

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

**AN ORDINANCE**

**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 SPOTS  
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.

**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").

**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.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Leticia M. Vacek, City Clerk**

\_\_\_\_\_  
**Andrew Segovia, City Attorney**

## ATTACHMENT I

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### Third Amendment to UTSA Parking Agreement

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**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

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#### **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.

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#### **1. 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: Angelica Dacog  
Name: ANGELICA DACOG  
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: \_\_\_\_\_