

## ORDINANCE

### **APPROVING A FIRST AMENDMENT TO THE FUNDING AGREEMENT BETWEEN THE MISSION DRIVE-IN TIRZ BOARD OF DIRECTORS AND THE CITY OF SAN ANTONIO FOR THE MISSION ROAD SIDEWALK CONNECTIVITY PROJECT, IN COUNCIL DISTRICT 3.**

\* \* \* \* \*

**WHEREAS**, in accordance with the Tax Increment Financing Act (the “Act”), Chapter 311 of the Texas Tax Code, the City through Council Ordinance No. 2008-12-11-1174, established Tax Increment Reinvestment Zone Number Thirty-Two, known as the Mission Drive-In 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 recognize the importance of their continued role in economic development, community development and urban design; and

**WHEREAS**, in May 2019, 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 sidewalks along Mission Road from the intersection of S.E. Military Drive to 99th Street, San Antonio, Texas (the “Project”), City Council District 3, and within the World Heritage Buffer Zone, and the Mission Drive-In TIRZ; and

**WHEREAS**, on August 22, 2019, through Ordinance 2019-08-22-0646, City Council authorized the execution of the Funding Agreement for the Project; 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 19, 2022, the Mission Drive-In TIRZ board approved Resolution T32 2022-05-19-01R authorizing a First Amendment to the Funding Agreement to amend the project completion date to December 31, 2022 for the Project located within the Mission Drive-In TIRZ in City Council District 3; and

**WHEREAS**, it is now necessary for the City Council to approve the First Amendment to the Funding Agreement for the public improvements. **NOW THEREFORE:**

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

**SECTION 1.** The terms and conditions of the First Amendment to the Funding Agreement by and between the City of San Antonio’s World Heritage Office and the Board of Directors of Tax Increment Reinvestment Zone #32, attached hereto as **Exhibit A**, 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.** 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 16th day of June, 2022.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debbie Racca-Sittre, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

## Exhibit A

DRAFT