

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

ORDINANCE

AUTHORIZING THE SECOND AMENDMENT TO THE FUNDING AGREEMENT WITH THE GUADALUPE CULTURAL ARTS CENTER, INCREASING FUNDING IN AN AMOUNT NOT TO EXCEED \$450,000.00, FOR THE GUADALUPE CULTURAL ARTS CENTER PROJECT, A 2017-2022 BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 5.

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WHEREAS, by the passage of Ordinance No. 2013-09-05-0585, City Council approved a Funding Agreement with the Guadalupe Cultural Arts Center (“Guadalupe”) for \$845,000.00 for renovations to the Pharmacy Building (“Project”) and a corresponding Lease; and

WHEREAS, by the passage of Ordinance No. 2015-05-21-0443, City Council approved the First Amendment to the Funding Agreement eliminating the requirement for up front matching funds and instead requiring that any additional funds required for the Project be provided by the Guadalupe, along with other revisions; and

WHEREAS, on May 6, 2017, San Antonio voters approved the 2017-2022 Bond Program, consisting of six propositions totaling \$850 million for various capital improvements projects throughout the City and as part of the Program, \$450,000.00 was approved for continued improvements to the Guadalupe Cultural Arts Center consisting of completion of first floor interior renovations, including expanding gallery space, adding restrooms, adding electrical power, lighting, heating, ventilation and air-conditioning (HVAC), staging and archival spaces and associated work; and

WHEREAS, it is necessary to amend the Funding Agreement to increase funding in an amount not to exceed \$450,000.00 to provide for additional improvements and to provide other needed modifications; **NOW THEREFORE:**

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

SECTION 1. The terms and conditions of the Second Amendment to the Funding Agreement with the Guadalupe Cultural Arts Center are authorized and approved. The City Manager, or her designee, is authorized to execute the Second Amendment, previously executed by the Guadalupe, which is attached to this Ordinance as **Exhibit I**.

SECTION 2. Payment not to exceed \$450,000.00 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-01723, Guadalupe Cultural Arts Center, is

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authorized to be encumbered and made payable to Guadalupe Cultural Arts Center, for construction services.

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 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 6th day of December, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

EXHIBIT I

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