

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

**ORDINANCE**

**AUTHORIZING THE EXECUTION OF AN  
AMENDMENT TO THE PREVIOUSLY APPROVED  
\$5,050,000.00 FUNDING AGREEMENT BETWEEN  
THE CITY OF SAN ANTONIO AND THE SAN  
ANTONIO BOTANICAL SOCIETY IN THE AMOUNT  
NOT TO EXCEED \$1,000,000.00 FOR THE  
BOTANICAL CENTER PROJECT, A 2017-2022 BOND  
FUNDED PROJECT, LOCATED IN COUNCIL  
DISTRICT 2.**

\* \* \* \* \*

**WHEREAS**, on May 6, 2017, the voters approved the 2017-2022 Bond Program, which authorized \$5,050,000.00 for the San Antonio Botanical Center; and

**WHEREAS**, the San Antonio Botanical Center provides education and hosts events for the public; and

**WHEREAS**, this project is a continuation of improvements to implement the San Antonio Botanical Center Master Plan; and

**WHEREAS**, the 2017-2022 Bond funds will be used toward completion of associated site work and improvements for San Antonio Botanical Center's Event Lawn and Education and Event Center; and

**WHEREAS**, the project construction began in February 2018 and is estimated to be complete by November 2019; and

**WHEREAS**, the additional \$1,000,000.00 as part of the authorization of this ordinance will be used for improvements constructed from June 2019 to November 2019; and

**WHEREAS**, the facility will remain open to the public and operational during construction; and

**WHEREAS**, on June 14, 2018, City Council authorized through approval of Ordinance 2018-06-14-0435 execution of a Funding Agreement totaling \$5,050,000.00 to the San Antonio Botanical Society; and

**WHEREAS**, as part of FY 2019 Budget through Ordinance 2018-09-13-0709, City Council authorized abandoning the 2017 Bond Sports Education Facility project due to the non-profit

organization's inability to raise the required matching funds; and, authorized the reallocation of Bond proceeds in the amount of \$3,550,000.00 from the Sports Education Facility to 2017 Bond Parks and Recreation Projects within the same proposition and City Council District as follows: Martin Luther King (\$550,000.00), San Antonio Botanical Center (\$1,000,000.00), Lockwood- Dignowity Parks (\$1,000,000.00) and Pittman-Sullivan Park (\$1,000,000.00); and

**WHEREAS**, the proposed amendment allows the City to amend the City's existing funding agreement with the Botanical Society in the total amount of \$1,000,000.00; and

**WHEREAS**, this contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small, minority, and women-owned business participation on the contract; and

**WHEREAS**, the Goal Setting Committee set a 28% Minority/Women Business Enterprise (M/WBE) subcontracting goal and a 5% African American Business Enterprise subcontracting goal; and

**WHEREAS**, the San Antonio Botanical Society has committed to meeting these goals; **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 Transportation and Capital Improvements Department or designee is hereby authorized to execute an Amendment to the Funding Agreement between the City of San Antonio and the San Antonio Botanical Society, in the amount not to exceed \$1,000,000.00 for the San Antonio Botanical Center project, a 2017 Bond Funded project, located in Council District 2. A copy of the amendment 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.

SW/ah  
xx/xx/xx  
Item No. 19-3826

**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