

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

**ORDINANCE**

**APPROVING A DEVELOPMENT AGREEMENT WITH WESTON URBAN, LLC IN AN AMOUNT NOT TO EXCEED \$225,000.00 FOR ELIGIBLE PUBLIC IMPROVEMENTS FOR THE WESTON URBAN OPEN SPACE/PINKERTON'S BBQ PROJECT LOCATED AT 107 W. HOUSTON STREET, IN CITY COUNCIL DISTRICT ONE AND WITHIN THE HOUSTON STREET TAX INCREMENT REINVESTMENT ZONE #9.**

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**WHEREAS**, the City of San Antonio ("City") and the Westside TIRZ Board of Directors ("Board") support projects which allow for economic development within its boundaries; and

**WHEREAS**, in November 2019, Weston Urban, LLC ("Developer") applied for funding from the City's Tax Increment Financing ("TIF") Program in order to undertake the oversight and delivery of the Weston Urban Open Space/Pinkerton's BBQ Project located at 107 W. Houston Street, San Antonio, Texas, in City Council District 1, and within the boundary of the Houston Street TIRZ; and

**WHEREAS**, the Weston Urban Open Space/Pinkerton's BBQ Project will include the redevelopment of 1.1536 acres of land formerly referred to as Frost Park into a landscaped open space with pedestrian pathways, a promenade, pergola structures, seating areas and 5,818 square feet in retail space. The northern portion of the site will contain a pit barbecue restaurant with a large outdoor covered patio; and

**WHEREAS**, the total development cost for the Weston Urban Open Space/Pinkerton's BBQ Project is approximately \$6.4 million; 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**, on December 18, 2019, the Board adopted a resolution approving a Development Agreement with Weston Urban, LLC in an amount not to exceed \$225,000.00 from the Westside TIRZ funds to reimburse Weston Urban, LLC for public improvements and/or public infrastructure requirements related to new sidewalks, an ADA ramp, landscaping, park furniture and infrastructure upgrades; and

**WHEREAS**, it is now necessary for the City Council to approve a Development Agreement with Weston Urban, LLC. **NOW THEREFORE:**

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

**SECTION 1.** The terms and conditions of a Development Agreement with Weston Urban, LLC are hereby approved. A copy of the agreement, in substantially final form, is attached to this Ordinance as **Exhibit A**.

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

**SECTION 3.** TIF Unit staff is authorized to amend the Houston Street TIRZ Project and Finance Plan to include this Project.

**SECTION 4. *RESERVED FOR FINANCIAL 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 upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage.

**PASSED AND APPROVED** this 30<sup>th</sup> day of January, 2020.

**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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