

The Historic Bridge Give-Away

Is this the City We Deserve?

by Amy Kastely

Unless Mayor Nirenberg and the City Council act quickly, the now-iconic view of the Historic Hays Street Bridge—the one we have seen countless times on television and social media—will be reserved for the exclusive enjoyment of people living in the upscale “Bridge Apartments” at 803 N. Cherry. Soon thereafter, the Bridge itself will be dominated by a private skywalk leading to a restaurant closed to all but affluent diners. *This transformation of the Bridge from public to private will be a result of the back-room favoritism and greed that has been business as usual in San Antonio and has recently made headlines for the Tri-Centennial Commission and Centro San Antonio.*

The long struggle over the City’s breach of contract with the Hays Street Bridge Restoration Group is just part of this sad story. The most shocking parts have not yet been reported. But I’m jumping ahead in the story.

On August 2, 2012, Council approved a very sweet sweetheart deal for Eugene Simor, the owner of Alamo Beer and widely-known to be a close personal friend to the former Mayor. Trey Jacobson, former Assistant to Mayor Hardberger and current Chief of Staff for Mayor Nirenberg, represented Alamo Beer in negotiations with the City. The deal provided that 803 N. Cherry would be “sold” to Alamo Beer for \$295,000. Alamo Beer also would be given a cash grant in the amount of \$295,000, “to be funded from the sale of 8093 N. Cherry.” In the real world, this is called a give-away. In addition, Alamo Beer would be given three ten-year licenses to build a skywalk to the Bridge, to put a private restaurant on the Bridge, and to use the land under the Bridge. For these, Alamo Beer would pay nothing. To cap the deal, Alamo Beer would be given an additional \$499,000 of public money.

In July of 2014, a jury found that the Alamo Beer give-away breached the City’s 2002 contract with the Hays Street Bridge Restoration Group. In September 2014, Judge Canales entered judgment against the City on the breach of contract claim and ordered that the City comply with the terms of the 2002 agreement. Nevertheless, on December 4, 2014, City staff told City Council to reinstate the 2012 Alamo Beer Package, including 803 N. Cherry, because the land was still needed by the Alamo Beer Company “for parking and ancillary facilities associated with the brewery operations.” Yet later that same day, an Assistant City Manager signed a deed transferring the land at 803 N. Cherry not to the Alamo Beer Company, as the City Council had been told earlier that day and as Council authorized, but to the Simor Texas Land Company L.L.C., a private company personally owned by Eugene Simor! When asked about this, one City official remarked that the Simor Texas Land Company is “affiliated” with the Alamo Beer Company so the transfer was proper. This is ridiculous. These entities are “affiliated” like a corporation and an officer’s personal bank account!

On December 18, 2014, the Restoration Group filed a Motion for Contempt in the District Court based on the City Council’s reinstatement of the Alamo Beer Package; later that day, the City filed an appeal from the District Court’s Judgment and Order. The Motion for Contempt is still pending in the District Court, awaiting further proceedings in the Texas Supreme Court.

This history reveals callous manipulation of City Council, favoritism, and public handouts to satisfy personal greed. Is this the City We Deserve?

Amy Kastely is the attorney representing the Hays Street Bridge Restoration Group. | *This article was previously published in the San Antonio Express-News on Dec. 5, 2017.*