

VMZ:amt
2/16/94

AN ORDINANCE **79615**

APPROVING THE PRINCIPAL ELEMENTS OF AN AGREEMENT WHICH CONVEYS VIA METROPOLITAN TRANSIT AUTHORITY'S OWNERSHIP OF THE ALAMODOME TO THE CITY OF SAN ANTONIO; AND AUTHORIZING THE NEGOTIATION OF AN AGREEMENT THAT ENCOMPASSES SAID ELEMENTS.

* * * * *

WHEREAS, pursuant to Ordinance No. 67967 passed and approved September 22, 1988, City Council authorized the execution of an agreement with VIA Metropolitan Transit Authority providing for the acquisition of land, design, construction and operation of a multi-use domed stadium; and

WHEREAS, pursuant to this agreement VIA acquired land on top of which the City has built the Alamodome and VIA has built a transit facility; and

WHEREAS, during the last several weeks representatives of VIA and the City have discussed a conveyance by VIA to the City of that portion of the property on which the Alamodome and certain improvements south of Montana Street are located; and

WHEREAS, VIA and the City now wish to authorize their respective staffs to negotiate an agreement which would carry out this conveyance; **NOW THEREFORE:**

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

That the principal elements of the Alamodome conveyance from VIA Metropolitan Transit Authority to the City of San Antonio as set out in Exhibit I are hereby approved and City staff authorized to negotiate an agreement encompassing these principals, the final text of which shall be brought back to City Council for their final approval.

PASSED AND APPROVED this 16th day of February, 1994.

Nelson WWuff
M A Y O R

ATTEST: *Norma J Rodriguez*
City Clerk

APPROVED AS TO FORM: *Jim Sanling*
City Attorney

94-08

ORDINANCE APPROVING ELEMENTS

*CONV. 11115
ALAMODOOME
TO CITY OF S.A.*

	ARTS & CULTURAL AFFAIRS
	AVIATION
	BUILDING INSPECTIONS
	BUILDING INSPECTIONS-HOUSE NUMBERING
1	CITY ATTORNEY (<i>VERLONNA</i>)
	MUNICIPAL COURT
1	REAL ESTATE (FASSNIDGE)
	REAL ESTATE (WOOD)
1	REAL ESTATE (HUBBARD)
	TRIAL SECTION
	CITY MANAGER
	TRAVIS BISHOP, ASST. TO CITY MGR.
	CODE COMPLIANCE
	INTERGOVERNMENTAL RELATIONS
	INTERNATIONAL RELATIONS
	YOUTH INITIATIVES
	CITY PUBLIC SERVICE-GENERAL MANAGER
	CITY PUBLIC SERVICE-MAPS & RECORDS
	COMMERCIAL RECORDER (PUBLISH)
	COMMUNITY INITIATIVES
1	CONVENTION & VISITORS BUREAU
1	CONVENTION FACILITIES
1	HOME DEVELOPMENT OFFICE
	ECONOMIC DEVELOPMENT
	FINANCE DIRECTOR
	ASSESSOR
1	CONTROLLER
	GRANTS
1	RISK MANAGEMENT
	TREASURY
	FIRE DEPARTMENT
	HOUSING & COMMUNITY DEVELOPMENT
	INFORMATION SERVICES
	INTERNAL REVIEW
	LIBRARY
	MANAGEMENT SERVICES (BUDGET)
	MANAGEMENT SERVICES (PERSONNEL)
	MARKET SQUARE
	METROPOLITAN HEALTH DISTRICT
	MUNICIPAL COURTS
	PARKS & RECREATION
	PLANNING
	DISABILITY ACCESS OFFICE
	LAND DEVELOPMENT SERVICES
	POLICE DEPARTMENT
	POLICE DEPARTMENT-GROUND TRANSPORTATION
	PUBLIC INFORMATION OFFICE
	PUBLIC UTILITIES
1	PUBLIC WORKS
	CAPITAL PROJECTS
	CENTRAL MAPPING
	ENGINEERING
	PARKING DIVISION
	REAL ESTATE (BILL TOUDOUZE)
	SOLID WASTE
	TRAFFIC ENGINEERING
	PURCHASING & GENERAL SERVICES
	SAN ANTONIO WATER SYSTEM (SAWS)
1	<i>Yolanda Z - Dome file (Boards + Commission)</i>
	MUNICIPAL CODE CORPORATION (PUBLISH)

ITEM NO. _____

MEETING OF THE CITY COUNCIL

DATE: **FEB 16 1994**

MOTION BY: *Idi* SECONDED BY: *Ayala*

ORD. NO. **79615** ZONING CASE _____

RESOL. _____ PETITION _____

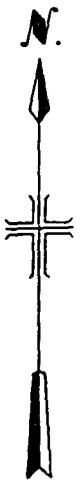
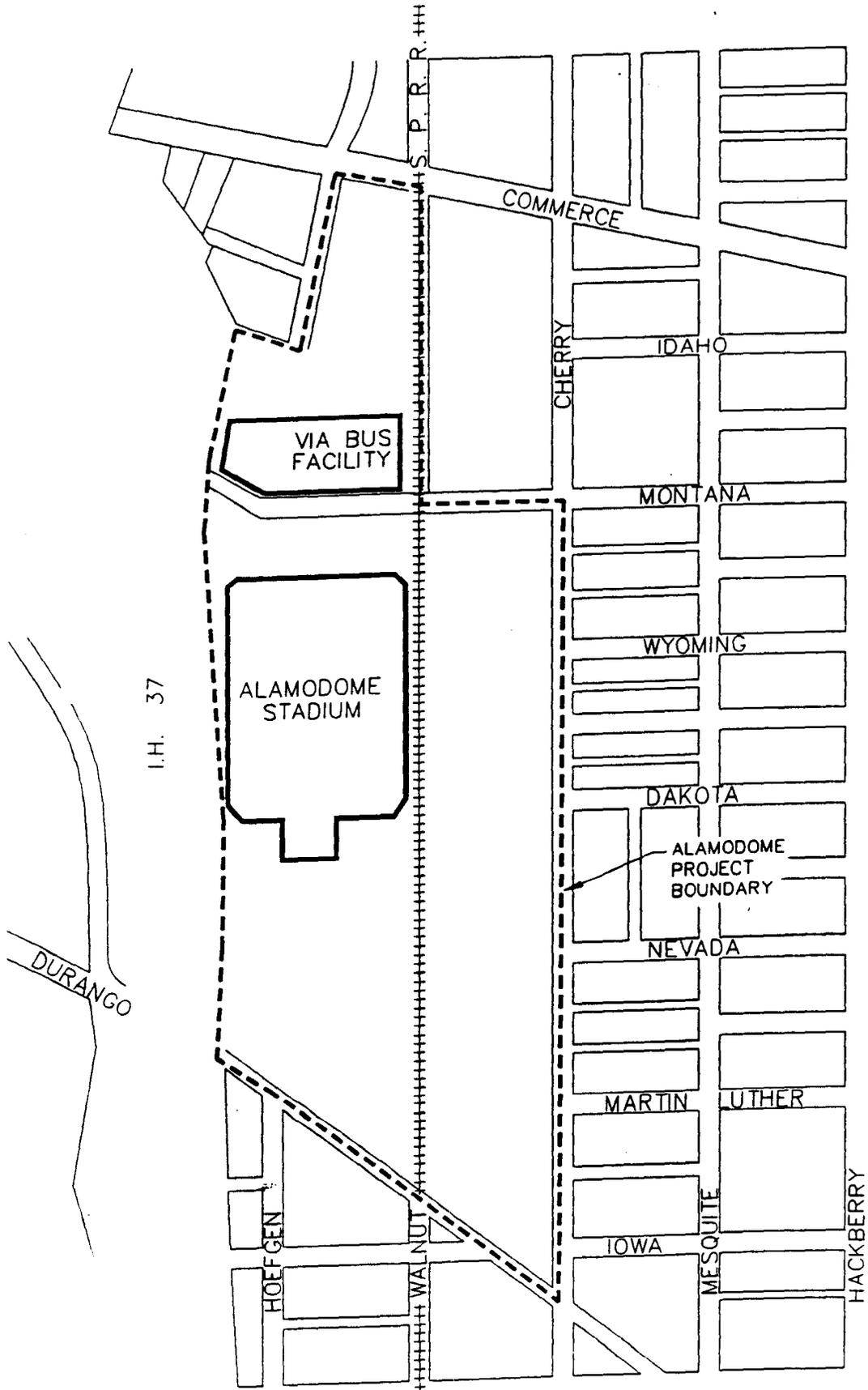
	ROLLCALL	AYE	NAY
ROGER PEREZ DISTRICT 1		✓	
RUTH MC-CLENDON DISTRICT 2		✓	
LYNDA BILLA BURKE DISTRICT 3		✓	
HENRY AVILA DISTRICT 4		✓	
JUAN F. SOLIS III DISTRICT 5		✓	
HELEN AYALA DISTRICT 6		✓	
BOB ROSS DISTRICT 7		✓	
BILL THORNTON DISTRICT 8		✓	
HOWARD PEAK DISTRICT 9		✓	
LYLE LARSON DISTRICT 10			X
NELSON WOLFF MAYOR		✓	

*VIA File (copy)
Dome File (ORIGINAL)*

FILE

94-08

ATTACHMENT I



Attachment II

**Summary of Total Resources and Uses
Alamodome Project Proposed Agreement**

Resources

1/2 Cent Sales Tax (Re-estimate)	\$191,200,000
VIA Intergovernmental Assistance	4,496,899

Total Resources	<u>\$195,696,899</u>
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Uses

VIA Project Budget	\$40,127,651
VIA Reserve for Project Completion	3,496,899
Dome Construction	123,470,398
City Administration and Marketing	2,257,778
Dome Design, Proj. Management, and Other Services	13,381,194
City Land Prep and Demolition	1,624,848
City Insurance	1,869,731
City Environmental Services and Remediation	3,790,227
Preopening Expenses	1,258,522
Net Interest Expense (Estimate)	2,519,620
City Reserve for Project Completion and Renewal and Improvement	1,900,031

Total Uses	<u>\$195,696,899</u>
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PRINCIPAL ELEMENTS OF THE ALAMODOME CONVEYANCE

FROM VIA METROPOLITAN TRANSIT TO THE CITY OF SAN ANTONIO

1. VIA will convey to the City all Alamodome property, improvements, and equipment. The boundary line will be the north right-of-way of Montana Street. VIA will retain ownership of all property, improvements and equipment north of this boundary line. VIA will own and operate the transit facility, and the City will own and operate the Alamodome. (see Attachment I).
2. VIA will retain its current project budget of \$40,127,651. The City will receive all remaining available funds including sales tax proceeds, interest income, and intergovernmental assistance funds for completion of the Alamodome except the \$3,496,000 as noted below. (see Attachment II)
3. VIA will create a transitional fund of \$ 3,496,000 from project revenues to be used for the completion of the project north of Montana Street including, but not limited to, completion of the transit station, improvements and maintenance for the transit station, environmental testing and remediation, and other costs related to the completion and future development of the site north of Montana Street.
4. The City will assume responsibility for the cost of environmental remediation associated with the property south of Montana Street. VIA will retain responsibility for the cost of environmental remediation associated with the property north of Montana Street. Both VIA and the City will individually retain their respective responsibility for all other claims and lawsuits.
5. VIA will cooperate fully on all claims, lawsuits, or other actions in providing information, assistance or testimony, if necessary. VIA will assign any claims, lawsuits, or other actions and the resulting proceeds it has from any contracts, or insurance policies, or bonds available to VIA or any of its contractors when it becomes necessary. Neither VIA nor the City waive any other rights which they may currently have.
6. VIA and City will jointly pursue former landowners for recovery of environmental costs associated with the project.
7. When assigned, future reimbursements or awards from any sources, which are tied to property north of Montana Street and arising from events occurring prior to March 1, 1994 will be evenly divided between VIA and the City. Future reimbursements or awards from any sources which are tied to property south of Montana Street will be retained by the City.

CONVEYANCE

Page 2

8. The City will establish an advisory board for the Alamodome with representation from the suburban cities in the VIA service area.
9. The City will distribute 10% of its net income from future development on property south of Montana Street among all the suburban cities currently in the VIA service area after the City's recovery of all City funds spent on the project.
10. The City will establish and manage a renewal and improvement fund for the repair, replacement, rehabilitation, renewal, or improvements to the Alamodome.

Norma,

In my rush to
get this ordinance done
yesterday, I made
an error. Third
whereas should say
"south of Montana Street"
I've run the ordinance
over as corrected for
signature.

Thronica

AN ORDINANCE **79615**

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* * * *

Revised

WHEREAS, pursuant to Ordinance No. 67967 passed and approved September 22, 1988, City Council authorized the execution of an agreement with VIA Metropolitan Transit Authority providing for the acquisition of land, design, construction and operation of a multi-use domed stadium; and

WHEREAS, pursuant to this agreement VIA acquired land on top of which the City has built the Alamodome and VIA has built a transit facility; and

WHEREAS, during the last several weeks representatives of VIA and the City have discussed a conveyance by VIA to the City of that portion of the property on which the Alamodome and certain improvements ~~north~~ **SOUTH** of Montana Street are located; and

WHEREAS, VIA and the City now wish to authorize their respective staffs to negotiate an agreement which would carry out this conveyance; **NOW THEREFORE:**

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

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PASSED AND APPROVED this 16th day of February, 1994.

William W. Wauff
M A Y O R

ATTEST: *Anna J. Rodriguez*
City Clerk

APPROVED AS TO FORM: *William W. Wauff*
City Attorney