

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL
SIGNED ORDINANCE**

ORDINANCE

**AUTHORIZING EXECUTION OF THE FIRST AMENDMENT TO THE
RED BERRY ESTATE MASTER DEVELOPMENT AGREEMENT TO
INCLUDE AN INCREASE IN FUNDINGM CHANGES TO THE SALADO
CREEK HIKE AND BIKE TRAIL, AND TO INSTALL A NEW WATER
PUMP LOCATED AT 827 RICHLAND DRIVE IN SAN ANTONIO, TEXAS
AND WITHIN THE INNER CITY TIRZ IN CITY COUNCIL DISTRICT 2.**

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WHEREAS, the City of San Antonio (“City”) and the Inner City TIRZ Board of Directors (“Board”) support programs which allow for economic development within its boundaries; and

WHEREAS, on October 12, 2017 the City approved the Red Berry Estate Master Development Agreement with San Antonio Housing Trust Public Facility Corporation (“PFC”) through City Ordinance No. 2017-10-12-0791; and

WHEREAS, due to changes in the location of the Salado Creek Hike and Bike Trail and the need for a new water pump for the lake, PFC is requesting an increase in funding as well as an amendment reflecting these changes; and

WHEREAS, SAHT is requesting an additional \$1.2 Million in TIRZ reimbursable funding for the Salado Creek Hike and Bike Trail and the new water pump; and

WHEREAS, on March 19, 2021, the Board adopted resolution T11 2021-03-19-02R authorizing the execution of the First Amendment to the Red Berry Estate Master Development Agreement to provide more reimbursable funding not to exceed \$1.2 million and to change the location of the Salado Creek Hike and Bike Trail and new water pump; and

WHEREAS, in accordance with Section 311.010 (b) of the Act, the Board is authorized to enter into agreements to dedicate revenue from the tax increment fund to pay for eligible project costs related to the construction of public infrastructure and eligible project costs that benefit the TIRZ; and

WHEREAS, it is now necessary for the City Council to approve the First Amendment to the Red Berry Estate Master Development Agreement with PFC; **NOW THEREFORE:**

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

SECTION 1. The terms and conditions of the First Amendment to the Red Berry Estate Master Development Agreement are hereby approved. A copy of the agreement, in substantial final form, is attached to this Ordinance as **Exhibit A**.

SECTION 2. The City Manager or his designee is hereby authorized to execute the First Amendment to the Red Berry Estate Master Development Agreement which has been incorporated into this Ordinance for all purposes.

SECTION 3. TIF Division staff is authorized to amend the Inner City TIRZ Project and Finance Plans to include this Project.

SECTION 4. Reserved for Fiscal Language.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. 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 20th day of May, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

EXHIBIT A

DRAFT