

ORDINANCE

APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE NORTHEAST CORRIDOR TAX INCREMENT REINVESTMENT ZONE NUMBER THIRTY-THREE BOARD OF DIRECTORS, THE CITY OF SAN ANTONIO, AND BITTERBLUE, INC. IN AN AMOUNT NOT TO EXCEED \$995,000.00 FOR PUBLIC IMPROVEMENTS AND PUBLIC INFRASTRUCTURE FOR THE PRESCRIBED PEDIATRIC EXTENDED CARE CENTER PROJECT LOCATED IN COUNCIL DISTRICT 10.

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WHEREAS, in accordance with the Tax Increment Financing Act (the “Act”), Chapter 311 of the Texas Tax Code, the City through Council Ordinance No. 2014-12-04-0971, established Tax Increment Reinvestment Zone Number Thirty-Three, known as the Northeast Corridor 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 the 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 February 2022, Bitterblue, Inc. applied for funding from the City’s Tax Increment Financing (“TIF”) Program in order to construct Public Improvements and Public Infrastructure in association with the Prescribed Pediatric Extended Care Center Project located at Tool Yard Rd. and Wurzbach Pkwy at Longhorn Quarry, San Antonio, Texas, within the TIRZ and in Council District 10; and

WHEREAS, on September 16, 2022, the Northeast Corridor TIRZ Board approved funding through a Resolution for an amount not to exceed Nine Hundred Ninety-Five Thousand Dollars and No Cents (\$995,000.00) to construct Public Improvements and Public Infrastructure in connection with the Prescribed Pediatric Extended Care Center; 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, it is now necessary for the City Council to approve the Development Agreement between Bitterblue, Inc. and the Board to pay for eligible project costs related to the Prescribed Pediatric Extended Care Center Project. **NOW THEREFORE:**

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

SECTION 1. The terms and conditions of a Development Agreement by and between Bitterblue, Inc. and the Board of Directors of Tax Increment Reinvestment Zone #33, 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 Division staff is hereby authorized to amend the Northeast Corridor TIRZ Project and Finance Plans to include this Project.

SECTION 4. Funding for any projects through the Northeast Corridor TIRZ will be paid from Fund 29086027, Cost Center 703040001 and General Ledger 5201040. Total funding should not exceed \$995,000.00 for the duration of this agreement.

SECTION 5. 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 6. 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 April, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

Exhibit A