

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 NEGOTIATION AND EXECUTION OF A LEASE AMENDMENT AND A SUB GROUND LEASE AGREEMENT RELATING TO THE COL. VICTOR FERRARI LEARNING CENTER WITH NORTH EAST INDEPENDENT SCHOOL DISTRICT; AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF LEASE AGREEMENTS RELATING TO THE MARGARITA HUANTES LEARNING CENTER AND BOB AND JEANNE BILLA LEARNING CENTER WITH THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT.

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WHEREAS, the construction of the City's adult learning centers were initially financed with proceeds derived from a \$46 million 1989 voter approved Libraries/Learning Centers bond issuance; and

WHEREAS, through collaborations with San Antonio Independent School District (SAISD), North East Independent School District (NEISD), and the Education Service Center, Region 20, adult education classes were provided by these three agencies at each of the seven learning centers operated by the Department of Human Services (DHS); and

WHEREAS, the City of San Antonio's Fiscal Year 2014 Adopted Budget included the transition of seven DHS operated Adult Learning Centers to other purposes; and

WHEREAS, DHS operations ended on December 20, 2013, after completion of the Fall 2013 semester; and

WHEREAS, after discussions with education partners, both NEISD and SAISD have requested lease agreements with the City of San Antonio for three facilities to continue delivering adult education instruction at the centers; and

WHEREAS, both parties agree to continue bond eligible activities; and

WHEREAS, in April 2002, City Council approved Ordinance 95614, a 25 year ground lease agreement with an option to renew for an additional 15 years with NEISD for the construction and operation of the Col. Victor J. Ferrari Learning and Leadership Development Center on NEISD owned property located at 103 E. Rampart for a base rental rate of \$1.00 a year; and

WHEREAS, upon completion, the City of San Antonio operated and maintained the Ferrari Center until December 20, 2013; and

WHEREAS, NEISD has expressed interest in operating the Ferrari center to continue providing adult education instruction at that location; and

WHEREAS, the City of San Antonio proposes to lease the Ferrari Center to NEISD to minimize disruption in services and remain in compliance with municipal bond requirements; and

WHEREAS, SAISD has expressed an interest in purchasing both the Margarita Huantes Learning Center and Bob and Jean Billa Learning Center; and

WHEREAS, until proposals for purchase can be fully considered, SAISD is requesting to lease the space to continue providing adult learning and minimize disruption for a period of one year;
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 Department of Human Services (DHS), or her designee, is authorized to negotiate and execute a lease amendment and a sub ground lease agreement relating to the Col. Victor Ferrari Learning Center with North East Independent School District (NEISD). A copy of the draft lease amendment and a draft subground lease agreement with NEISD are attached hereto and incorporated herein for all purposes as **Attachment I and II**, respectively.

SECTION 2. The City Manager, or her designee, or the Director of the Department of Human Services (DHS), or her designee, is authorized to negotiate and execute lease agreements relating to the Margarita Huantes Learning Center and the Bob and Jeanne Billa Learning Center with San Antonio Independent School District (SAISD). A copy of the draft lease agreements with SAISD are attached hereto and incorporated herein for all purposes as **Attachment III and IV**, respectively.

SECTION 3. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 238000000085 and General Ledger 4401110.

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. 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
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Michael Bernard, City Attorney

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