

## ORDINANCE

### **APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, THE INNER CITY TAX INCREMENT REINVESTMENT ZONE (TIRZ) NUMBER ELEVEN BOARD OF DIRECTORS AND COMMERCE STREET KITCHEN, LLC IN AN AMOUNT UP TO \$142,331.00 FOR ROYAL BLUE GROCERY ON COMMERCE PROJECT, LOCATED AT 1431 E. COMMERCE STREET AND WITHIN CITY COUNCIL DISTRICT 2.**

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**WHEREAS**, in accordance with the Tax Increment Financing Act (the “Act”), Chapter 311 of the Texas Tax Code, the City of San Antonio through Council Ordinance No. 93101, established Tax Increment Reinvestment Zone Number Eleven, known as the Inner City TIRZ, and a Board of Directors (“Board”) authorized with all the rights, powers, and duties provided by the Act, in order to promote development and revitalization activities within the TIRZ; and

**WHEREAS**, on March 25, 2024, Commerce Street Kitchen, LLC submitted a proposal request for TIF funding in the amount of One Hundred Forty-Two Thousand Three Hundred Thirty-One Dollars and No Cents (\$142,331.00) for the Royal Blue Grocery Project at 1431 E. Commerce St., San Antonio, TX 78205; and

**WHEREAS**, the proposed funding will be utilized for public infrastructure and public improvement costs, including the design, construction, installation, and implementation of ADA compliant sidewalks, ramps, curbs, and improvements to the parking area; and

**WHEREAS**, on September 12, 2024, through Resolution T11 2024-09-12-01R, the Board approved the execution of a Development Agreement for the Royal Blue Grocery Project in a cumulative amount not to exceed \$142,331.00; and

**WHEREAS**, it is now necessary for the City Council to approve the Development Agreement between the City, the Board and Commerce Street Kitchen, LLC for the Royal Blue Grocery Project. **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 by and between the City of San Antonio, the Board of Directors of Tax Increment Reinvestment Zone #11 and Commerce Street Kitchen, 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 authorized to execute this Development Agreement, which has been incorporated into this Ordinance for all purposes.

**SECTION 3.** TIF Division staff is hereby authorized to amend the Inner City TIRZ Project and Finance Plans to include this Project.

**SECTION 4.** Funding for any projects through the Inner City TIRZ will be paid from Fund 29086006, Cost Center 703280001 and General Ledger 5201040. Total funding should not exceed \$142,331.00 for the duration of this agreement.

**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 is effective immediately upon passage by eight affirmative votes; otherwise, it is effective on the tenth day after passage.

**PASSED AND APPROVED** this 17th day of October, 2024.

**M     A     Y     O     R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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**Debbie Racca-Sittre, City Clerk**

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**Andrew Segovia, City Attorney**

TR  
10/17/24  
Item No. 24-202867

# Exhibit A