

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

AN ORDINANCE

AUTHORIZING A LEASE AGREEMENT WITH THE BRACKENRIDGE PARK CONSERVANCY FOR THREE (3) YEARS, BEGINNING ON SEPTEMBER 1, 2015, AND ENDING ON SEPTEMBER 30, 2018, WITH THE OPTION TO EXERCISE TWO (2), ONE-YEAR ADMINISTRATIVE RENEWAL PERIODS FOR THE USE OF THE FORMER RESERVATION BUILDING AT BRACKENRIDGE PARK FOR THE PURPOSE OF OPERATIONAL AND MEETING SPACE FOR ADMINISTRATIVE OPERATIONS.

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WHEREAS, the Brackenridge Park Conservancy (BPC) was established in 2009 to serve as a steward and an advocate for the park to preserve and enhance the park's historical and recreational resources for the enjoyment of current and future generations; and

WHEREAS, in August, 2009, City Council approved a Lease with BPC for an office space within the former park reservation building without rental fees, which was subsequently renewed through August 31, 2015; and

WHEREAS, Council also approved a Memorandum of Understanding (MOU) in 2009 to acknowledge the BPC's advisory function regarding the development of Brackenridge Park and the fund raising and stewardship role BPC serves for the park; and

WHEREAS, the MOU was renewed through August 31, 2016; and

WHEREAS, in addition to educational programs and tours established in the park, the BPC has provided a total amount of \$37,600.00 for improvements to the park since 2009; and

WHEREAS, currently, the City is not utilizing the former park reservation building and the BPC has expressed a desire to renovate and use the entire interior of the building for BPC's operational and administrative purposes; and

WHEREAS, therefore, the City and BPC desire to combine the features of the MOU and the expiring Lease Agreement into a new Lease Agreement for the entire interior of the former park reservation building without incurring rental fees, for a term of three (3) years with two (2) one-year renewal periods, and align the term with the City's Fiscal Year; and

WHEREAS, the current Lease Agreement terminates on August 31, 2015, and the proposed new Lease Agreement will maintain BPC's presence at Brackenridge Park through September 30, 2018, with the option to extend the lease for two (2) additional one-year terms; and

WHEREAS, in lieu of rent, BPC will make significant renovations to the premises and will continue to operate and provide input on the development of the park and the Master Plan and will serve as one of the forums for the exchange of ideas regarding capital improvement of the park. BPC will have the right to apply for grants for funding of capital improvements, programming, educational programs, and other benefits appropriate to the enhancement and use of the Park, subject to City approval; **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 Parks and Recreation Department or his designee, is authorized to execute a Lease Agreement with the Brackenridge Park Conservancy for three (3) years, beginning on September 1, 2015, and ending on September 30, 2018, with the option to exercise two (2), one-year administrative renewal periods for the use of the former reservation building at Brackenridge Park for the purpose of operational and meeting space for administrative operations. A copy of the lease agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 226000000000 and General Ledger 4407720.

SECTION 3. 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 4. 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

Martha G. Sepeda, Acting City Attorney