENTAL NOTES (RIVERBREEZE APARTMENTS) SERIES 2025” BY LAS VARAS PUBLIC FACILITY CORPORATION IN SATISFACTION OF THE REQUIREMENTS CONTAINED IN SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED

* * * * *

WHEREAS, Opportunity Home San Antonio, has, pursuant to the Texas Public Facility Corporation Act, Chapter 303 Texas Local Government Code, as amended (the “Act”), approved and created Las Varas Public Facility Corporation, a Texas nonstock, nonprofit public facility corporation (the “Issuer”); and

WHEREAS, the Issuer is empowered to issue revenue bonds to finance the costs of residential ownership and development that will provide decent, safe, and sanitary housing at affordable prices for residents of the City of San Antonio, Texas (the “City”), and in furtherance of the public purposes of the Act; and

WHEREAS, the Issuer has approved and intends to issue its Multifamily Housing Governmental Notes (Riverbreeze Apartments) Series 2025 (the “Notes”) pursuant to the terms of the Act, to finance the costs of acquisition, rehabilitation, construction, and equipping of a proposed 264-unit affordable housing facility located at approximately the southwest corner of SW Loop 410 and Palo Alto Road, San Antonio, Bexar County, Texas 78224, to be known as the Riverbreeze Apartments (the “Project”), for the benefit of Riverbreeze Apartments, LP (the “Borrower”); and

WHEREAS, pursuant to section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), the Issuer conducted a public hearing on March 10, 2025 (the “Hearing”), following reasonable public notice with respect to the Notes and the Project in the City; and

WHEREAS, in order to satisfy the requirements of section 147(f) of the Code, it is necessary for the City Council or the Mayor of the City in which the Project is located to approve the Notes after the Hearing has been held, together with any other necessary elected official or governing body pursuant to the Code; and

WHEREAS, it is deemed necessary and advisable that this Ordinance be adopted; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS THAT:

SECTION 1. This Ordinance is adopted for the purposes of section 147(f) of the Code and the regulations promulgated thereunder.

SECTION 2. The Notes, which will be issued in a maximum aggregate principal amount not to exceed \$40,000,000 to finance and refinance the costs associated with the Project and to pay certain costs of issuance of the Notes, are hereby approved pursuant to section 147(f) of the Code.

SECTION 3. The approvals herein given are in accordance with the provisions of section 147(f) of the Code and the Certificate of Formation of the Issuer, and are not to be construed as any undertaking by the City, and the Notes shall never constitute an indebtedness or pledge of the City, or the State of Texas, within the meaning of any constitutional or statutory provision, and the holders of the Notes shall never be paid in whole or in part out of any funds raised or to be raised by taxation or any part out of any funds raised or to be raised by taxation or any other revenues of the Issuer, the City, or the State of Texas, except those revenues assigned and pledged by the Issuer in the Indenture of Trust to be executed by the Issuer in connection with the issuance of the Notes.

SECTION 4. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 5. All resolutions or ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 7. If any section, paragraph, clause, or provision of this Ordinance shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision. In case any obligation of the Issuer authorized or established by this Ordinance or the Notes is held to be in violation of law as applied to any person or in any circumstance, such obligation shall be deemed to be the obligation of the Issuer to the fullest extent permitted by law.

SECTION 8. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 9. Funds received for this ordinance will be deposited in Fund 29623001, Internal Order 257000000031 and General Ledger Account 4909930.

SECTION 10. 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 11. The effective date of this Ordinance shall be governed by the provisions of Section 1-15 of the City Code of San Antonio, Texas. This Ordinance shall take effect

immediately if passed by eight (8) affirmative votes; otherwise, this Ordinance shall take effect ten (10) days from the date of passage.

PASSED AND ADOPTED by an affirmative vote of _____ members of the City Council of the City of San Antonio, Texas, this the ____ day of _____, 2025.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney