

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

ORDINANCE

**AUTHORIZING THE NEGOTIATION AND EXECUTION OF A
REPAYMENT AND LOAN CONVERSION AGREEMENT AND
ANCILLARY DOCUMENTS AMONG THE CITY OF SAN ANTONIO,
210 DG, AND THE SAN ANTONIO HOUSING TRUST PUBLIC
FACILITIES CORPORATION (“SAHT PFC”) FOR THE REPAYMENT
OF \$75,000.00 TO THE CITY AND THE CONVERSION OF A \$950,000.00
ECONOMIC DEVELOPMENT LOAN BALANCE TO THE SAHT PFC
TO BE APPLIED TO TWO HOUSING DEVELOPMENT PROJECTS IN
EQUAL AMOUNTS FOR THE PROVISION OF A COMBINED 18
AFFORDABLE HOUSING UNITS AT THE BROOKWOOD AND ST.
JOHN’S SEMINARY HOUSING DEVELOPMENTS.**

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WHEREAS, 210 DG received a Center City Housing Incentive Policy (“CCHIP”) Agreement under the City’s “as-of-right” incentive policy to undertake and complete a housing development project on 700 W. Houston (the “Property”); and

WHEREAS, the incentives under the CCHIP included an interest bearing \$968,000.00 repayable economic development loan which 210 DG used for preliminary site work on the Property; and

WHEREAS, due to the purchase of the Property by an unaffiliated third-party, 210 DG was unable to complete the project and subsequently fell into default of the terms of the CCHIP; and

WHEREAS, in order to repay the City, 210 DG has proposed a \$75,000 cash payment and the conversion of the remaining outstanding loan balance of \$950,000.00 to a forgivable loan to be applied to two 210 DG housing developments, Brookwood and St. John’s Seminary for 18 affordable housing units; and

WHEREAS, as a condition of the loan conversion, 210 DG and SAHT PFC would agree to apply the outstanding loan balance to the Brookwood and St. John’s projects resulting in 9 affordable housing units in each development to be leased to families at or below 30% of median income for the duration of the ten (10) year loan term; **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 Repayment and Loan Conversion Agreement among the City, 210 DG and San Antonio Housing Trust Public Facility Corporation. The City Manager or designee is authorized to execute this Agreement, a copy of which, in substantial final form is set out in **Exhibit A**, and any other ancillary agreements

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deemed necessary by the City Attorney in consultation with the City Manager to effectuate the purpose of this Agreement. A copy of the fully executed agreement will be substituted for **Exhibit A** upon receipt of all signatures.

SECTION 2. This Ordinance shall be effective immediately upon passage by eight (8) affirmative votes; otherwise it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 14th day of November, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

EXHIBIT A

DRAFT