

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

AN ORDINANCE

AUTHORIZING THE APPROVAL OF A TAX ABATEMENT AGREEMENT BY BEXAR COUNTY IN AN AMOUNT NOT TO EXCEED \$672,129.00 FOR THE ARGYLE RESIDENTIAL, LLC OR MAIN & DWYER LLC PROJECT, ALSO KNOWN AS THE HERITAGE PLAZA PROJECT LOCATED AT 307 DWYER AND 410 SOUTH MAIN IN COUNCIL DISTRICT 1 AND WITHIN THE HOUSTON STREET TAX INCREMENT REINVESTMENT ZONE BOUNDARY, AS IS REQUIRED BY STATE LAW, TO ENABLE BEXAR COUNTY TO OFFER A TAX ABATEMENT.

* * * * *

WHEREAS, in accordance with the Tax Increment Financing Act, Chapter 311, Section 311.0125(b) of the Texas Tax Code (the "TIF Act"), the City of San Antonio and the Houston Street Tax Increment Reinvestment Zone ("Houston Street TIRZ") Board of Directors must approve any tax abatements within the TIRZ boundary; and

WHEREAS, the Developer, either Argyle Residential, LLC or Main & Dwyer LLC, is proposing to construct a 343 unit multifamily market rate apartment complex at 307 Dwyer and 410 South Main ("Heritage Plaza Project") which is located within the boundary of the Houston Street TIRZ; and

WHEREAS, the total development cost of the Heritage Plaza Project is approximately \$57.3 million which includes the costs of construction of the apartments; and

WHEREAS, the Houston Street TIRZ is not participating as a funding source for the Heritage Plaza Project; and

WHEREAS, Bexar County is offering the Developer a ten (10) year 40% abatement of County taxes assessed on the Heritage Plaza Project in an amount not to exceed \$672,129.00; and

WHEREAS, on November 6, 2017, the Houston Street TIRZ Board considered and approved the proposed tax abatement, now the approval of City Council is required; **NOW THEREFORE**,

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

SECTION 1. City Council hereby approves the proposed Bexar County tax abatement within the Houston Street TIRZ.

SECTION 2. The approval of the tax abatement is conditioned on the terms of the agreement as they were presented by Bexar County, namely, a 10 year, 40% abatement of County taxes in an amount not to exceed \$672,129.00 for the developer, either Argyle Residential, LLC or Main

& Dwyer LLC, on a 343 unit multifamily market rate apartment complex to be constructed at 307 Dwyer and 410 South Main.

SECTION 3. Approval of the Bexar County tax abatement has no fiscal impact to the City or the Houston Street TIRZ fund.

SECTION 4. This Ordinance shall become effective immediately upon its passage by eight affirmative votes; otherwise it shall become effective on the tenth day after passage thereof.

PASSED and APPROVED this 7th day of December, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney