

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

AN ORDINANCE

**APPROVING THE TERMS AND CONDITIONS OF A TAX
ABATEMENT AGREEMENT BY BEXAR COUNTY IN AN AMOUNT
NOT TO EXCEED \$357,000.00 FOR THE BREWERY SOUTH, LLC
PROJECT LOCATED IN COUNCIL DISTRICT 1 AND WITHIN THE
MIDTOWN TAX INCREMENT REINVESTMENT ZONE BOUNDARY.**

* * * * *

WHEREAS, in accordance with the Tax Increment Financing Act, Chapter 311, Section 311.0125(b) of the Texas Tax Code (the “TIF Act”), the City of San Antonio and the Midtown Tax Increment Reinvestment Zone (“TIRZ”) Board of Directors must approve any tax abatements within the TIRZ boundary; and

WHEREAS, Brewery South, LLC is proposing to construct a 223 unit multifamily apartment complex with subsurface parking garage improvements (the “Brewery South Project”) at 226 Newell Avenue which is located within the boundary of the Midtown TIRZ; and

WHEREAS, the total development cost of the Brewery South Project is approximately \$40 million which includes costs of construction, bike lanes, pavement, and sidewalk improvements; and

WHEREAS, the Midtown TIRZ is not participating as a funder for the Brewery South Project; and

WHEREAS, Bexar County is offering the developer, Brewery South, LLC, a ten year, 40% abatement of County taxes assessed on the Brewery South Project in an amount not to exceed \$357,000.00; and

WHEREAS, on September 8, 2017, the Midtown TIRZ Board considered and approved the proposed tax abatement and the approval of City Council is now required and recommended;
NOW THEREFORE,

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

SECTION 1. City Council hereby approves the proposed Bexar County tax abatement within the Midtown TIRZ.

SECTION 2. The approval of the tax abatement is conditioned on the terms of the agreement as they were presented by Bexar County, namely, a 10 year, 40% abatement of County taxes in an amount not to exceed \$357,000.00 for the developer, Brewery South, LLC, on a 223 unit

multifamily apartment complex with subsurface parking garage improvements to be constructed at 226 Newell Avenue.

SECTION 3. Approval of the Bexar County tax abatement has no fiscal impact as the City is the only participating taxing entity in the Midtown TIRZ. Therefore, the Bexar County tax abatement will have no fiscal impact on the City's general fund or the Midtown TIRZ fund.

SECTION 4. This Ordinance shall become effective immediately upon its passage by eight affirmative votes; otherwise it shall become effective on the tenth day after passage thereof.

PASSED and APPROVED this 12th day of October, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney