

## ORDINANCE

### **APPROVING A FUNDING AGREEMENT WITH INNER CITY TIRZ BOARD IN AN AMOUNT NOT TO EXCEED \$11,922,500 FOR THE ELLA AUSTIN FEASIBILITY STUDY, CAPITAL IMPROVEMENTS AND PUBLIC ART. FUNDING IS AVAILABLE IN THE 2022 – 2027 INNER CITY TIRZ FUNDING.**

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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. 93101, established Tax Increment Reinvestment Zone Number Eleven, known as the Inner City 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 recognizes the importance of their continued role in economic development, community development and urban design; and

**WHEREAS**, the Ella Austin Community center (originally Ralph Waldo Emerson Junior High School) was constructed in 1923 by the San Antonio Independent School District (SAISD). The property is located in the Dignowity Hill Historic District at 1023 N. Pine Street. The City of San Antonio acquired the facility from SAISD in 1976 and has leased it to the Ella Austin Community Center nonprofit since March of 1983. Historically, the center has provided a wide range of services to the local community which have included: early childhood, youth, senior, and family services; and

**WHEREAS**, The Ella Austin property consists of 5 structures spanning 63,000 square feet. These structures include the main building, gym, senior center, metal storage building, and a modular building. The main building and gym building are original structures to the site and the attached auditorium was constructed in 1930. From 2007 – 2021, the City of San Antonio has invested \$1.9 million from general fund, Bond, and Community Development Block Grant funds to improve the facility; and

**WHEREAS**, the cost for capital improvements related to infrastructure upgrades at the Ella Austin Community Center is approximately \$11,500,000 with plans to provide for replacement of mechanical systems such as HVAC, electrical and plumbing, replacement of window and exterior door systems, parking lot and landscaping improvements, elevator upgrades, and flooring and ceiling replacements; and

**WHEREAS**, the cost for capital improvements related to a Feasibility Study for the Ella Austin Community Center is approximately \$250,000; and

**WHEREAS**, an amount not to exceed \$172,500.00 in available tax increment from the TIRZ Fund for public art associated with the Ella Austin Community Center Project located within the Inner City TIRZ in City Council District 2; 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 November 19, 2021, the Inner City TIRZ board approved a Resolution authorizing a Development Agreement between the Inner City TIRZ Board of Directors, and Department of Human Services for an amount up to Eleven Million Nine Hundred Twenty-Two Thousand Five Hundred Dollars and No Cents (\$11,922,500.00) in reimbursable TIF funds from the Inner City TIRZ to make the necessary public improvements and/or public infrastructure requirements related to the Ella Austin Community Center Project; and

**WHEREAS**, it is now necessary for the City Council to approve the Development Agreement between the Department of Human Services and the Board for the public improvements, feasibility study and public art at the Ella Austin Community 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 the Department of Human Services and the Board of Directors of Tax Increment Reinvestment Zone #11, 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 Inner City TIRZ Project and Finance Plans to include this Project.

**SECTION 4.** The amount of \$11,922,500 is appropriated in SAP Fund 29086007 TIRZ Inner City, IO# 390000002741, GL account 6102100 Interfund Transfer out entitled Trf to 23-03864-90-14-01. The amount of \$11,922,500.00 is authorized to be transferred to Fund 40099000.

**SECTION 5.** The budget in SAP Fund 40099000 GO Capital Projects, Project 23-03864 Ella Austin-TIRZ, shall be revised by increasing the WBS Elements and GL Accounts with the amounts in the table below.

WBS	GL	AMOUNT
23-03864-90-14-01	6101100	\$1,192,500.00
Subtotal		\$1,192,500.00
23-03864-01-02-01	5201170	250,000.00
23-03864-05-01-01	5402030	191,667.00
23-03864-05-01-01	5402050	383,333.00
23-03864-05-02-01	5209010	10,925,000.00

23-03864-05-13	5201040	172,500.00
Subtotal		\$1,192,500.00

**SECTION 6.** 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 Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 7.** This Ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this \_\_\_\_ day of January, 2022.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, Acting City Clerk

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Andrew Segovia, City Attorney

## **Exhibit A**

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