

**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 AMENDMENT NO. 1 TO THE JOINT PARTICIPATION AND USE LICENSE AGREEMENT WITH THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT EXTENDING THE DISTRICT'S USE OF THE SAN ANTONIO NATATORIUM LOCATED AT 1430 W. CÉSAR CHÁVEZ IN COUNCIL DISTRICT 5 FOR A TERM OF FIVE (5) YEARS WITH ONE (1) ADDITIONAL ADMINISTRATIVE RENEWAL OPTION.**

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**WHEREAS**, in November 1978, the City of San Antonio and the San Antonio Independent School District (District) identified school-owned property which was suitable for the construction of a community swimming pool (Natatorium) in the neighborhood served by Lanier High School; and

**WHEREAS**, following the District's conveyance of property to the City in July 1979, the City proceeded with construction of the Natatorium using Community Development Block Grant (CDBG) Funds and construction was completed in 1981; and

**WHEREAS**, the parties executed a Joint Participation and Use License Agreement (Agreement) for a term of twenty-five (25) years in which the City would construct, maintain and operate the Natatorium and provide recreational aquatic opportunities to the community; and

**WHEREAS**, under the terms of this Agreement, the District's student athletes and coaching staff had scheduled use of the Natatorium during school days for swim practice and competitions without rent or fees; and

**WHEREAS**, in order to meet the needs of the District's aquatics program, the Agreement was renewed in 2006 by the parties for a term of ten (10) years, with up to two (2) additional five (5) year renewal options; and

**WHEREAS**, this Amendment No. 1 to the Agreement for the San Antonio Natatorium with the District will exercise the first five (5) year renewal option and further delineates the District's use and required staffing of the Natatorium during the school year and summer months; and

**WHEREAS**, this amendment also includes an option to administratively extend the Agreement for one (1) additional term of five (5) years; **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 Amendment No. 1 to the Joint Participation and Use License Agreement with the San Antonio Independent School District extending the District's use of the San Antonio Natatorium located at 1430 W. César Chávez in Council District 5 for a term of five (5) years with one (1) additional administrative renewal option. A copy of Amendment No. 1, 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:**

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Leticia M. Vacek, City Clerk

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Martha G. Sepeda, Acting City Attorney