

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

AN ORDINANCE

REALLOCATING PREVIOUSLY APPROVED ECONOMIC DEVELOPMENT INCENTIVE FUNDS IN THE AMOUNT OF \$1,825,248.00 TO PORT SAN ANTONIO AS A SUCCESSOR TO AN ECONOMIC DEVELOPMENT ADMINISTRATION INFRASTRUCTURE GRANT; AND APPROVING A FUNDING AGREEMENT WITH PORT SAN ANTONIO TO GOVERN THE USE OF THE CITY'S EDIF FUNDS.

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WHEREAS, in conjunction with an Economic Development Administration Grant, the City previously allocated \$1,825,248.00 in matching funds to be used in partnership with SAWS and Port San Antonio (the "Port") to install waterlines to support future development on the Port's North Airfield ; and

WHEREAS, the planned infrastructure improvements were aimed at a prospective economic development tenant that declined to locate at the Port; and

WHEREAS, in the absence of a tenant, the Port is requesting a reallocation of funds to support the construction of a greenfields project to support the development of the North Airfield site, which includes significant demolition to prepare the area to receive needed fill material from other projects and improve drainage conditions to minimize impact of future flood events; **NOW THEREFORE:**

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

SECTION 1. City Council authorizes the reallocation of previously approved Economic Development Incentive Funds (EDIF) in the amount of \$1,825,248.00 to Port San Antonio as a successor in interest to an Economic Development Administration Infrastructure Grant. The negotiation and execution by the City Manager or her designee of a Funding Agreement between the City and Port San Antonio to govern the use of these EDIF funds is authorized. A copy of the final Funding Agreement shall be attached to this ordinance as "Attachment I" upon execution by the parties.

SECTION 2. Funding in the amount of \$1,825,248.00 for this Ordinance is available for Fund 29059000, Cost Center 1604010001 and General Ledger 5201040, as part of the Fiscal Year 2015 Budget.

SECTION 3. Payment not to exceed the budgeted amount is authorized to Port San Antonio and should be encumbered with a purchase order.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall become effective immediately upon its passage by eight (8) votes or more and upon ten (10) days following its passage if approved by fewer than eight (8) votes.

PASSED AND APPROVED this ____ day of _____ 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney