

THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.

ORDINANCE

AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, BROOKS CITY-BASE TAX INCREMENT REINVESTMENT ZONE #16, AND BROOKS DEVELOPMENT AUTHORITY, AND APPROVING AN AMENDED PROJECT PLAN, AN AMENDED FINANCE PLAN, AND AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT TO EXTEND THE TERM OF THE TIRZ BY 10 YEARS AND INCREASE THE REVENUE CAP.

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WHEREAS, City Council through Ordinance No. 100073, designated Brooks City-Base Reinvestment Zone Number Sixteen, City of San Antonio, Texas, a City-initiated tax increment reinvestment zone, to assist revitalization and reinvestment initiatives, achieve the goals of City programs and City adopted plans, and to coordinate development initiatives that encourage long-term, high quality investment; and

WHEREAS, the City and the Brooks City-Base TIRZ Board of Directors recognize the importance of their continued role in economic development, community development, planning and urban design in accordance with the Tax Increment Financing Act, Texas Tax Code, Chapter 311, of the Texas Tax Code (“the Act”); and

WHEREAS, an Interlocal Agreement (ILA) has been negotiated between the City, Brooks TIRZ and Brooks Development Authority (BDA) to support the creation of valuable office spaces in the TIRZ, specifically to renovate and finish out two buildings that will be used by global professional services company, OKIN BPS, as the home of its North American headquarters; and

WHEREAS, the City, Brooks TIRZ and BDA have agreed upon terms, in the ILA, whereby the City will issue debt to cover \$6 million of the costs of the renovations and the TIRZ will reimburse the City over the term of the TIRZ for the debt issuance and associated costs and interest; and

WHEREAS, BDA has requested a 10 year extension to the term of the current TIRZ Development Agreement and to increase the revenue cap to \$105.4 million to increase the source of funding for the reimbursement of further public improvement costs; and

WHEREAS, on June 26, 2018, the Tax Increment Financing Governance Committee supported the extension and revenue cap increase; and

WHEREAS, on October 29, 2018, in accordance with the Act, the Board adopted resolutions approving an Amended Project Plan, an Amended Finance Plan, an Interlocal Agreement, an Amended and Restated Development Agreement, and authorized the \$6 million bridge loan; and

WHEREAS, it is now necessary for the City Council to approve the Amended Project and Finance Plans and the extension of the TIRZ by ten years, and to authorize the City Manager or her designee to negotiate and execute the Interlocal Agreement and the Amended and Restated Development Agreement with BDA; and

WHEREAS, it is officially found and determined that a public hearing was conducted during the same meeting at which this Ordinance was passed and both the hearing and the meeting were open to the public and public notice was provided as required by Chapter 551, Texas Government Code and Chapter 311, Texas Tax Code; **NOW THEREFORE:**

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

SECTION 1. The extension of the Brooks City-Base TIRZ Termination Date until September 30, 2029 is hereby authorized.

SECTION 2. The terms and conditions of the Interlocal Agreement and Amended and Restated Development Agreement with Brooks Development Authority are hereby approved. Copies of the agreements, in substantially final form, are attached to this Ordinance as **Exhibit A** and **B**, respectively.

SECTION 3. The City Manager or his designee is hereby authorized to execute the Interlocal Agreement and Amended and Restated Development Agreement which have been incorporated into this Ordinance for all purposes.

SECTION 4. The Brooks City Base TIRZ Amended Project Plan and Amended Finance plan, set out as **Exhibit C** and **D** respectively, are hereby adopted.

SECTION 5. This Ordinance shall be effective upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 7th day of March, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

EXHIBIT A

DRAFT

EXHIBIT B

DRAFT

EXHIBIT C

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EXHIBIT D

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