

AN ORDINANCE

AUTHORIZING APPROVAL OF A LEASE AGREEMENT WITH K9S FOR WARRIORS FOR THE USE OF OPERATING A FACILITY TO RESCUE AND TRAIN 200 LOCAL QUALIFYING DOGS PER YEAR AS SERVICES ANIMALS FOR ADOPTION AND PLACEMENT WITH DISABLED AMERICAN MILITARY VETERANS FOR AN INITIAL 10 YEAR TERM WITH A RENEWAL OPTION FOR TWO ADDITIONAL 5 YEAR PERIODS AND AN OPTION TO PURCHASE THE LAND LOCATED ADJACENT TO THE CITY'S ANIMAL CARE SERVICES CAMPUS ON STATE HIGHWAY 151, SAN ANTONIO, TEXAS IN CITY COUNCIL DISTRICT 6.

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WHEREAS, in early 2018 the City of San Antonio ("City"), known as Military City USA received an unsolicited proposal from K9s for Warriors, a non-profit organization established in 2013 to rescue dogs from city shelters and train the dogs to be service animals for military veterans suffering from post-traumatic stress (PTS), traumatic brain injuries (TBI), and/or military sexual trauma (MST); and

WHEREAS, K9s for Warriors located near Jacksonville, Florida seeks to grow its operations to a community in proximity to significant military populations and with a substantial number of large hard-to place dogs that may be eligible for rescue and training as service animals to assist Disabled American Military Veterans; and

WHEREAS, the services provided by K9s for Warriors are 100% free to participating military veterans, and supported through funding by local and national partnering agencies; and

WHEREAS, the City owns approximately 3.3 acres of unused and undeveloped property situated adjacent to the City's Animal Care Services campus on 4710 State Highway 151, in City Council District 6; and

WHEREAS, the proposed Lease Agreement between the City and K9s for Warriors provides for the lease of a 3.22 acre (140,337.54 square foot) tract of land, as generally depicted in Attachment I, ("Premises") located adjacent to the City's Animal Care Services facilities on 4710 Highway 151, San Antonio, Texas 78227 for a 10 year term with a renewal option for two additional 5 year periods and a purchase option of the Premises for fair market value at the expense of purchaser so long as the purchaser is a non-profit organization and the use of the property is in a manner that primarily promotes a public purpose of the City; and

WHEREAS, this Lease Agreement stipulates that the permitted use of the premises shall be for the specific public purpose of operating a facility to rescue and train local qualifying dogs as services animals for adoption and placement with Disabled American Military Veterans; and

WHEREAS, this Lease Agreement requires K9s for Warriors make good-faith efforts to transfer a minimum of 200 qualifying dogs annually from the City's Animal Care Services, pay the City a nominal annual rent amount, maintain the Premises, and secure approvals from the City on final construction plans prior to commencement of construction on the Premises, which shall be at K9s for Warriors sole expense from design-build, to operations of a dog rescue and training facility, including all costs all costs incurred in purchasing, or preparing to purchase the Premises; **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 Animal Care Services Department is authorized to execute a lease agreement with K9s for Warriors, a 501(c) nonprofit organization, for the use of operating a facility to rescue and train 200 local qualifying dogs per year as services animals for adoption and placement with Disabled American Military Veterans for an initial 10 year term with a renewal option for two additional 5 year periods and an option to purchase the land located adjacent to the City's Animal Care Services campus on 4710 Highway 151, San Antonio, Texas 78227. A copy of the lease, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Funds generated by this Ordinance will be deposited into Fund 11001000, Internal Order 237000000001 and General Ledger 4401150.

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 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
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney