



City of San Antonio

Agenda Memorandum

File Number:
{{item.tracking_number}}

Agenda Item Number: 4

Agenda Date: April 15, 2024

In Control: Tax Increment Reinvestment Zone No. 31 - Midtown Meeting

DEPARTMENT: Neighborhood and Housing Services

DEPARTMENT HEAD: Veronica Garcia, Director

COUNCIL DISTRICTS IMPACTED: District 1

SUBJECT:

Assignment of Borden Park Project Development Agreement to Borden River Road Owner, LLC

SUMMARY:

This item will authorize the assignment of Borden Park Project Development Agreement from Borden River Road, L.P. to Borden River Road Owner, LLC

BACKGROUND INFORMATION:

In August 2019, Borden River Road, L.P. through its affiliate Embrey Partners, Ltd. applied for funding from the City's Tax Increment Financing (TIF) Program to undertake the oversight and delivery of the Borden Park Project, a mixed-use development that includes family housing, office space, commercial uses, beautification and public improvements located at 815 E. Ashby in San Antonio, Texas in Council District 1 and within the Midtown TIRZ. In September 2019, the Midtown TIRZ Board, through Resolution No. T31-09-13-02R, authorized approval of the execution of an Agreement to provide reimbursement for eligible expenses in an amount not to

exceed four million dollars (\$4,000,000.00) through property tax reimbursement commencing the year after the Project is complete. City Council subsequently approved the agreement through Ordinance No. 2019-10-03-0813. This project was approved prior to the reconstitution of the Midtown TIRZ in January 2022.

On December 13, 2023, the Developer notified the City that the work was complete at the Project site.

Borden River Road, L.P. is now requesting an assignment of all rights and obligations under the Development Agreement to Borden River Road Owner, LLC. Borden River Road Owner, LLC is wholly owned by Borden River Road, LP.

ISSUE:

The Houston Street TIRZ Board is being asked to authorize the assignment of all rights and obligations under the Development Agreement be assigned from Borden River Road, L.P. to Borden River Road Owner, LLC.

FISCAL IMPACT:

There is no fiscal impact associated with this request. The funding for the Borden Park Project was previously approved by the Midtown TIRZ Board in September 2019 and City Council in October 2019.

ALTERNATIVES:

The Midtown TIRZ Board could decide to not authorize the Assignment to Borden River Road Owner, LLC. However, this would result in delays in property tax reimbursement, payment to an incorrect entity, and make subject the Development to additional costs.

RECOMMENDATION:

Staff recommends the Midtown TIRZ Board authorize the assignment of the Borden Park Project Development Agreement from Borden River Road, L.P. to Borden River Road Owner, LLC.