



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-6078

**Type:** Capital Improvements

**In control:** City Council A Session

**On agenda:** 1/28/2016

**Title:** An Ordinance authorizing a Development Agreement and Right of Entry Agreement with the San Antonio Parks Foundation, granting up to \$50,000.00 from the Midtown Tax Increment Reinvestment Zone (TIRZ) #31 fund for the development of the Maverick Dog Park. [Peter Zaroni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. T31 2015-11-17 Resolution - Maverick Dog Park, 2. PRESENTATION, 3. T31 2015-11-05 Maverick Dog Park Development Agreement Final, 4. Draft Ordinance, 5. Ordinance 2016-01-28-0017

Date	Ver.	Action By	Action	Result
1/28/2016	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Planning and Community Development

**DEPARTMENT HEAD:** John Dugan

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

An ordinance authorizing the execution of a Development Agreement and Right of Entry Agreement with the San Antonio Parks Foundation, granting up to \$50,000 from the Midtown Tax Increment Reinvestment Zone (TIRZ) #31 fund for the development of the Maverick Dog Park.

**SUMMARY:**

City Council is being asked to consider an ordinance authorizing the execution of a Development Agreement between the City of San Antonio, the Midtown TIRZ Board of Directors and the San Antonio Parks Foundation granting up to \$50,000 from the Midtown Tax Increment Reinvestment Zone #31 fund to support the conversion of the Maverick Park, an underutilized City owned park located at Broadway and Jones, into a dog park. In addition, this action will authorize the execution of a Right of Entry Agreement between the City and San Antonio Parks Foundation giving the San Antonio Parks Foundation permission to enter the park to perform the work as described in the Development Agreement.

## BACKGROUND INFORMATION:

On January 23, 2015, Joe Alderete, Ashley Riley and Larry Clark, representing the San Antonio Parks Foundation, made a presentation to the Midtown TIRZ Board of Directors proposing to convert the underutilized City owned Maverick Park into a dog park. The Midtown TIRZ Board awarded \$50,000 to the San Antonio Parks Foundation to support the proposed dog park and directed staff to review the proposal and to draft an agreement.

Over the following ten months, the City Attorney's Office and Tax Increment Finance (TIF) staff, in cooperation with City Parks and Recreation Department staff, entered into negotiations with the San Antonio Parks Foundation representatives. On November 17, 2015, the Midtown TIRZ Board of Directors approved a Resolution (attached) authorizing the execution of the Development Agreement.

## ISSUE:

This ordinance authorizes a Development Agreement and Right of Entry Agreement with the San Antonio Parks Foundation, granting up to \$50,000 from the Midtown Tax Increment Reinvestment Zone (TIRZ) #31 fund, for the development of the Maverick Dog Park.

Chapter 311 of the Property Tax Code authorizes the municipality that designated a TIRZ to enter into agreements and construct public improvements necessary to implement the TIRZ project plan. Of the public improvements identified in the Midtown Project Plan, the redevelopment of Broadway as the "face" of Midtown is of the highest priority. The proposed Maverick Dog Park project will transform what is currently an underutilized and deteriorating open space into a vibrant gathering place for residents in the newly developed apartments along the Broadway Corridor.

Phase I of the project is scheduled to start January 2016 and last 14 weeks, completing in April 2016. Phase I features will include a dog agility area, a creek for water recreation, a dog wash facility, separate areas for large and small dogs, and a terrain play area. Low Impact Development (LID) and sustainability features will be hallmarks of this project. The project will include a bio swale water filtration system to prevent waste from entering the San Antonio River and energy saving elements that will enable the park to be a net-zero impact site, meaning the total amount of energy used by the site on an annual basis is roughly equal to the amount of renewable energy created on the site. Plans for a future phase include elements for human patrons including an outdoor adult fitness area as well as a children's playground and public art.

TIRZ funding for the park is contingent upon the San Antonio Parks Foundation securing sufficient funding from other sources including in-kind contributions to meet the proposed total project budget of \$281,491.00. To date the San Antonio Parks Foundation has raised \$144,700.00, including the Midtown TIRZ contribution, leaving a gap of \$136,791.00.

Project Budget	
Landscape Installation	\$133,691.00
Redesign Existing Irrigation	\$10,500.00
Site Work	\$29,000.00
Concrete Sidewalks	\$65,000.00

Fencing and Erosion Control	<u>\$63,000.00</u>
<b>Total</b>	<b>\$281,491.00</b>

The park will continue to be owned by the City of San Antonio; however, maintenance of the public improvements in the dog park will be the responsibility of the San Antonio Parks Foundation with the exception of those public improvements that are dedicated to the City upon completion. The San Antonio Parks Foundation will be required to meet all applicable codes and Ordinances and will be responsible for providing a standard one-year extended warranty for all street or drainage improvements.

#### **ALTERNATIVES:**

City Council could decide not to authorize the proposed funding. This could jeopardize the success of the project and hurt the SAPFs ability to raise the remaining funds. This would also prevent the City from utilizing an existing asset that is currently not being used to its full potential.

#### **FISCAL IMPACT:**

Funding for the proposed Maverick Dog Park is from the Midtown TIRZ fund in an amount of \$50,000. This ordinance will not have any impact on the City's General Fund.

#### **RECOMMENDATION:**

Staff recommends approval of an ordinance authorizing the execution of a Development Agreement between the City of San Antonio, the Midtown TIRZ Board of Directors, and the San Antonio Parks Foundation granting up to \$50,000 from the Midtown Tax Increment Reinvestment Zone #31 fund to support the Maverick Dog Park, and authorize the execution of a Right of Entry Agreement between the City and San Antonio Parks Foundation giving the San Antonio Parks Foundation permission to enter the park to perform the work as described in the Development Agreement.