RR
06/19/14
Item No. 17A

AN ORDINANCE 2014-06-19-0455

DECLARING SURPLUS CITY-OWNED PROPERTY LOCATED AT 307 DWYER ST. AND AUTHORIZING ITS CONVEYANCE TO THE SAN ANTONIO HOUSING TRUST PUBLIC FACILITY CORPORATION UNDER A NEGOTIATED FUNDING AGREEMENT TO RECEIVE AN AMOUNT NOT LESS THAN $100,000.00 ANNUALLY THAT WILL BE USED FIRST TO SATISFY ANY GRANT OBLIGATIONS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, THEN TO SUPPORT HAVEN FOR HOPE AS PART OF THE DWYER ST. PROJECT IN CITY COUNCIL DISTRICT 1.

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WHEREAS, in 2010, the City-owned property located at 307 Dwyer St., San Antonio, TX 78205 (the "Dwyer Property") served as the Dwyer Avenue Center for Transitional Housing; and

WHEREAS, upon a transfer of services from the Dwyer Property to the Haven for Hope facility, 1 Haven For Hope Way, San Antonio, TX 78207 ("Haven For Hope"), the City established the Haven for Hope Fund to create an endowment for the continued operations of Haven for Hope; and

WHEREAS, in December 2013, the City issued a Request for Proposal ("RFP") in accordance with Chapter 2267 of the Texas Government Code and the City's adopted P3 Guidelines to solicit the development of the Dwyer Property; and

WHEREAS, in response to the RFP, Landbridge Partners (the "Developer") submitted a mixed-use development plan that included both the Dwyer Property and adjacent Heritage Plaza property which would consist of 272 housing units, approximately 50,197 square feet of commercial space, and 450 parking spaces (the "Project"); and

WHEREAS, in accordance with Texas Local Government Code §253.010(a)(1), the City may provide for the manner in which any land acquired by the municipality may be sold if the land is sold to a nonprofit organization that develops housing for low-income individuals and families as a primary activity to promote community-based revitalization of the municipality; and

WHEREAS, in accordance with Texas Local Government Code §253.010(b), the City may by ordinance determine the individuals and families who qualify as low-income individuals and families under Subsection (a)(1) and in adopting an ordinance under §253.010, shall consider median income of individuals and median family income in the area; and

WHEREAS, the City desires to add an affordable housing component to the Project, and the Developer is there proposing to partner with the San Antonio Housing Trust Public Facility Corporation ("SAHT PFC"), a non-profit organization, that meets the criteria of Texas Local Government Code §253.010(a)(1), for the purpose of ensuring that fifty-percent (50%) of the

housing units are leased to households at or below eighty-percent (80%) of the Area Median Income, which is approximately $47,000.00; and

WHEREAS, in consideration for the conveyance of the Dwyer Property, SAHT PFC will partner with the Developer to undertake the Project and will provide an annual payment through a Funding Agreement with the City to the Haven for Hope Fund in an amount of not less than $100,000.00 per year for 20 years, or 5% of the Project's cash-flow, whichever is greater; **NOW THEREFORE:**

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

SECTION 1. The City Council approves the conveyance of 307 Dwyer St., San Antonio, TX 78205 to the San Antonio Housing Trust Public Facility Corporation under the terms and conditions of a Funding Agreement providing for an annual payment in the annual amount of $100,000.00 for a term of twenty (20) years or 5% of the Project's cash flow, whichever is greater, to support Haven for Hope as part of the Dwyer St. Project in City Council District 1.

SECTION 2. The City Manager or her designee is authorized to execute a conveyance document and Funding Agreement with the San Antonio Housing Trust Public Facilities Corporation in accordance with the terms and conditions of this Ordinance. The final agreement shall be filed with this Ordinance upon execution.

SECTION 3. The revenue received from the PFC will be deposited in the Haven For Hope Fund after any remaining grant requirements have been satisfied. Repayable funding will be deducted from the PFC proceeds and any remaining amount will be deposited into the Haven for Hope Fund.

SECTION 4. Funds in the amount of $22,581.00 generated by this Ordinance will be deposited into Fund 28039000, Internal Order 131000002292 and General Ledger 4903101.

SECTION 5. Remaining funds generated by this Ordinance will be deposited into Fund 29649000, Internal Order 238000000077 and General Ledger 4903101.

SECTION 6. In addition, the City may be required to repay HUD a pro rata share not to exceed $50,000.00 in the event that the City's request for HUD to forgive a Transitional Housing grant is denied.

SECTION 7. The disposition of surplus property shall be coordinated through the City's Finance Department to assure the removal of these assets from the City's financial records and to record the proper accounting transactions.

SECTION 8. 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 9. This Ordinance shall become effective immediately upon its passage by eight (8) votes or more and upon ten (10) days following its passage if approved by fewer than eight (8) votes.

PASSED AND APPROVED this 19th day of June, 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Robert F. Greenblum, City Attorney

Agenda Item:	**17A (in consent vote: 17A, 17B)**
Date:	06/19/2014
Time:	10:33:55 AM
Vote Type:	Motion to Approve
Description:	An ordinance declaring surplus City-owned property located at 307 Dwyer St. and authorizing its conveyance to the San Antonio Housing Trust Public Facility Corporation under a negotiated Funding Agreement in the amount of not less than $100,000.00, that will be used to first satisfy any grant obligations from the U.S. Department of Housing and Urban Development, and then will be used to support Haven for Hope, as part of the Dwyer St. Project in City Council District 1.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor				x		
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x			x	
Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				