

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

**ORDINANCE**

**AUTHORIZING EXTENDING A PARKING AGREEMENT WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO TO ALLOW CONTINUED USE OF 50 PARKING SPACES FOR ONE YEAR BY THE INSTITUTE OF TEXAN CULTURES. FUNDS RECEIVED FROM THIS AGREEMENT WILL BE DEPOSITED INTO THE CITY'S PARKING OPERATIONS AND MAINTENANCE FUND, IN ACCORDANCE WITH THE ADOPTED BUDGET.**

\* \* \* \* \*

**WHEREAS**, on June 6, 2013, City Council approved Ordinance 2013-06-06-0389 with the University of Texas at San Antonio, designating 50 parking spaces on City of San Antonio ("City") property for use by the Institute of Texan Cultures' ("ITC") staff and visitors seven days a week from 7 a.m. until 7 p.m. near the ITC in Hemisfair; and

**WHEREAS**, on January 29, 2015, City Council approved Ordinance 2015-01-29-0059 to designate 20 of the 50 spaces to be available 24/7, and increased the payment to the City from \$5,000.00 to \$7,997.28 annually and City Council subsequently approved four additional one-year extensions to the parking agreement ("Parking Agreement"); and

**WHEREAS**, the Parking Agreement expired January 28, 2021 and ITC has requested the agreement be extended for one year; and

**WHEREAS**, the Hemisfair Park Area Redevelopment Corporation supports the one-year extension; **NOW THEREFORE:**

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

**SECTION 1.** The City Council authorizes the City Manager or designee to execute an amendment and extension of the Parking Agreement substantially in the form as shown in **Attachment I** with ITC where ITC may continue use of fifty city-owned parking spaces for twelve months through January 28, 2022.

**SECTION 2.** Funds generated by this Ordinance will be deposited in Fund 53001000, Internal Order 219000000139, and General Ledger Account 4401180.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 4:** This Ordinance becomes effective immediately upon its passage by eight (8) votes or more and 10 days after passage upon its approval by less than eight (8) votes.

**PASSED AND APPROVED** this \_\_\_\_ day of March, 2021.

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tina J. Flores, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

**DRAFT**

**ATTACHMENT I**

**DRAFT**

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## Fifth Amendment to UTSA Parking Agreement

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**Effective Date:** \_\_\_\_\_, 20\_\_

**Authorizing Ordinance:**

**City:** City of San Antonio, a Texas municipal corporation

**City's Address:** City Clerk, 100 Military Plaza, San Antonio, Texas 78205

**UTSA:** [The University of Texas at San Antonio, an agency of the State of Texas and an institution of higher education.](#)

**UTSA's Address:** [One UTSA Circle, San Antonio, Texas 78249-0605](#)

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### Predicate Facts

UTSA operates the Institute of Texan Cultures ("ITC") and needs parking for visitors, employees, volunteers, and students.

UTSA and City entered into a Parking Agreement on February 13, 2015 pursuant to the Authorizing Ordinance relating to providing parking for the ITC.

UTSA and City entered in to a First Amendment to the Parking Agreement on November 10, 2016 pursuant to the Authorizing Ordinance relating to providing parking for the ITC, extending the Parking Agreement by twelve (12) months from January 29, 2017 until and including January 28, 2018.

UTSA and City entered in to a Second Amendment to the Parking Agreement on October 10, 2017 pursuant to the Authorizing Ordinance relating to providing parking for the ITC, extending the Parking Agreement by twelve (12) months from January 29, 2018 until and including January 28, 2019.

UTSA and City entered in to a Third Amendment to the Parking Agreement on November, 01 2019 pursuant to the Authorizing Ordinance relating to providing parking for the ITC, extending the Parking Agreement by twelve (12) months from January 29, 2019 until and including January 28, 2020.

UTSA and City entered in to a Fourth Amendment to the Parking Agreement on February 02 2020 pursuant to the Authorizing Ordinance relating to providing parking for the ITC, extending the Parking Agreement by twelve (12) months from January 29, 2020 until and including January 28, 2021.

Pursuant to the Parking Agreement, UTSA and City can extend the term if both parties agree.

The parties now wish to amend the Parking Agreement to extend the term by twelve (12) months.

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**1. Term and Termination.**

The term of the Parking Agreement is extended by twelve (12) months from January 29, 2021 until and including January 28, 2022.

In Witness Whereof, the parties have hereunto caused their representatives to set their hands.

**The University of Texas at San Antonio**

By \_\_\_\_\_  
Kathryn Funk-Baxter  
Vice President for Business Affairs

Date: \_\_\_\_\_

Approved as to content:  
Institute of Texan Cultures

By: \_\_\_\_\_  
Name:  
Title:

Attest:

\_\_\_\_\_  
City Clerk

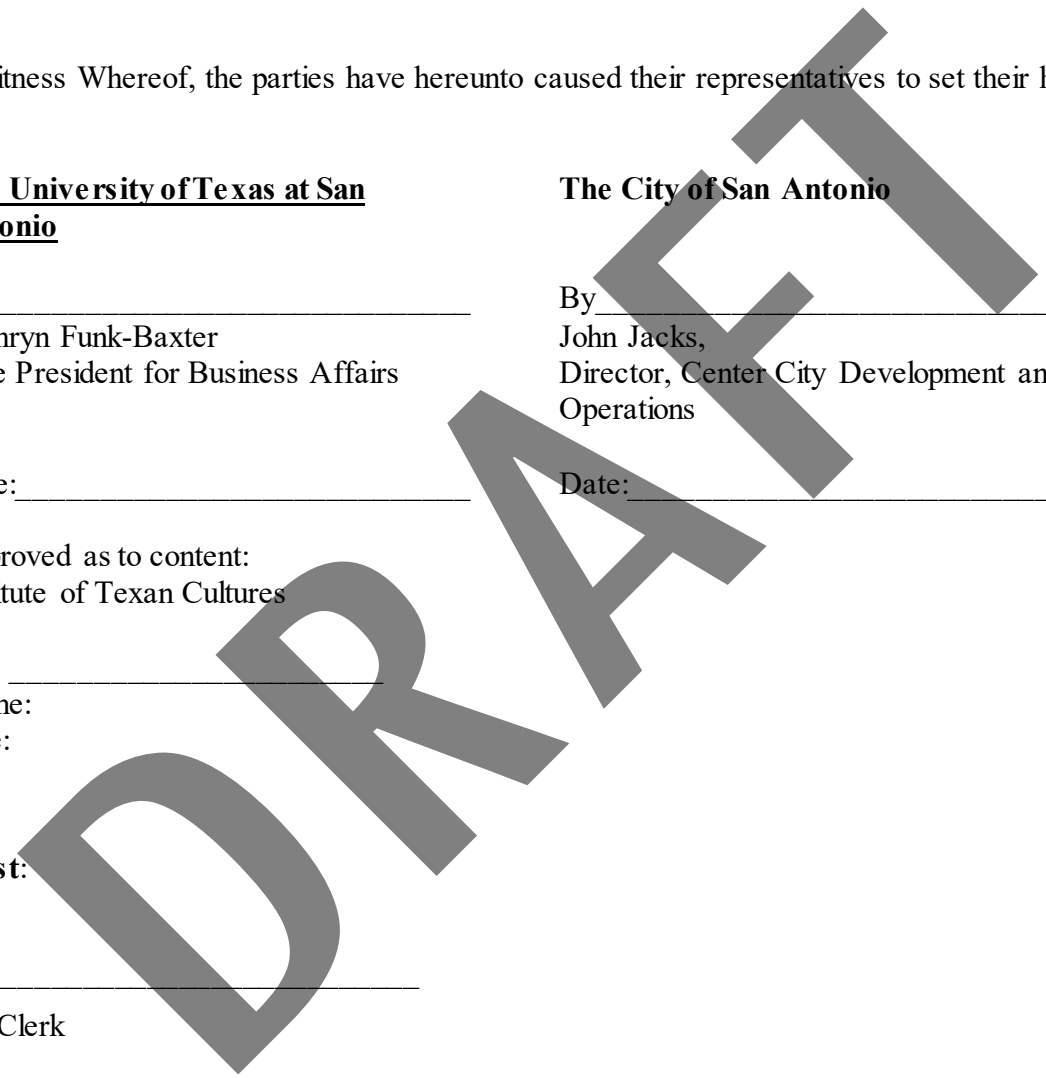
**Approved as to Form:**

\_\_\_\_\_  
City Attorney

**The City of San Antonio**

By \_\_\_\_\_  
John Jacks,  
Director, Center City Development and Operations

Date: \_\_\_\_\_



**Ordinance approving 4th Amendment; 2020-02-20-0103**

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