



City of San Antonio

Agenda Memorandum

File Number:14-112

Agenda Item Number: 20.

Agenda Date: 3/20/2014

In Control: City Council A Session

DEPARTMENT: Convention & Sports Facilities

DEPARTMENT HEAD: Michael J. Sawaya

SUBJECT:

Assignment and First Amendment to the Cross Parking License Agreement between Carver Community Cultural Center and IDEA Public Schools

SUMMARY:

This Ordinance authorizes the Assignment of parking rights from the Carver Academy to IDEA Public Schools (IDEA Carver Academy - IDEA) and approval of the First Amendment to the Cross Parking License Agreement with the IDEA Public Schools.

BACKGROUND:

The City and Carver Academy entered into a Cross Parking License Agreement on March 29, 2001. City owned property, including the City's parking at the Carver Community Cultural Center was sold to the Carver Academy, Inc. pursuant to Ordinance 92992 dated November 30, 2000, in order to facilitate contiguous development plans associated with the Carver Complex Project. Mutual ingress and egress easements across the respective City and Academy properties, joint maintenance of the lighting in the City and Academy parking lots and walkways for special functions, and the City's right to use security devices in the Academy parking lot if installed by the Carver Academy were included. In 2012, the Carver Academy transferred the operation and ownership of its school to IDEA and officially assigned all its contractual rights and obligations to IDEA. IDEA plans to build a secondary school and expansion of the school will require additional parking per City Code.

The Carver Community Cultural Center was issued funds in the 2012 Bond for additional parking for the Cultural Center. IDEA is also in need of additional parking to accommodate the addition of their proposed secondary school. On October 3, 2013 City Council approved the purchase of 1.318 acres of property on North Olive Street using funds received in the 2012 Bond. IDEA will design and pay for construction of the additional parking. The City will also design and construct parking behind the Little Carver Civic Center at

226 N. Hackberry. The cost to purchase property, design and construct property at the Little Carver is approximately \$650,000.00. The number of new spaces after construction will total 133. There are currently 97 spaces covered in the original agreement.

ISSUE:

In June of 2012, The Carver Academy transferred operation and ownership of its school to IDEA Public Schools. The Assignment of the Cross Parking License Agreement formally transfers all rights, duties and privileges of the Agreement from the Carver Academy to IDEA.

The City and IDEA are in need of additional parking and agree to amend provisions of the Agreement as set out in the First Amendment. The First Amendment outline's IDEA responsibility for designing and constructing the new parking on property owned by the City as well as expands their maintenance responsibilities to cover the new parking as well as the current parking.

ALTERNATIVE:

City Council could choose not to move forward with amending the Agreement. In doing so, however, the City would be responsible for purchasing, designing and constructing the property with limited funds. Additionally, the Carver would lose use of the existing parking at IDEA Carver.

FISCAL IMPACT:

There is no fiscal impact associated with the Assignment and First Amendment of this agreement.

RECOMMENDATION:

Staff recommends authorizing the Assignment of parking rights and approval of the First Amendment to the Cross Parking License Agreement with IDEA Carver Academy. If approved, the agreement will be effective immediately.