

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

**AN ORDINANCE**

**AUTHORIZING THE ACQUISITION OF IMPROVED PROPERTY  
AT NO COST TO THE CITY OF SAN ANTONIO LOCATED AT 210  
MEL WAITERS WAY LOCATED IN COUNCIL DISTRICT 2 AND  
THE NEGOTIATION AND EXECUTION OF A LEASE  
AMENDMENT TO THE EXISTING LEASE AGREEMENT WITH  
BEXAR COUNTY HOSPITAL DISTRICT D/B/A UNIVERSITY  
HEALTH SYSTEM RELATED TO THE IMPROVED PROPERTY AT  
210 MEL WAITERS WAY**

\* \* \* \* \*

**WHEREAS**, in 2008, as part of the restructuring of outpatient health services provided by the City of San Antonio (the “City”) and University Health Systems (“UHS”), the City transferred ownership of multiple health clinics to UHS, including the Eastside Clinic (“Eastside Clinic”) located at 210 Mel Waiters way (**Exhibit A**), with the City, by and through the Metropolitan Health District, retaining some occupancy; and

**WHEREAS**, in the ten (10) years that have passed since the transfer, delivery of health services served by UHS has changed as new facilities were built or new methods of service delivery were implemented and UHS recently vacated their portion of the building after the opening of its new Eastside Hilliard Health Center; and

**WHEREAS**, the Eastside Clinic is now surplus to UHS’s needs and provides the City the opportunity to program the building for enhanced immunization services; and

**WHEREAS**, it was determined by Metropolitan Health District and UHS staff that the Eastside Clinic could serve as a new permanent location for Metro Health’s main immunizations clinic’s operations and as such, UHS agreed to transfer ownership of the Eastside Clinic back to the City of San Antonio; and

**WHEREAS**, as part of the 2008 transfer of ownership of the Eastside Clinic to UHS as authorized by Ordinance 2008-12-11-1154, the City entered into a lease agreement (“Lease Agreement”) with USH for the City’s use of three facilities including the building located at 210 Mel Waiters Way, known at the time as 210 North Rio Grande; and

**WHEREAS**, the City’s acquisition of the Eastside Clinic requires an amendment to the Lease Agreement to remove Eastside Clinic from the description of the premises and any other reference to the Eastside Clinic within the Lease Agreement; and

**WHEREAS**, in accordance with Chapter 37 of the Municipal Code, signs were placed at the proposed closures and letters were sent to property owners within a 500-foot radius, to provide notice and the public hearing date of the proposed closures; and

**WHEREAS**, there are no funds being exchanged as part of the acquisition of the East Side Clinic; and

**WHEREAS**, there are no funds being exchanged as part of the amendment to the Lease Agreement; and

**WHEREAS**, the City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on August 22, 2018; and **NOW THEREFORE**,

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

**SECTION 1.** The City Council hereby authorizes the acquisition of the East Side Clinic, an improved property located at 210 Mel Waiters Way, located in City Council District 2 at no cost to the City of San Antonio.

**SECTION 2.** The city manager and her designee, severally, are authorized and directed to negotiate, amend on behalf of the city an amended Lease Agreement with Bexar County Hospital District d/b/a University Health System to remove Eastside Clinic from the description of the premises and any other reference to the Eastside Clinic within the Lease Agreement

**SECTION 3.** The acquisition of surplus property must be coordinated through the city's Finance Department to assure the addition of these assets into the city's financial records and to record proper accounting transactions.

**SECTION 4.** 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 5.** If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulation contained herein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion hereof and all provisions of this Ordinance are declared to be severable for that purpose.

**SECTION 6.** This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

M A Y O R  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

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

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EXHIBIT A

