SW/vv
05/15/14
Item #22

AN ORDINANCE 2014-05-15-0342

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE BEXAR COUNTY VENUE TAX PROJECT LICENSE AGREEMENT WITH THE ALAMO CITY YOUTH SOCCER ORGANIZATION FOR THE CONTINUATION OF THE TERM FOR A FIVE YEAR PERIOD BEGINNING JUNE 1, 2014 AND AMENDING REPORTING REQUIREMENTS.

* * * * *

WHEREAS, in 2008, voters approved a Bexar County Venue Tax Program (BCVTP) that provided funding for various amateur sports organizations to develop or expand sports complexes to serve local teams and enhance tourism; and

WHEREAS, in instances where these projects are located on City of San Antonio owned land, the City entered into license agreements with the sports organizations to provide use of the land; and

WHEREAS, under the terms of these agreements, the sports groups assumed responsibility for the operation and maintenance of the complexes in lieu of rent to the City; and

WHEREAS, the primary term of the agreements is five years with seven five-year renewal options for a total of up to 40 years; and

WHEREAS, the Alamo City Youth Soccer Organization (ACYSO) has operated their program in Culebra Creek Park since 2011 and added amenities with the BCVTP funding, including the addition of five regulation size soccer fields, a warm up area, as well as parking, lighting and concessions; and

WHEREAS, in 2013, they served over 4,000 youth ages 4 and up on 12 soccer fields; and

WHEREAS, the primary term of this Agreement ends on May 31, 2014; and

WHEREAS, Amendment No. 1 to the License Agreement will allow for the first five year renewal option through May 31, 2019; and

WHEREAS, in addition, the amendment facilitates changes to the reporting requirements to reflect current City and County reporting practices; **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 Parks and Recreation Department or his designee, is authorized to execute an amendment to the Bexar County Venue Tax Project License Agreement with the Alamo City Youth Soccer Organization for the continuation of the term for a five year period beginning June 1, 2014 and amending reporting

requirements. A copy of the amendment to the license agreement, in substantially final form, 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.

PASSED AND APPROVED this 15th day of May, 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for Robert F. Greenblum, City Attorney

Agenda Item:	**22 (in consent vote: 4, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 28A, 28B, 29, 29A, 29B)**
Date:	05/15/2014
Time:	09:40:29 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing the execution of an Amendment to the Bexar County Venue Tax Project License Agreement with Alamo City Youth Soccer Organization for the continuation of the term for a five year period beginning June 1, 2014 and amending reporting requirements. [Gloria Hurtado, Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

Attachment I

LICENSE AGREEMENT
BEXAR COUNTY VENUE TAX PROJECTS
Alamo City Youth Soccer Organization
AMENDMENT NO. 1

This Amendment No. 1 ("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 _____, 2014, 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, City and Licensee now mutually desire to amend the Agreement to approve a renewal term and to clarify reporting requirements,

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

1. ARTICLE 4 TERM IS MODIFIED TO ADD THE FOLLOWING:

4.3 The first renewal option of this Agreement for a term of five (5) years beginning on June 1, 2014 and expiring on May 31, 2019 if not earlier terminated according to the terms hereof, is hereby exercised.

2. ARTICLE 8 SCHEDULED MAINTENANCE IS MODIFIED AS FOLLOWS:

The first sentence of 8.1 is deleted and replaced with the following:

8.1 If requested by City, Licensee agrees to provide to City a copy of its annual maintenance program and to submit same in writing to City within thirty (30) days after receipt of City's request.

3. ARTICLE 15 REPORTS AND RECORDS IS MODIFIED AS FOLLOWS:

Paragraphs 15.1 and 15.2 are deleted in their entirety and replaced with the following:

15.1 Within sixty (60) days following the end of Licensee's fiscal year of each year, Licensee shall provide to City an annual report that shall include the following:

15.1.1 Copies of all inspection reports completed by Bexar County or their designee in the previous calendar year and provided to Licensee and all reports submitted to Bexar County by Licensee during the previous calendar year;

15.1.2 Accounting of the Capital Repair and Improvement Fund, as defined in Section 6.3 above, including detail regarding all funds deposited on a monthly basis and withdrawals for repairs and improvements, accompanied by copies of each monthly bank statement for the Capital Repair and Improvement Fund bank account for the previous calendar year.

15.1.3 List of current officers including address, telephone number and e-mail address.

15.1.4 Number of participants in Licensee's programs, including age range.

15.1.5 Any modifications to Licensee's by-laws and/or articles of incorporation

15.2 If requested by City, League will provide an accounting of its revenue and expenditures for one or more of its fiscal years, in a form acceptable to City; such accounting to be provided within fifteen (15) days after receipt of a written request by City.

Except as modified herein, all terms and conditions contained in the Agreement entered into under the authority of Ordinance No. 2009-05-14-0395 shall remain in full force and effect.

EXECUTED on this _____ day of _____, 2014.

CITY:	Licensee:
City of San Antonio, a Texas	Alamo City Youth Soccer Organization
Municipal corporation	
By:_____	By:_____
City Manager	Troy McGrath President

Attest: _____

City Clerk

Approved as to Form: _____