

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

ORDINANCE

**APPROVING FUNDING IN AN AMOUNT NOT TO EXCEED \$25,000
FROM THE MIDTOWN TIRZ AND AUTHORIZING A PROFESSIONAL
SERVICES AGREEMENT FOR A FISCAL IMPACT STUDY FOR
UNDERGROUND CONVERSION OF OVERHEAD UTILITIES ON THE
BROADWAY STREET CORRIDOR IN SAN ANTONIO, TEXAS, IN
COUNCIL DISTRICT 1, WITHIN THE MIDTOWN TIRZ.**

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

WHEREAS, the City is currently working on The Broadway Street Corridor which seeks to reconstruct approximately 3.1 miles of the corridor (from Houston Street to Hildebrand Avenue) into a complete street that is pedestrian, bicycle, and transit-friendly. Improvements to the corridor include new sidewalks, driveway approaches, bicycle amenities, lighting, streetscape and landscape amenities, and drainage and traffic enhancements; and

WHEREAS, the Broadway Street Corridor project currently has \$82 million in funding from various sources and includes funding for relocating the utilities for the lower segment of the corridor, from Houston Street to IH-35, however, utility conversion was not budgeted for the Upper Segment Phase I (IH-35 to Mulberry Avenue) or Upper Segment Phase II (Mulberry Avenue to Hildebrand Avenue); and

WHEREAS, on May 11, 2021, the Midtown TIRZ through Resolution T31 approved to funding in an amount not to exceed \$25,000 and approved and authorized the execution of the Professional Services Agreement with TXP, Inc conduct a study to analyze the fiscal impact of converting utilities from overhead to underground for Upper Segment Phases I and II also known as the Impact Study for Underground Conversion of Overhead Utilities on the Broadway Street Corridor (“Impact Study”); 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 funding from the Midtown TIRZ for the Impact Study in an amount not to exceed \$25,000 and to authorize the Professional Services Agreement; **NOW THEREFORE:**

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

SECTION 1. The terms and conditions of the Professional Services Agreement with TXP, Inc is hereby approved. A copy of the Professional Services 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 Professional Services Agreement which has been incorporated into this Ordinance for all purposes.

SECTION 3. TIF Division staff is authorized to amend the Midtown 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, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

EXHIBIT A

DRAFT