

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

AN ORDINANCE

AUTHORIZING A LEASE AGREEMENT WITH THE PHIL HARDBERGER PARK CONSERVANCY FOR USE OF THE HISTORIC HOMESTEAD STRUCTURE AT PHIL HARDBERGER PARK FOR A TERM COMMENCING UPON EXECUTION AND TERMINATING DECEMBER 31, 2025, WITH ONE (1) OPTIONAL TEN-YEAR (10) RENEWAL PERIOD.

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WHEREAS, through the 2007-2012 Bond Program, the City acquired a 311 acre tract of land located in the north central area of San Antonio which is now Phil Hardberger Park; and

WHEREAS, the acquisition and development of the park was the signature project among the 69 park projects included in the 2007-2012 Bond Program; and

WHEREAS, acquisition of the parkland included the historic limestone house, which was the original homestead on the property and vacant for an extended period of time; and

WHEREAS, the Phil Hardberger Park Conservancy (the Conservancy) privately funded over \$250,000.00 in renovations to the limestone house with the intent to lease the structure for administrative use in support of its mission to advocate renewal, recreation and learning through nature in an urban setting; and

WHEREAS, today, the Conservancy continues to assist in the City's efforts to develop, raise funds, provide educational programs and host events to improve the park; and

WHEREAS, the proposed lease will accommodate the administrative needs of the Conservancy while allowing them to have a link to and on-site presence at the park directly supporting its mission and vision for excellence in development of the park; and

WHEREAS, additionally, in lieu of rent, the Conservancy will be responsible for payment of utilities and maintenance of the interior of the premises; and

WHEREAS, the Lease Agreement will commence upon execution and terminate December 31, 2025, with one (1) optional ten-year (10) renewal period; **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 a Lease Agreement with the Phil Hardberger

Park Conservancy for use of the historic homestead structure at Phil Hardberger Park for a term commencing upon execution and terminating December 31, 2025, with one (1) optional ten-year (10) renewal period. A copy of the lease agreement, 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 ____ day of _____.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney