

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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH EASTSIDE CHRISTIAN ACTION GROUP FOR THE CONTINUED OPERATION, MAINTENANCE AND USE OF THE WHEATLEY HEIGHTS SPORTS COMPLEX, LOCATED IN MARTIN LUTHER KING PARK AND THE WHEATLEY HEIGHTS FLOOD BUYOUT PROPERTY IN COUNCIL DISTRICT 2 FOR FIVE (5) YEARS, BEGINNING ON THE DATE OF EXECUTION WITH UP TO TWO (2) ADDITIONAL FIVE (5) YEAR RENEWAL OPTIONS, SUBJECT TO THE APPROVAL OF CITY COUNCIL FOR A TOTAL MAXIMUM TERM OF FIFTEEN (15) YEARS; NO CITY FUNDS ARE ASSOCIATED WITH THIS ACTION.

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WHEREAS, in 2008, voters approved a Bexar County Venue Tax Program (BCVTP) that provided funding for various amateur sports organizations to develop or expand sports complexes to serve local teams and enhance tourism; and

WHEREAS, Eastside Christian Action Group (ECAG) was selected by Bexar County to receive \$7,500,000.00 from the venue tax for the development of a sports complex; and

WHEREAS, pursuant to Ordinance 2009-06-18-0532, ECAG entered into a License Agreement with the City to develop, operate and maintain the Wheatley Heights Sports Complex (WHSC) which is located on approximately 170 acres in Martin Luther King Park and in the Wheatley Heights area; and

WHEREAS, since the execution of the initial License Agreement, ECAG has added amenities including a football field, an eight lane running track, stadium seating, and a parking lot located at the northern area of Martin Luther King Park; and

WHEREAS, under a new, managing consortium established by ECAG at the facility with George Gervin Youth Center and Standard of Athletics, over 107,000 people attended approximately 160 events at the stadium complex from June 2015 through June 2016; and

WHEREAS, in lieu of rental fees, ECAG will operate and continue to maintain the licensed premises and they will bear financial responsibility for any improvements during the term of this License Agreement; **NOW THEREFORE:**

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

SECTION 1. The City Manager or her designee, or the Director of the Department of Parks and Recreation or his designee, is authorized to execute a License Agreement with Eastside Christian Action Group for the continued operation, maintenance and use of the Wheatley Heights Sports Complex located in Martin Luther King Park and the Wheatley Heights flood buyout property in Council District 2 for five (5) years, beginning on the date of execution with up to two (2) additional five (5) year renewal options, subject to the approval of the City Council for a total maximum term of fifteen (15) years. A copy of the license agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 3. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this ____ day of _____

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

City Attorney