

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

**AN ORDINANCE**

**AUTHORIZING A FUNDING AGREEMENT WITH THE SAN ANTONIO  
HOUSING TRUST PUBLIC FACILITIES CORPORATION TO RECEIVE AN  
AMOUNT OF \$100,000.00 ANNUALLY OR 5% OF THE DWYER ST.  
PROJECT'S CASH FLOW, WHICHEVER IS GREATER, TO FIRST  
SATISFY ANY GRANT OBLIGATIONS FROM THE U.S. DEPARTMENT  
OF HOUSING AND URBAN DEVELOPMENT, AFTER WHICH THE  
BALANCE WILL SUPPORT HAVEN FOR HOPE AS PART OF THE  
DWYER ST. PROJECT IN CITY COUNCIL DISTRICT 1.**

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**WHEREAS**, in 2010, the City-owned property located at 307 Dwyer St., San Antonio, TX 78205 (the "Dwyer Property") served as the Dwyer Avenue Center for Transitional Housing; and

**WHEREAS**, upon a transfer of services from the Dwyer Property to the Haven for Hope facility, 1 Haven For Hope Way, San Antonio, TX 78207 ("Haven For Hope"), the City established the Haven for Hope Fund to create an endowment for the continued operations of Haven for Hope; and

**WHEREAS**, in response to a Request For Proposal ("RFP") issued by the City in 2014, Landbridge Partners (the "Developer") submitted a mixed-use development plan that included both the Dwyer Property and adjacent Heritage Plaza property which consists of 272 market rate housing units, approximately 50,197 square feet of commercial space, and 450 parking spaces (the "Project"); and

**WHEREAS**, in consideration for the conveyance of the Dwyer Property, the City required an annual payment to the Haven for Hope Fund in an amount of no less than \$100,000.00; and

**WHEREAS**, as part of the Developer's financing plan, the Dwyer Property is to be conveyed to the San Antonio Housing Trust Public Facilities Corporation (the "SAHT PFC"); and

**WHEREAS**, the SAHT PFC has agreed to enter into a funding agreement to contribute to the Haven for Hope Fund an annual amount of \$100,000.00 or 5% of the Project's cash-flow, whichever is greater; **NOW THEREFORE:**

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

**SECTION 1.** The City Council approves the terms and conditions of a Funding Agreement with the San Antonio Housing Trust Public Facilities Corporation in an annual amount of \$100,000.00 or 5% of the Dwyer St. Project's cash flow, whichever is greater, to support Haven for Hope as part of the Dwyer St. Project in City Council District 1.

**SECTION 2.** The City Manager or her designee is authorized to execute a Funding Agreement with the San Antonio Housing Trust Public Facilities Corporation in accordance with the terms and conditions of this Ordinance. The final agreement shall be filed with this Ordinance upon execution.

**SECTION 3.** The revenue received from the PFC will be deposited in the Haven For Hope Fund after any remaining grant requirements have been satisfied. Repayable funding will be deducted from the PFC proceeds and any remaining amount will be deposited into the Haven for Hope Fund.

**SECTION 4.** Funds in the amount of \$22,581.00 generated by this Ordinance will be deposited into Fund 28039000, Internal Order 131000002292 and General Ledger 4903101.

**SECTION 5.** Remaining funds generated by this Ordinance will be deposited into Fund 29649000, Internal Order 238000000077 and General Ledger 4903101.

**SECTION 6.** In addition, the City may be required to repay HUD a pro rata share not to exceed \$50,000.00 in the event that the City's request for HUD to forgive a Transitional Housing grant is denied.

**SECTION 7.** The disposition of surplus property must be coordinated through the city's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.

**SECTION 8.** 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 9.** 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 June, 2014.

**M A Y O R**  
Julián Castro

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Robert F. Greenblum, City Attorney