

AN ORDINANCE 2013 - 04 - 04 - 0223

**TERMINATING A LEASE FOR A TRACT OF LAND OWNED BY
THE SAN ANTONIO HOUSING AUTHORITY USED FOR A
PORTION OF SAN JUAN BRADY PARK IN COUNCIL DISTRICT 5.**

* * * * *

WHEREAS, currently, San Juan Brady Park is over three-and-a-half (3.5) acres in size and is the site of a community center and active green space; and

WHEREAS, in 1978, the San Antonio Housing Authority (SAHA) leased to the City for a term of ninety-nine (99) years a one (1) acre tract of land for park purposes; and

WHEREAS, since then the Department constructed a basketball court and tennis courts on this portion of the park and has maintained the area for public use; and

WHEREAS, SAHA approached the City in December 2009 and again in January 2011 seeking support for the agency's application to the Texas Department of Housing and Community Affairs for the third phase of the San Juan Square public housing development; and

WHEREAS, accordingly, the City endorsed the application indicating necessary actions to occur upon the award of low income housing tax credits to complete SAHA's development; and

WHEREAS, SAHA did seek stakeholder input which is reflected in the Phase III San Juan Square development; and

WHEREAS, this project adds housing units and reconfigures park space to include park-like amenities such as a walking track, playground, and exercise equipment, all of which will be accessible to the public; and

WHEREAS, San Juan Brady Park will retain approximately two (2) acres of active green space as well as a community recreation center; and

WHEREAS, the Department does not foresee any negative service impact due to termination of the lease; and

WHEREAS, additionally, public basketball and tennis court amenities are available at Collins Gardens, Escobar, and Vidaurri Parks which are less than a mile from SAHA's development site;
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 terminate a lease for a tract of land owned by the San Antonio Housing Authority used for a portion of San Juan Brady Park in Council District 5. A copy of said lease is attached hereto and incorporated herein for all purposes as **Attachment I**.

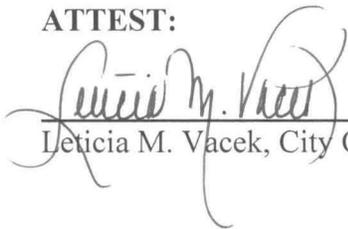
SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 4th day of April, 2013.

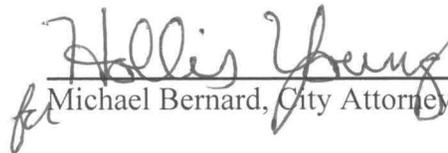

M A Y O R
Julián Castro

ATTEST:

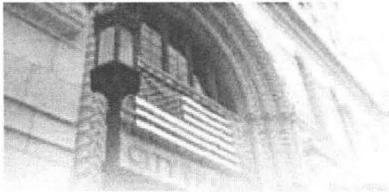


Leticia M. Vacek, City Clerk

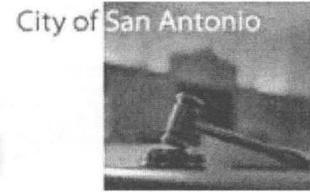
APPROVED AS TO FORM:



for Michael Bernard, City Attorney



Request for
**COUNCIL
ACTION**



Agenda Voting Results - 13

Name:	5, 6, 7, 9, 10, 13, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32						
Date:	04/04/2013						
Time:	09:32:37 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance terminating a lease for a tract of land owned by the San Antonio Housing Authority used for a portion of San Juan Brady Park in Council District 5. [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				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

STATE OF TEXAS |
COUNTY OF BEXAR |

This agreement, entered into by and between the City of San Antonio, a Texas Municipal Corporation acting through its City Manager pursuant to Ordinance No. 49105 of March 2, 1978, hereinafter called "Lessee" and the Housing Authority of the City of San Antonio, Texas, acting through its Chairperson or Vice Chairperson, duly authorized hereunto, hereinafter called "Lessor" WITNESSETH:

Whereas, the Lessor owns certain land adjacent to San Juan Homes public housing development in the City of San Antonio, and

Whereas, the Lessee has proposed that such land, together with other land in the proximity, be developed into a city park, and

Whereas, the Lessee recognizes the benefit which would accrue to residents of the aforesaid Housing Development and to other citizens of the area in having a park in the neighborhood, and

Whereas, the Lessor has no plans for use or development inconsistent with the use of such tract of land for park purposes, and is thus willing to make the property available to the Lessee for such use, NOW THEREFORE:

1. For and in consideration of the rents, covenants, promises and obligations herein contained on the part of the Lessee, the Lessor does hereby and by these presents lease and demise unto the Lessee that tract of land comprising approximately 1.022 acres known as New City Block A 62 originally City lot 4, Range 1, District 7, as shown more specifically on plat and field notes attached hereto and incorporated herein as Attachment 1, hereinafter referred to as "premises", together with all rights, hereditaments and appurtenances thereunto pertaining.
2. The term of this agreement will be for 99 years, commencing March 1, 1978 and terminating February 28, 2077.
3. Lessee will pay the Lessor as rental the sum of one dollar per year.

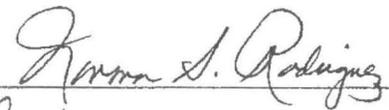
City Clerk's Copy

IN WITNESS OF WHICH this agreement has been executed on this the
24th day of February, 1978.

CITY OF SAN ANTONIO


City Manager

ATTEST:


Asst. City Clerk

HOUSING AUTHORITY OF THE CITY OF
SAN ANTONIO, TEXAS


Chairperson

ATTEST:


Secretary