

AN ORDINANCE 2018-11-01-0870

AUTHORIZING A ONE-YEAR EXTENSION OF A PARKING AGREEMENT WITH UNIVERSITY OF TEXAS SAN ANTONIO TO ALLOW INSTITUTE OF TEXAS CULTURES' STAFF AND VISTORS TO UTILIZE 50 PARKING SPACES ON CITY PROPERTY FOR A FEE OF \$7,997.28.

* * * * *

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 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. The parking spaces are located near the ITC in Hemisfair; and

WHEREAS, on January 29, 2015, City Council approved Ordinance 2015-01-29-0059 to designate 20 spaces available 24/7 and to increase the payment to the City from \$5,000.00 to \$7,997.28 annually. On November 10, 2016, City Council approved Ordinance 2016-11-10-0893 extending the agreement by one year expiring January 28, 2018 ("First Amendment"); and

WHEREAS, on October 12, 2018 City Council approved Ordinance 2017-10-12-0787 extending the agreement by one year expiring January 28, 2019 ("Second Amendment"). The agreement term is set to expire January 28, 2019; however, the ITC has requested the agreement be extended for one year; **NOW THEREFORE:**

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

SECTION 1. The City Manager and her designee, severally, are authorized and directed to execute and deliver on behalf of the City an instrument with the University of Texas at San Antonio, in substantially the form attached as **Attachment I** ("Third Amendment"), which is incorporated for all purposes as if fully set forth. The City Manager and her designee, severally, should take all other actions conducive to effectuate the transaction, including agreeing to non-material changes to the approved form and executing and delivering all ancillary instruments and agreements conducive to effectuating the transaction.

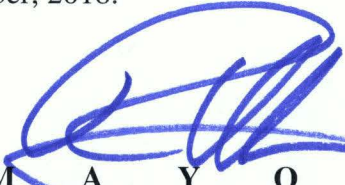
SECTION 2. Funds generated by this ordinance will be deposited into Fund 53001000, Internal Order 219000000139 and General Ledger 4401180.

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 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 1st day of November, 2018.


M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:


Leticia M. Vacek, City Clerk


Andrew Segovia, City Attorney

Agenda Item:	12 (in consent vote: 5, 6, 7, 8, 9A, 9B, 9C, 9D, 9E, 12, 13, 14, 15A, 15B, 16, 18, 19, 21, 22, 23, 24, 27)						
Date:	11/01/2018						
Time:	09:55:28 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance extending a Parking Agreement with the University of Texas at San Antonio to allow continued use of 50 parking spaces 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. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2	x					
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				x
Clayton H. Perry	District 10		x				

ATTACHMENT I

Third Amendment to UTSA Parking Agreement

Effective Date: September 4, 2018

Authorizing Ordinance: 2015-01-29-0059

City: City of San Antonio, a Texas municipal corporation

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

UT: The University of Texas at San Antonio, an agency of the State of Texas and an institution of higher education.

UT's Address: One UTSA Circle, San Antonio, Texas 78249-0605

Predicate Facts

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

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

UT 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.

UT 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.

Pursuant to the Parking Agreement, UT 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.

I. Term and Termination.

The term of the Parking Agreement is extended by twelve (12) months from January 29, 2019 until and including January 28, 2020.


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

The University of Texas at San Antonio

DocuSigned by:
By: Kathryn Funk - Baxter
Kathryn Funk-Baxter
Vice President for Business Affairs

Date: 9/4/2018

Approved as to content:
Institute of Texan Cultures

By: 
Name: ANGELICA DOCAS
Title: ITC EXECUTIVE DIRECTOR

Attest:

City Clerk

Approved as to Form:

City Attorney

Ordinance approving 3rd Amendment;

The City of San Antonio

By: _____
John Jacks,
Director, Center City Development and Operations

Date: _____