

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

**AN ORDINANCE**

**APPROVING THE TERMS AND AUTHORIZING THE EXECUTION OF  
A CLOSEOUT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO  
AND STREET RETAIL SAN ANTONIO LP, CONCLUDING STREET  
RETAIL SAN ANTONIO LP'S INVOLVEMENT IN THE HOUSTON  
STREET TAX INCREMENT REINVESTMENT ZONE AND ACCEPTING  
CONVEYANCE OF PROPERTY AND PUBLIC EASEMENTS WITH  
GRAYSTREET HOUSTON - 150 E. HOUSTON STREET, LLC, AND  
GRAYSTREET HOUSTON - 219 E. HOUSTON STREET, LLC WITHIN  
THE HOUSTON TIRZ.**

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**WHEREAS**, in accordance with the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code (the "TIF Act"), the City Council, through Ordinance No. 90969 dated December 9, 1999 designated the Houston Street TIRZ for a term that expired on September 30, 2014 and authorized a Development Agreement with Street Retail San Antonio, LP ("Developer") and Interlocal Agreements with Bexar County, The University Health System, and Alamo Colleges, all of which also expired on September 30, 2014; and

**WHEREAS**, the Developer completed several projects pursuant to the Development Agreement, including the Presa Street Bridge Linkage, The Houston Street Bridge Linkage, the Majestic Courtyard, and several façade restorations along Houston Street; and

**WHEREAS**, the City Council through Ordinance 2014-09-18-0713 extended the term of the Houston Street TIRZ an additional 20 years until September 30, 2034 in order to continue revitalization efforts within the zone and to capitalize on future opportunities; and

**WHEREAS**, staff has negotiated and recommends by execution of a Close-Out Agreement in which the parties acknowledge that each have met their obligations under the Development Agreement and the City agrees to pay the Developer One million, two hundred ninety-nine thousand, and seven hundred seventy-seven dollars and twenty-two cents (\$1,299,777.22) as final payment for obligations completed in accordance with the Development Agreement; and

**WHEREAS**, pursuant to the Development Agreement, Street Retail San Antonio, LP is obligated to convey the Houston Street Bridge Linkage by Special Warranty Deed and to grant public easements associated with the Houston Street Bridge Linkage the Majestic Courtyard; and

**WHEREAS**, the Developer has sold its properties along Houston Street to GrayStreet Houston - 150 E. Houston Street, LLC and Graystreet Houston - 219 E. Houston Street. LLC ("GrayStreet"); and

**WHEREAS**, in connection with the conveyance by the Developer of the Houston Street Bridge Linkage to the City, the City will receive public easements from Graystreet and assume an obligation to maintain this property, subject to annual budget appropriations, **NOW THEREFORE:**

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

**SECTION 1.** City Council hereby approves the terms and authorizes the execution by the City Manager or her designee, of a Close-out Agreement and related close-out documents with Street Retail San Antonio LP., a copy of which is attached in substantially final form as **Exhibit A**.

**SECTION 2.** City Council hereby authorizes the final payment of One million, two hundred ninety-nine thousand, and seven hundred seventy-seven dollars and twenty-two cents (\$1,299,777.22) to Street Retail San Antonio LP.

**SECTION 3.** Funding for the maintenance of the Houston Street Bridge Linkage conveyance will be contingent upon annual appropriations by City Council.

**SECTION 4.** This Ordinance shall become effective immediately upon its passage by eight (8) affirmative votes of the City Council. If less than eight (8) affirmative votes are received, then this Ordinance shall be effective ten (10) days after passage.

PASSED AND APPROVED this 21st day of May, 2015.

**M A Y O R**  
Ivy R. Taylor

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek  
City Clerk

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Martha G. Sepeda  
Acting City Attorney