

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 FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO BOTANICAL GARDEN SOCIETY, INC., IN THE AMOUNT NOT-TO-EXCEED \$5,050,000.00, A 2017-2022 BOND FUNDED PROJECT FOR THE SAN ANTONIO BOTANICAL CENTER, LOCATED IN COUNCIL DISTRICT 2.

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WHEREAS, on May 6, 2017 the voters approved the 2017-2022 Parks Bond program, which authorized \$5,050,000.00 for the San Antonio Botanical Center; and

WHEREAS, these funds will be used towards Phase 2 improvements that would align with the San Antonio Botanical Center Master Plan. San Antonio Botanical Center provides education and hosts events for the public; and

WHEREAS, Phase 1 of the San Antonio Botanical Center Master Plan included \$1,200,000.00 from the 2012 Bond Program, along with \$500,000.00 from Bexar County, which funded a parking garden, welcome and discovery garden, entry display garden, culinary garden, gift shop, outdoor kitchen, and the Family Adventure Garden; and

WHEREAS, construction completed in October 2017; and

WHEREAS, Phase 2 improvements will include a new Education and Event Center with both an entry and an event lawn veranda, an Event Lawn which will add outdoor space for events, a water wall fountain, and renovations to the Wisteria Arbor, which are existing columns and arbor that have wisteria growing up the columns and over the arches; and

WHEREAS, total cost of construction for the Master Plan-Phase 2 is estimated to cost \$9,999,396.00, including the \$5,050,000.00 funded from the 2017 Bond Program; and

WHEREAS, the project construction began in February 2018 with funds secured by the Botanical Society and is estimated to be completed by November 2019; and

WHEREAS, the facility will remain open to the public and operational during construction.

WHEREAS, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract; and

WHEREAS, the Goal Setting Committee set a 28% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 5% African American Business Enterprise subcontracting goal; **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 Transportation & Capital Improvements Department or his designee is hereby authorized to execute a Funding Agreement with the San Antonio Botanical Society, Inc. in the amount not-to-exceed \$5,050,000.00 a 2017-2022 bond funded project for the San Antonio Botanical Center. A copy of said Agreement is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. No Fiscal Language Available.

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
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

ATTACHMENT I

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