

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

ORDINANCE

**AUTHORIZING EXECUTION OF AN AMENDMENT TO THE
DEVELOPMENT AGREEMENT WITH THE SAN ANTONIO PARKS
FOUNDATION FOR AN ADDITIONAL COMMITMENT OF \$110,000 IN
TIRZ FUNDING FOR THE MAVERICK DOG PARK PROJECT LOCATED
AT 1000 BROADWAY, SAN ANTONIO, TEXAS, IN COUNCIL DISTRICT 1,
AND THE MIDTOWN TIRZ; AND AUTHORIZING THE APPROPRIATION
AND AMENDING OF THE FY 2020-2025 CAPITAL IMPROVEMENTS
PROGRAM BUDGET WITH THESE FUNDS FOR THE CONSTRUCTION OF
PARK IMPROVEMENTS AT MAVERICK PARK.**

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WHEREAS, the City of San Antonio (“City”) and the Midtown TIRZ Board of Directors (“Board”) support programs which allow for economic development within its boundaries; and

WHEREAS, on January 28, 2016 through Ordinance No. 2016-01-28-0017, the San Antonio Parks Foundation (“SAPF”) and the Midtown TIRZ entered into a funding agreement for the Maverick Dog Park (“Project”) in the amount of \$50,000.00 to undertake public improvement efforts related to converting Maverick Park into a dog park, located at 1000 Broadway, in Council District 1; and

WHEREAS, due to changes to the scope of the Project the SAPF requested additional funding in the amount of \$110,000.00 for a total of up to \$160,000.00; 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 September 13, 2019, the Board approved a First Amendment to the existing Development Agreement with the SAPF for the Maverick Dog Park Project for an additional \$110,000.00 in TIRZ funding, for a total amount not to exceed \$160,000.00; and

WHEREAS, it is now necessary for the City Council to approve the First Amendment to the Development Agreement between the San Antonio Parks Foundation and the Board of Directors for TIRZ #31 and to authorize appropriation and amending of the FY 2020-2025 Capital Improvements Program Budget with these funds for the park 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 Development Agreement with the San Antonio Parks Foundation is hereby approved. A copy of the agreement, in substantial final form, is attached to this Ordinance as **Exhibit A**.

SECTION 2. The appropriation and amending of the FY 2020-2025 Capital Improvements Program Budget with these additional funds is hereby approved.

SECTION 3. The City Manager or his designee is hereby authorized to execute the First Amendment to the Development Agreement which has been incorporated into this Ordinance for all purposes.

SECTION 4. This Ordinance authorizes an additional commitment of \$110,000.00, for a total amount not to exceed \$160,000.00, in reimbursable tax increment funding from the Midtown TIRZ Tax Increment Fund to the San Antonio Parks Foundation to facilitate public improvement efforts related to the Maverick Dog Park Project located at 1000 Broadway, in Council District 1, within the Midtown TIRZ.

SECTION 5. RESERVED FOR FISCAL LANGUAGE.

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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

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

PASSED AND APPROVED this 16th day of April, 2020.

MAYOR
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina Flores, Acting City Clerk

Andrew Segovia, City Attorney

EXHIBIT A

DRAFT