

ORDINANCE 2020-12-03-0858

AUTHORIZING THE CITY OF SAN ANTONIO'S EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND CONVERGENCE BRASS, LLC, OWNER OF APPROXIMATELY 866.977 ACRES OF LAND GENERALLY LOCATED NORTH OF HIGHWAY 90 WEST, EAST OF STATE HIGHWAY 211, AND WEST OF GROSENBACHER ROAD IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

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WHEREAS, Convergence Brass LLC, ("Owner") owns approximately 866.977 acres of land, referred to as the Briggs Ranch Property, generally located north of Highway 90 West, east of State Highway 211, and west of Grosenbacher Road, in the far west extraterritorial jurisdiction ("ETJ") of the City of San Antonio ("City"), more particularly described and depicted in **Exhibits "A" and "B"** enclosed in **Attachment "A"** attached hereto and incorporated herein for all purpose; and

WHEREAS, on December 3, 2019, the Owner filed a petition with Bexar County ("County") to create a Public Improvement District ("PID") to be named the Briggs Ranch Special Improvement District ("District") under Chapter 382 of the Local Government Code and requested the City's consent to the creation of the District, and the County's delegation of certain powers and duties with respect thereto, which the City granted by resolution on December 3, 2020; and

WHEREAS, in order to protect the City's planning goals and infrastructural interests in the ETJ, as a condition of the City's consent to the County's creation of the PID, the City Council determined that it is prudent to require the Owner to enter into a Development Agreement ("Agreement") containing mutually agreeable terms relating to the development of the District property, assessment of taxes within the District, voluntary annexation at the end of the term of the Agreement; municipal services to be provided by the City within the District in the event of annexation; and a Strategic Partnership Agreement ("SPA") for limited purpose annexation and revenue sharing by City of sales and use taxes imposed within commercial areas of the District pursuant to Chapters 43 and 212 of the Local Government Code; and

WHEREAS, in addition to compliance with the terms of the Agreement referenced herein, Owner is required to pay a Special District Operations Assessment in the amount of \$779,450.000 as specified in the Agreement. **NOW THEREFORE**,

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

SECTION 1. The City Manager, or his designee, is authorized to execute a Development Agreement ("Agreement") between the City of San Antonio and Convergence Brass LLC containing the terms and conditions governing the development of the Briggs Ranch Special Improvement District ("District" or "PID") property, preserving the extraterritorial status of the District property during the term of the Agreement, establishing the Agreement as a voluntary petition for annexation providing the City with the option of annexing the District property in

the event of default of the Agreement by the Owner, a subsequent owner or end-buyers of properties developed within the District or upon the termination date of the Agreement; agreeing to the assessment of taxes within the District, providing for municipal services to be provided to the District property in the event of annexation; and providing for a Strategic Partnership Agreement for limited purpose annexation and revenue sharing by City of sales and use taxes imposed within commercial areas of the District, which will be attached in substantial form to the Agreement; and all other terms and conditions the City Manager finds to be in the City's best interest. A copy of said Agreement is attached hereto as **Attachment "A"**.

SECTION 2. The City Council of the City of San Antonio ordains that its consent to the County's creation of the Briggs Ranch PID will remain in effect so long as the Owner complies with the terms of the Agreement.


SECTION 3. The City Council approves the assessment and collection of a Special District Operations Assessment in the amount of \$779,450.00 to be deposited as specified in this Ordinance.

SECTION 4. Fund 11001000 and Internal Order 223-260 and General Ledger #4401844 are designated for the Special District Operations Assessment in the accounting for the fiscal transaction in authorization of this agreement.

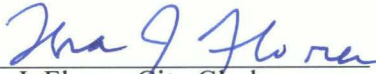
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 for the purpose of this Ordinance.

SECTION 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage

PASSED AND APPROVED on this 3rd day of December 2020.


M A Y O R
Ron Nirenberg

ATTEST:


Tina J. Flores, City Clerk

APPROVED AS TO FORM:


Jameene Williams for
Andrew Segovia, City Attorney



City of San Antonio

City Council

December 03, 2020

Item: 27B

Enactment Number:

File Number: 20-7043

2020-12-03-0858

Ordinance approving a Development Agreement with Convergence Brass, LLC setting forth terms and conditions to the City of San Antonio's Consent to the Creation of the Briggs Ranch Special Improvement District

Councilmember John Courage made a motion to approve. Councilmember Clayton H. Perry seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry