

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

**ORDINANCE**

**AUTHORIZING EXECUTION OF A FUNDING AGREEMENT WITH THE MIDTOWN BOARD OF DIRECTORS OF REINVESTMENT ZONE #31, GRANTING UP TO \$6,000,000.00 FOR THE CONSTRUCTION OF THE AVENUE B BIKE LANE PROJECT LOCATED IN COUNCIL DISTRICT 1; AND AUTHORIZING THE ACCEPTANCE OF THESE FUNDS AND AMENDING OF THE FY 2020-2025 CAPITAL IMPROVEMENTS PROGRAM WITH FUNDS IN THE AMOUNT NOT TO EXCEED \$6,000,000.000 FROM THE MIDTOWN TAX INCREMENT REINVESTMENT ZONE (TIRZ) #31 FUND FOR THE AVENUE B BIKE LANE PROJECT.**

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**WHEREAS**, in accordance with the Tax Increment Financing Act (the “Act”), Chapter 311 of the Texas Tax Code, the City through Council Ordinance No. 2008-12-11-1174, established Tax Increment Reinvestment Zone Number Thirty-One, known as the Midtown TIRZ, and a Board of Directors (“Board”) authorized with all the rights, powers, and duties provided by the Act, in order to promote development and revitalization activities within TIRZ; and

**WHEREAS**, the City and Board recognizes the importance of their continued role in economic development; community development and urban design; and

**WHEREAS**, in September 2019, the City’s Transportation & Capital Improvements Department (TCI) staff applied for funding from the City’s Tax Increment Financing Program in order to undertake the construction of dedicated bike infrastructure on Avenue B and N. Alamo Street to provide a connected bike route from the upper to lower segment of the Broadway Corridor project, within the boundary of the Midtown TIRZ; and

**WHEREAS**, the project will construct protected, buffered bike lanes along N. Alamo from Houston to McCullough, along McCullough from N Alamo to Ave B, along Ave B from McCullough to Roy Smith, and along Roy Smith from Ave B to Broadway and includes landscaping, tree planting, pavement mill and overlay, new pavement markings, new signs, sidewalk construction at intersections to create bulbouts and install pedestrian ramps, and minor reconstruction of Avenue B north of Jones to reconfigure the roadway for bike lanes, and

**WHEREAS**, on September 13, 2019, the Board adopted a resolution authorizing the execution of a Funding Agreement with the City in an amount not to exceed Six Million Dollars and No Cents (\$6,000,000.00) to fund public improvements and/or public infrastructure related to the design and construction of the Avenue B Bike Lane Project; and

**WHEREAS**, it is now necessary for the City Council to approve the Funding Agreement between the City and the Board of Directors for TIRZ #31 for the Avenue B Bike Lane Project, **NOW THEREFORE:**

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

**SECTION 1.** The terms and conditions of a Funding Agreement with the Board of Directors of Tax Increment Reinvestment Zone #31, attached hereto as **Exhibit A**, are hereby approved.

**SECTION 2.** The City Manager or designee is authorized to execute this Agreement, which has been incorporated into this Ordinance for all purposes.

**SECTION 3.** TIF Unit staff is hereby authorized to amend the Midtown TIRZ Project and Finance Plans to include this Project.

**SECTION 4. *RESERVED FOR FISCAL LANGUAGE***

**SECTION 5.** Payment not to exceed the budgeted amount is authorized to the City of San Antonio's Transportation and Capital Improvements Department and paid solely from the tax increment.

**SECTION 6.** 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 7.** This Ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise, it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this 14<sup>th</sup> day of November, 2019.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney

## **Exhibit A**

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