

ORDINANCE 2019-05-30-0444

**AUTHORIZING THE EXECUTION OF AMENDMENT #2 TO THE  
LICENSE AGREEMENT WITH ALAMO CITY YOUTH SOCCER  
ORGANIZATION FOR OPERATIONS AND MAINTENANCE OF  
THE DESIGNATED SPORTS FIELDS AT CULEBRA CREEK  
PARK FOR A TERM OF 5 YEARS BEGINNING JUNE 1, 2019 AND  
EXPIRING MAY 31, 2024.**

\* \* \* \* \*

**WHEREAS**, Alamo City Youth Soccer Organization (ACYSO) has established a community presence since 2009; and

**WHEREAS**, the league utilizes the designated sports fields at Culebra Creek Park to provide organized youth sports activities year round; the league served over 11,100 area youth in 2018; and

**WHEREAS**, on May 10, 2008, Bexar County voters approved an extension of the 1999 hotel occupancy and short term motor vehicle rental tax, referred to as the visitor or venue tax; and

**WHEREAS**, Bexar County identified community projects to fund with this tax extension that would have a positive impact on tourism; and

**WHEREAS**, Alamo City Youth Soccer Organization was selected by Bexar County to receive \$5.23M from the venue tax for the development of a soccer facility in Culebra Creek Park; and

**WHEREAS**, On May 14, 2009, the City and ACYSO entered into a License Agreement-Bexar County Venue Tax Projects for approximately 43 acres in Culebra Creek Park for the development of a soccer facility; and

**WHEREAS**, the initial term of the license agreement was five years with up to seven five year renewal options subject to the approval of City Council; and

**WHEREAS**, the first amendment to the License Agreement was executed on May 15, 2014, to exercise the first renewal option for a five (5) year term; and

**WHEREAS**, Amendment #2 shall commence on June 1, 2019, and expire May 31, 2024; and

**WHEREAS**, in lieu of rent, the league shall be responsible for operations and maintenance of the designated sports fields at Culebra Creek Park; and

**WHEREAS**, in addition, the league will be permitted to operate concessions with proceeds benefitting their program and to offset the cost of operations and maintenance; and

**WHEREAS**, the amendment includes administrative renewals for the remaining five renewal terms and a Community Programming Responsibility provision; and

**WHEREAS**, this provision shall require ACYSO to offer a low cost registration, offer a free adaptive sports league and allow field reservations for leagues and general public; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

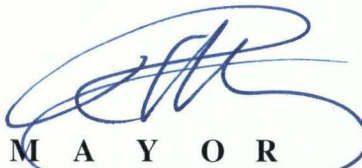
**SECTION 1.** The City Manager or designee, or the Director of the Parks and Recreation Department or designee, is hereby authorized to execute Amendment No. 2 to the License Agreement with Alamo City Youth Soccer Organization for operations and maintenance of the designated sports fields at Culebra Creek Park extending the term for an additional five (5) year beginning June 1, 2019 and expiring May 31, 2024. A copy of the Amendment No. 2 in substantially final form is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** No Fiscal Impact.

**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.

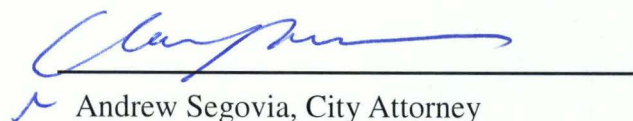
**PASSED AND APPROVED this 30<sup>th</sup> day of May, 2019.**

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

**ATTEST:**

  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
Andrew Segovia, City Attorney



<b>Agenda Item:</b>	25 ( in consent vote: 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27A, 27B, 27C )						
<b>Date:</b>	05/30/2019						
<b>Time:</b>	09:35:28 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	Ordinance approving Amendment #2 to the License Agreement with Alamo City Youth Soccer Organization for operations and maintenance of the designated sports fields at Culebra Creek Park for a term of 5 years beginning June 1, 2019 and expiring May 31, 2024. There is no fiscal impact associated with this ordinance. [Colleen Bridger, MPH, PhD, Interim Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				
Art A. Hall	District 2		x				x
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

SW/ah  
5/30/19  
Item #25

# ATTACHMENT I

**LICENSE AGREEMENT  
BEXAR COUNTY VENUE TAX PROJECTS  
ALAMO CITY YOUTH SOCCER ORGANIZATION  
AMENDMENT No.2**

This Amendment No.2 ("Amendment") to the License Agreement - Bexar County Venue Tax Projects Alamo City Youth Soccer Organization ("Agreement") is by and between the City of San Antonio, a Texas municipal corporation ("City"), acting by and through its City Manager or her designee, pursuant to Ordinance No. \_\_\_\_\_ passed and approved on \_\_\_\_\_, 2019, and Alamo City Youth Soccer Organization, a Texas non-profit organization ("Licensee").

WHEREAS, pursuant to Ordinance No. 2009-05-14-0395, passed and approved on May 14, 2009, City and Licensee entered into a License Agreement - Bexar County Venue Tax Projects for a sports complex in Culebra Creek Park; and

WHEREAS, pursuant to Ordinance No. 2014-05-15-0342, passed and approved on May 15, 2014 the City and Licensee approved Amendment No. 1 to the Agreement to exercise the first renewal option for a term of five (5) years beginning on June 1, 2014 and expiring on May 31, 2019; and to clarify reporting requirements; and

WHEREAS, City and Licensee mutually desire to enter into a second amendment to exercise the second renewal option for a term of five (5) years beginning on June 1, 2019 and expiring May 31, 2024, to allow for administrative renewal options and to incorporate Community Programming Responsibilities; and

NOW THEREFORE, in consideration of the mutual covenants and agreements set forth below, City and Licensee agrees as follows:

**ARTICLE 4. TERM IS MODIFIED AS FOLLOWS:**

Paragraph 4.2 is deleted in its entirety and replaced with the following:

4.2 Subject to the approval of the Director of the Parks and Recreation Department, and so long as Licensee is not then in default of any of the provisions of this Agreement or any agreements between Bexar County and Licensee, this Agreement may be extended for up to seven additional five (5) year renewal options of which two, five (5) year renewal options have been exercised therefore five renewal options remain each renewal option has a five (5) year term. The total maximum term of this Agreement shall not exceed forty (40) years.

Paragraph 4.4 is added as follows:

4.4 The second renewal option of this Agreement for a term of five (5) years beginning on June 1, 2019 and expiring on May 31, 2024, if not earlier terminated according to the terms hereof, is hereby exercised

**ARTICLE 29. COMMUNITY PROGRAMMING RESPONSIBILITIES IS ADDED AS FOLLOWS:**

29.1 Licensee shall provide discounted or no cost programming offered to the local community which shall include but not limited to:

**29.1.1 Spring & Fall League:** Fall and Spring leagues shall be offered to local youth for a reduced fee.



**29.1.2 Adaptive Sports:** Offer a minimum of one Adaptive League season per year, at no cost to local youth. Each league shall be a minimum of eight (8) weeks.

**29.1.3 Field Use:** League shall allow field use reservations, fees collected shall be utilized to maintain the fields and licensed areas.

Except as modified herein, all terms and conditions contained in the Agreement entered into under the authority of the above referenced ordinances shall remain in full force and effect.

EXECUTED on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY:**  
City of San Antonio, a Texas  
Municipal Corporation

**LICENSEE:**  
Alamo City Youth Soccer Organization

By: \_\_\_\_\_  
Xavier D. Urrutia, Parks and Recreation Director

By: \_\_\_\_\_  
Richard L. Kuchka, President

Attest: \_\_\_\_\_  
City Clerk

Approved as to Form: \_\_\_\_\_





Data Source: City of San Antonio Enterprise GIS/Bexar Metro 911/Bexar Appraisal District

This Geographic Information System Product, received from The City of San Antonio is provided "as is" without warranty of any kind, and the City of San Antonio expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The City of San Antonio does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the City of San Antonio in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the City of San Antonio is entirely assumed by the recipient. \*Please contact the responsible City of San Antonio Department for specific determinations.\*

Map Last Edited: Wednesday, April 03, 2019

PDF Filename: \\Fscommon\misc\23\GIS\PDFs\_JPEGs\Current\Exhibits\FY2019\1904bg16462\_01.pdf

**City of San Antonio**  
**Culebra Creek Park, Licensed Premises**  
**Alamo City Youth Soccer Organization**

