

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

**AN ORDINANCE**

**APPROVING AMENDMENTS TO THE MASTER ECONOMIC  
INCENTIVE AGREEMENT AMONG THE CITY OF SAN ANTONIO,  
TAX INCREMENT REINVESTMENT ZONE #11 AND ALAMO BEER  
L.L.C.**

\* \* \* \* \*

**WHEREAS**, on August 2, 2012, the City Council passed City Ordinance No. 2012-08-02-0568 approving a Master Economic Incentive Agreement (the “Agreement”) with Alamo Beer Company LLC (“Alamo Beer”) that included the conveyance of City-owned real property located at 803 N. Cherry St.; and

**WHEREAS**, following passage of the ordinance, litigation ensued which has delayed the conveyance of the City-owned property; and

**WHEREAS**, due to the delay, Alamo Beer revised its plans to construct and operate a micro-brewery facility on the City-owned property and, instead, has commenced construction of the facility on its own property located at 415 Burnett; and

**WHEREAS**, Alamo Beer intends to meet the terms and conditions of the Agreement which include: (1) the constructing, establishing and operating a microbrewery and its associated office functions, (2) establishing a restaurant/beer garden; (3) establishing an indoor/outdoor event venue; and (4) establishing an outdoor activity area to be used in conjunction with activities from the microbrewery (the “Project”); and

**WHEREAS**, in addition to the Project requirements previously agreed to, Alamo Beer has agreed to: (1) prohibit the construction of a hotel on the City-owned property; (2) provide a height limitation of five stories on structures built on the City-owned property; and (3) undertake additional landscaping improvements; and

**WHEREAS**, as a result of the delay of conveyance of City-owned property to Alamo Beer and the relocation of the brewery site, additional amendments, including extending the completion date of the Project and amending the permitted uses in the associated License Agreements, are necessary; **NOW THEREFORE**:

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

**SECTION 1.** Amendments to the Master Economic Incentive Agreement among the City of San Antonio, Tax Increment Reinvestment Zone #11 and Alamo Beer L.L.C. as described above, are hereby approved.

**SECTION 2.** The City Manager or her designee is authorized to execute a document amending the Master Economic Incentive Agreement and associated License Agreements in accordance with this Ordinance. A copy of the amendments, in substantially final form, is attached to this Ordinance as "Exhibit A," "Exhibit B," "Exhibit C" and "Exhibit D." The final amendments shall be filed with this Ordinance upon execution.

**SECTION 3.** This Ordinance shall be effective immediately upon its passage by eight (8) votes or after the 10<sup>th</sup> day after its passage by less than eight (8) affirmative votes.

PASSED AND APPROVED this \_\_\_\_ day of December, 2014.

**M A Y O R**  
**Ivy Taylor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek  
City Clerk

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Martha G. Sepeda  
Acting City Attorney