

ORDINANCE 2019-06-13-0502

AUTHORIZING AMENDMENT NUMBER 4 TO THE SOFTBALL LEASE AND MANAGEMENT AGREEMENT WITH THE SAN ANTONIO AMATEUR SOFTBALL ASSOCIATION TO EXTEND THE TERM OF THE AGREEMENT THROUGH JUNE 30, 2022, AND REMOVE THE LICENSED AREA AT SAN PEDRO SPRINGS PARK KNOWN AS KOGER STOKES SOFTBALL COMPLEX.

* * * * *

WHEREAS, the San Antonio Amateur Softball Association (USA Softball San Antonio) is a non-profit organization established in 1959 and the local affiliate of USA Softball; and

WHEREAS, the City and USA Softball San Antonio entered into an agreement on May 31, 2012 (Agreement), under which USA Softball San Antonio provides for the management, operations, and maintenance of the City's Class A softball complexes and adult softball program; and

WHEREAS, the initial term of the Agreement was seven years beginning July 1, 2012, and ending June 30, 2019, with one three-year renewal term; and

WHEREAS, the complexes are Kennedy Softball Complex in Kennedy Park, Koger Stokes Softball Complex in San Pedro Springs Park and Alva Jo Fischer Softball Complex in Lady Bird Johnson Park; and

WHEREAS, the City and USA Softball San Antonio entered into Amendment No. 1 on September 20, 2012, to allow for administrative corrections and to allow USA Softball San Antonio to enter into sponsorship agreements; and

WHEREAS, the City and USA Softball San Antonio entered into Amendment No. 2 on November 21, 2013, to incorporate food and beverage concessions functions into the existing agreement; and

WHEREAS, the City and USA Softball San Antonio entered into Amendment No. 3 to transfer the City's Youth Softball Program to USA Softball San Antonio; and

WHEREAS, Amendment No. 4 shall commence on July 1, 2019, and expire June 30, 2022; and

WHEREAS, Amendment No. 4 will remove the licensed area at San Pedro Springs Park known as Koger Stokes Softball Complex; and

WHEREAS, in lieu of rent, USA Softball San Antonio shall be responsible for operations and maintenance of the Kennedy Softball Complex and Alva Jo Fischer Softball Complex; and

WHEREAS, USA Softball San Antonio will be permitted to operate concessions with proceeds benefitting USA Softball San Antonio and offsetting the cost of operations and maintenance; and

WHEREAS, all other terms and conditions of the Agreement will remain in effect; **NOW THEREFORE**:

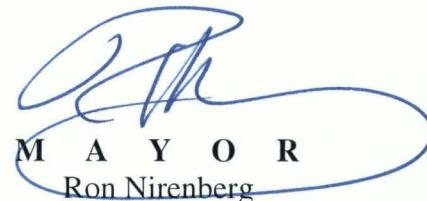
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee or the Director of the Parks and Recreation Department or his designee, is authorized to execute Amendment No. 4 of the Softball Lease and Management Agreement with the San Antonio Amateur Softball Association to extend the Agreement through June 30, 2022, and remove the licensed area at San Pedro Springs Park known as Koger Stokes Softball Complex. A copy of the amendment is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. There is no fiscal impact associated with this Ordinance.

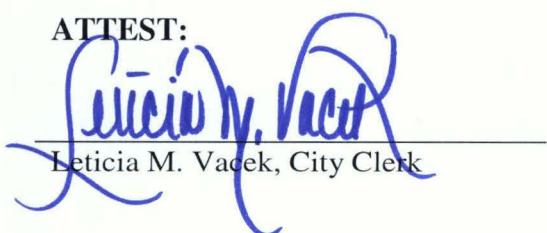
SECTION 3. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 13th day of June, 2019.



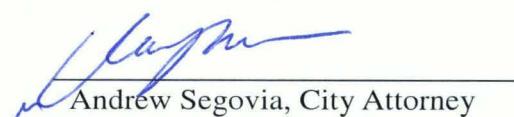
M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	26 (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21A, 21B, 22, 24, 25, 26, 27, 30, 31, 32, 33, 34, 35, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 48, 50, 51A, 51B, 52)
Date:	06/13/2019
Time:	10:10:52 AM
Vote Type:	Motion to Approve
Description:	Ordinance extending the term of the Softball Lease and Management Agreement with the San Antonio Amateur Softball Association for the management, operations and maintenance of designated softball complexes until June 30, 2022. There is no fiscal impact associated with this ordinance. [Colleen Bridger, MPH, PhD, Interim Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x			x	
Art A. Hall	District 2		x				
Rebecca Viagran	District 3		x				x
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

SW/ah
6/13/19
Item #26

ATTACHMENT I

**SOFTBALL LEASE AND MANAGEMENT AGREEMENT
SAN ANTONIO AMATEUR SOFTBALL ASSOCIATION
AMENDMENT #4**

This Amendment No.4 ("Amendment") to the Softball Lease and Management Agreement ("Agreement") is by and between the City of San Antonio, a Texas municipal corporation ("City"), acting by and through its City Manager or his designee, pursuant to Ordinance No. _____ passed and approved on _____, 2019, and San Antonio Amateur Softball Association, Inc. d.b.a USA Softball of San Antonio, a Texas non-profit organization ("Lessee").

WHEREAS, pursuant to Ordinance No. 2012-05-31-0393, passed and approved on May 31, 2012 City and Lessee entered into a Softball Lease and Management Agreement for Alva Jo Fischer, Kennedy Park and Koger Stokes Softball Complexes; and

WHEREAS, pursuant to Ordinance No. 2012-09-20-0750, passed and approved on September 20, 2012 City and Lessee approved Amendment No.1 to the Softball Lease and Management Agreement to facilitate administrative corrections; and

WHEREAS, pursuant to Ordinance No. 2013-11-21-0812, passed and approved on November 21, 2013 City and Lessee approved Amendment No.2 to the Softball Lease and Management Agreement to incorporate food and beverage concessions and implement other minor contract changes; and

WHEREAS, pursuant to Ordinance No. 2014-09-18-0690, passed and approved on September 18, 2014 City and Lessee approved Amendment No.3 to the Softball Lease and Management Agreement to transfer the City's Youth Softball program to Lessee; and

WHEREAS, City and Lessee now mutually desire to enter into Amendment No. 4 to modify the description of the licensed Premises and to exercise the extension option for an additional three (3) year term, beginning on July 1, 2019 and expiring June 30, 2022; and

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth below, City and Lessee agree as follows:

ARTICLE 2. PREMISES IS MODIFIED AS FOLLOWS:

Paragraph 2.4 is hereby added as follows:

2.4 This Amendment #4 removes the complex at San Pedro Springs Park for use under this License Agreement.

ARTICLE 3. TERM IS MODIFIED AS FOLLOWS:

Paragraph 3.3 is added as follows:

3.3 The extension option of this Agreement for a term of three (3) years beginning on July 1, 2019 and expiring on June 30, 2022, if not earlier terminated according to the terms hereof, is hereby exercised.

Except as modified herein, all terms and conditions contained in the Agreement entered into under the authority of the above referenced ordinances shall remain in full force and effect.

EXECUTED on this _____ day of _____, 2019.

CITY:

City of San Antonio, a Texas
Municipal Corporation

By:

Xavier D. Urrutia, Parks and Recreation Director

LESSEE:

San Antonio Amateur Softball Association

By:

Trey Roberts, President

Attest: _____
City Clerk

Approved as to Form: _____