

AN ORDINANCE **2017-01-19-0030**

**AUTHORIZING THE EXECUTION OF AMENDMENT #1
TO THE LICENSE AGREEMENT WITH SPORTI FOR A
10-YEAR TERM EXTENSION TO COMMENCE UPON
THE COMPLETION OF SOCCER FIELD
IMPROVEMENTS AT PEARSALL PARK LOCATED IN
COUNCIL DISTRICT 4; NO CITY FUNDS ARE
ASSOCIATED WITH THIS ACTION.**

* * * * *

WHEREAS, Pearsall Park was dedicated as parkland in 1999 and sits upon a former landfill; and

WHEREAS, since then, through land acquisitions, the park has grown to 500 acres; and

WHEREAS, the 2012 Bond Program appropriated \$7.5 million for improvements to Pearsall Park consistent with the park's master plan and input from the community which include amenities such as Family Fun and Fitness Challenge Zones, pavilions, a new playground facility, splash-pad, and skate-park; and

WHEREAS, since Pearsall Park's opening to the public in June 2016, it has quickly transformed into a regional destination; and

WHEREAS, in December 2015, City Council approved a sports license agreement that allowed the Parks and Recreation Department to partner with SPORTi in their development, operation, and maintenance of soccer fields at Pearsall Park which will serve youth and adults and those with special needs on a weekly basis; and

WHEREAS, continued development of new park improvements to include partnerships with groups such as SPORTi, will allow for an increase in the types of amenities and programs that are available to the community; and

WHEREAS, specifically, SPORTi's license agreement allows for installation of lighting, irrigation, and spectator seating to existing soccer fields at no cost to the City; and

WHEREAS, SPORTi has secured the required Texas Commission on Environmental Quality (TCEQ) site work permits and completion of soccer field improvements is projected in April 2017; and

WHEREAS, the license agreement with SPORTi is being amended in order to accommodate the revised construction schedule and the term of the agreement will be extended from a three (3) year term with one-year administrative renewal options to a ten (10) year term to commence immediately upon completion of soccer field improvements; and

SW/vv
01/19/17
Item #24

WHEREAS, this term extension of SPORTi's license agreement will facilitate SPORTi's compliance with Fédération Internationale de Football Association operating standards; **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 Parks and Recreation Department or his designee is authorized to execute Amendment 1 to the license agreement with SPORTi for a 10-year term extension to commence upon the completion of soccer field improvements at Pearsall Park located in Council District 4. A copy of the amendment in substantially final form is attached hereto and incorporated herein for all purposes as **Attachment I.**

SECTION 2. 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.

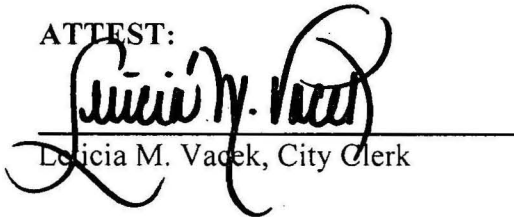
SECTION 3. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 19th day of January, 2017.

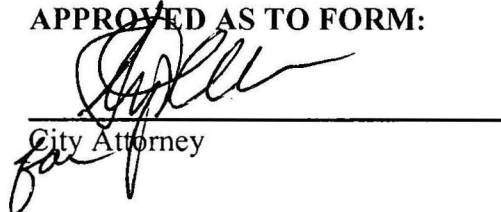


M A Y O R
Ivy R. Taylor

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


City Attorney

Agenda Item:	24 (in consent vote: 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26, 27)						
Date:	01/19/2017						
Time:	09:28:18 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the execution of Amendment #1 to the license agreement with SPORTi for a 10-year term extension to commence upon the completion of soccer field improvements at Pearsall Park located in Council District 4; no City funds are associated with this action. [María Villagómez, Assistant City Manager; Xavier D. Urrutia Director, Parks & Recreation]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

**AMENDMENT #1 TO THE
SPORTS LICENSE AGREEMENT WITH SPORTi DESARROLLO DEPORTIVO
FOR SOCCER FIELDS AT PEARSALL PARK**

This Amendment to the Sports License Agreement ("Agreement") is made and entered into as of the _____ day of _____, 20____, by and between the City of San Antonio, a Texas municipal corporation, acting by and through its City Manager or her designee pursuant to Ordinance No. _____ dated _____, 20____ (herein called "City"), and SPORTi Desarrollo Deportivo, a for-profit corporation registered and operating through its General Director, Sandra Paula Carrera de la Pena, (herein referred to as "League");

1. PREAMBLE

1. WHEREAS, as part of the park's appropriations from the 2012 Bond, improvements to Pearsall Park were completed in the summer of 2016 as consistent with the park's master plan and with input from the community; and
2. WHEREAS, concurrent to the park improvements made as a result of the 2012 Bond project, the City executed a sports license agreement with League for additional improvements, operational programming and maintenance of soccer fields to activate areas at Pearsall Park for the benefit of the citizens; and
3. WHEREAS, to comply with League's required Fédération Internationale de Football Association (FIFA) standards, City and League desire to extend the term of the Agreement for a ten (10) year term to commence immediately upon completion of League's Immediate Capital Improvements subject to approval by the City's Parks and Recreation Department,

Now, therefore, for and in consideration of the premises City and League do hereby amend the Sports License Agreement as follows:

2. TERM OF LICENSE AGREEMENT

Section 3. "Term of License Agreement" is hereby amended as follows:

3.2 Is hereby deleted and replaced with the following:

"The term of this Agreement shall be extended for a ten (10) year term to commence immediately upon League's completion of City approved Immediate Capital Improvements, subject to the terms stated in Section 8.5 of this Agreement."

3.

CAPITAL IMPROVEMENTS

Section 8. "Term of License Agreement" is hereby amended as follows:

8.5 "Immediate Capital Improvements," paragraph one (1) is hereby deleted and replaced with the following:

"Immediate Capital Improvements: All Immediate Capital Improvements shall be made at no cost to the City and shall be completed by April 30, 2017. League may request an extension of the planned timeline for Immediate Capital Improvements, subject to prior written approval by the City through its Director of the Parks and Recreation Department."


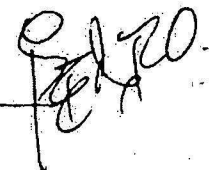
All other terms of the original License Agreement shall stand as otherwise stated.

Signed this _____ day of _____, 20_____.

City: City of San Antonio,
a Texas Municipal Corporation

League: SPORTi Desarrollo Deportivo,
a for-profit Corporation

By: _____
Xavier D. Urrutia, Director
Parks and Recreation Department

By:  _____ 
Sandra Paula Carrera de la Pena,
General Director

Date: _____

Date: _____

Attest: _____

City Clerk

Approved as to Form: _____

City Attorney