

**ORDINANCE**

**APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE INNER CITY TIRZ, THE CITY OF SAN ANTONIO, AND CRUISING KITCHENS, LLC FOR AN AMOUNT NOT TO EXCEED \$400,000 FOR THE CRUISING KITCHENS AT 314 NOLAN PROJECT, LOCATED AT 314 NOLAN STREET. FUNDING IS FROM THE TAX INCREMENT PRODUCED BY THE INNER CITY TIRZ.**

\* \* \* \* \*

**WHEREAS**, in accordance with the Tax Increment Financing Act (the “Act”), Chapter 311 of the Texas Tax Code, the City 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 TIRZ; and

**WHEREAS**, the City and Board recognizes the importance of their continued role in economic development, community development and urban design; and

**WHEREAS**, in January 2022, Cruising Kitchens, LLC applied for funding from the City’s Tax Increment Financing (“TIF”) Program for renovation and adaptive reuse of an existing industrial warehouse for commercial and office use, one affordable housing unit, and public improvements within approximately 3.8406 acres of land located at 314 Nolan St. and 520 Chestnut St., San Antonio, Texas, in City Council District 2, and within the boundary of the Inner City TIRZ; and

**WHEREAS**, the proposed funding will be utilized for public infrastructure and public improvement costs to complete the Cruising Kitchens Mixed Use Project; and

**WHEREAS**, staff recommended funding to Cruising Kitchens, LLC for up to Four Hundred Thousand Dollars and No Cents (\$400,000.00) in reimbursable TIF funds from the Inner City TIRZ to make the necessary public improvements and/or public infrastructure requirements related to the Cruising Kitchens Mixed Use Project; 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 September 19, 2022, the Inner City TIRZ board approved a Resolution authorizing a Development Agreement between the Inner City TIRZ Board of Directors and Cruising Kitchens, LLC for an amount up to Four Hundred Thousand Dollars and No Cents (\$400,000.00) in reimbursable TIF funds from the Inner City TIRZ for the Cruising Kitchens Mixed Use Project; and

**WHEREAS**, it is now necessary for the City Council to approve the Development Agreement between Cruising Kitchens, LLC and the Board for the Cruising Kitchens Mixed Use 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 Cruising Kitchens, LLC and the Board of Directors of Tax Increment Reinvestment Zone #11, in substantially final form as attached hereto as **Exhibit A**, are hereby approved.

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

**SECTION 3.** TIF Department 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 29086007, Cost Center 703290001 and General Ledger 5201040. Total funding should not exceed \$400,000.00 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 \_\_\_ day of September, 2022.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debbie Racca-Sittre, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

TR  
11/14/2022  
Item No. 22-187244

# **Exhibit A**