

AN ORDINANCE

AUTHORIZING THE PUBLIC FACILITY CORPORATION (“PFC”) TO ENTER INTO A SOCCER STADIUM FACILITY LEASE AGREEMENT WITH SA FC MANAGEMENT, LLC (“SA FC”) FOR A TERM OF 20 YEARS AT AN ANNUAL RENTAL AMOUNT OF \$100,000; AUTHORIZING A \$500,000 CONTRIBUTION TO THE PFC TO BE USED FOR PFC APPROVED DEFERRED MAINTENANCE AND FACILITY STANDARD UPGRADES AT TOYOTA FIELD, SUCH CONTRIBUTION BEING CONTINGENT UPON A \$1 MILLION CONTRIBUTION TOWARDS DEFERRED MAINTENANCE AND FACILITY STANDARD UPGRADES AT TOYOTA FIELD FROM SA FC AND A \$500,000 CONTRIBUTION FROM BEXAR COUNTY (“COUNTY”) FOR DEFERRED MAINTENANCE OF THE STAR SOCCER COMPLEX; APPROVING THE NEGOTIATION AND EXECUTION OF ANCILLARY DOCUMENTS NECESSARY TO LEASE TOYOTA FIELD INCLUDING A PROVISION PROVIDING REIMBURSEMENT TO CITY AND COUNTY OF A COMBINED \$5 MILLION SHOULD NO MAJOR LEAGUE SOCCER FRANCHISE BE AWARDED.

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WHEREAS, the San Antonio community has sought to attract a Major League Soccer (“MLS”) franchise to the City; and

WHEREAS, recent discussions among the City, County, Spurs Sports & Entertainment (“SS&E”) and representatives of Sports Outdoor and Recreation (SOAR) Park have resulted in a concerted effort to develop a strategy that will lead to the establishment of a MLS franchise in San Antonio; and

WHEREAS, the strategy includes the purchase of Toyota Field by the City and County through the PFC from SOAR with a contribution from SS&E and, upon acquisition, leasing Toyota Field to SA FC, a SS&E affiliate, for the operation of a minor league soccer team while SS&E pursues a MLS franchise; and

WHEREAS, the terms and conditions of an agreement for the purchase of Toyota Field from SOAR have been reached and the City Council has created the PFC to take ownership of Toyota Field; and

WHEREAS, the City Council is authorizing the PFC to enter into a 20 year Soccer Stadium Facility Lease Agreement with SA FC for the operation of Toyota Field in an effort to attract a MLS franchise; and

WHEREAS, the City Council is also authorizing a \$500,000 contribution to the PFC for deferred maintenance and facility standard upgrades at Toyota Field, contingent upon a \$1 million contribution from SA FC for deferred maintenance and facility standard upgrades at Toyota Field and a \$500,000 contribution from Bexar County for deferred maintenance at STAR Soccer Complex; **NOW THEREFORE:**

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

SECTION 1. The City Council does hereby authorize the PFC to enter into a Soccer Stadium Facility Lease Agreement with SA FC Management, LLC for a term of 20 years at an annual lease rental of \$100,000 and a provision providing reimbursement to City and County of a combined \$5 million should no MLS franchise be awarded to SA FC.

SECTION 2. The City Council does hereby approve the contribution of \$500,000 to the PFC towards the deferred maintenance and facility standard upgrades at Toyota Field contingent upon SA FC contributing \$1 million towards deferred maintenance and facility standard upgrades at Toyota Field and Bexar County contributing \$500,000 to deferred maintenance at STAR Soccer Complex.

SECTION 3. The City Manager or her designee, upon the concurrence of the City Attorney, is authorized to negotiate and execute documents necessary to effectuate the purpose and intent of this Ordinance.

SECTION 4. The amount of \$500,000.00 is appropriated for this ordinance in Fund 29006004, Cost Center xxxxxxxxxx, General Ledger 5201040 and the Fiscal Year 2016 budget is amended to reflect change.

SECTION 5. Payment not to exceed the budgeted amount is authorized and should be encumbered with a purchase order

SECTION 6. 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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 7. This ordinance shall become effective immediately upon its passage by eight (8) votes and ten days after its passage by less than eight (8) affirmative votes.

PASSED AND APPROVED this ___ day of _____, 2015.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney