

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 20 YEAR RENT FREE GROUND LEASE OF AN APPROXIMATELY 1.979 ACRE PARCEL LOCATED AT 829 NOGALITOS STREET FROM THE BOYS AND GIRLS CLUBS OF SAN ANTONIO AND A 20 YEAR RENT FREE LEASE-BACK OF THE SAME PROPERTY TO THE BOYS AND GIRLS CLUBS OF SAN ANTONIO FOR THE CONSTRUCTION AND OPERATION OF A RECREATIONAL FACILITY.

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WHEREAS, on May 12, 2012, San Antonio voters approved the 2012-2017 Bond Program, consisting of five propositions totaling \$596 million; and

WHEREAS, the Bond Program funds will be used on various capital improvement projects, to address community infrastructure needs and improve the overall quality of life in San Antonio; and

WHEREAS, as part of that program, \$1,850,000.00 in Parks, Recreation and Open Space Improvements General Obligation Bond funds was approved for the development of a recreational facility in the Lone Star neighborhood; and

WHEREAS, project design is anticipated to begin in upon execution of the Funding Agreement and construction, is expected to be completed by December 2016; and

WHEREAS, in order to provide funding needed for non-City owned facilities as approved by the voters in the 2012-2017 Bond Program, the City is required to have a long-term interest in the property, therefore, a ground lease is being proposed as the means to fulfilling that requirement and will be at no cost to the City; and

WHEREAS, the Boys and Girls Clubs of San Antonio is a non-profit organization which originally opened as the Boys Club in San Antonio in 1939 on Dolorosa Street; and

WHEREAS, after over 30 years in operation, girls were invited to become members of the club in 1975 and the name was officially changed in 1991 to The Boys and Girls Clubs of San Antonio (TBGC-SA); and

WHEREAS, the mission of the TBGC-SA is to enhance the educational, social, and moral development of San Antonio's youth ages 6-18, especially those most disadvantaged by providing a fun, safe place full of age appropriate activities and opportunities; and

WHEREAS, today, TBGC-SA serves more than 8,800 Club members annually, and operates five branch locations and two project units in the City of San Antonio; and

WHEREAS, additionally, TBGC-SA operates on-site programs in 43 locations in Harlandale, Judson and San Antonio Independent School Districts; and

WHEREAS, TBGC-SA has committed to meeting these goals; **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 Transportation and Capital Improvements or his designee, is authorized to execute a 20 year rent free ground lease of an approximately 1.979 acre parcel located at 829 Nogalitos Street from the Boys and Girls Clubs of San Antonio and a 20 year rent free lease-back of the same property to the Boys and Girls Clubs of San Antonio for construction and operation of a recreational facility. A copy of the ground lease and lease back, in substantially final form, are attached hereto and incorporated herein for all purposes as **Attachment I and II**.

SECTION 2. 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