

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

**ORDINANCE**

**APPROVING A JOINT USE AGREEMENT WITH THE SAN ANTONIO WATER SYSTEM TO ASSIST IN THE COMPLETION OF THE W-6 UPPER SEGMENT: HIGHWAY 90 TO SW MILITARY DRIVE SEWER MAIN PROJECT; ACCEPTING AN AMOUNT OF \$276,726.00 FOR THE PERMANENT AND TEMPORARY USE OF CITY PROPERTY AT NELSON W. WOLFF MUNICIPAL STADIUM; AND APPROVING DISBURSEMENT TO THE SAN ANTONIO MISSIONS BASEBALL CLUB INC. OF \$25,000.00 AT THE END OF EACH OF THE NEXT THREE PLAYED SEASONS, FOR A TOTAL OF \$75,000.00, TO OFFSET PARKING REVENUE LOSS.**

\* \* \* \* \*

**WHEREAS**, as part of the July 23, 2013 Consent Decree between the San Antonio Water System (SAWS) and the Environmental Protection Agency (EPA), SAWS will be addressing capacity constraints in the western sewer shed of San Antonio and the W-6 Upper Segment Sewer Main Project (“Project”), a SAWS capital project, will replace and upsize approximately five miles of 54-inch pipe currently running through Lackland Air Force Base with a new 104-inch sewer main, with the extent of this segment running through both City Council Districts 4 and 6 from a point just south of Southwest Military Drive near Leon Creek and just east of Old Pearsall Road, to a point near the intersection of Highway 90 and Callaghan Road; and

**WHEREAS**, in order to complete this Project SAWS requires the temporary and joint use of City-owned property, specifically 2.63 total acres on the south portion of the Nelson W. Wolff Municipal Stadium property, with 1.5387 acres of the total acres to be used on a permanent basis with the remaining acreage being used temporarily during construction; and

**WHEREAS**, SAWS received an appraisal from Eckmann Groll Inc. establishing a value of \$106,626.00 for the permanent joint use area and such valuation was reviewed and accepted by the City’s Real Estate division and the City and SAWS also agreed to compensation in the amount of \$170,100.00 for anticipated parking revenue loss, from which the City has agreed to pay the San Antonio Missions Baseball Club Inc. \$25,000.00 at the end of each of the next three played seasons, for a total of \$75,000.00, to offset parking revenue loss; and

**WHEREAS**, the City and SAWS desire to enter into a Joint Use Agreement for the temporary and permanent joint use of City property for the Project; **NOW THEREFORE:**

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

**SECTION 1.** The terms and conditions of the Joint Use Agreement between the City of San Antonio and San Antonio Water System for the Project are authorized and approved. The City Manager, or his designee, is authorized to execute the Joint Use Agreement, a copy of which has been previously executed by the SAWS Board and is attached to this Ordinance as **Exhibit I**.

**SECTION 2.** Funds generated by this Ordinance will be deposited in Fund 29067000, Internal Order 245000000294, and General Ledger Account 4502280.

**SECTION 3.** Payment is authorized to San Antonio Missions Baseball Club Inc. in the amount of \$25,000.00 at the end of each of the next three played seasons for a total of \$75,000.00 from Fund 29067000 and General Ledger 2120255 to offset parking revenue loss and shall be encumbered with a purchase order.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer 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 5.** This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

**PASSED AND APPROVED** this 11<sup>th</sup> day of June, 2020.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tina Flores, Acting City Clerk

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Andrew Segovia, City Attorney

**EXHIBIT I**

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