

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

APPROVING THE NEGOTIATION AND EXECUTION OF A FUNDING AGREEMENT BETWEEN THE ALAMO COMMUNITY COLLEGE DISTRICT AND THE CITY OF SAN ANTONIO IN AN AMOUNT NOT TO EXCEED \$15,300,000 FOR THE CONSTRUCTION OF A NEW AQUATIC CENTER AND RENOVATION OF EXISTING SPACES FOR A DISTRICT 4 MULTI-GENERATIONAL FACILITY AT PALO ALTO COLLEGE, A 2017 AND 2022 BOND FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 4. THIS ORDINANCE DECLARES THE 2017 BOND PROJECT FOR THE AQUATIC CENTER AT PALO ALTO COLLEGE UNNECESSARY AND APPROPRIATES \$5,300,000 FROM THE 2017 BOND PROJECT AND \$10,000,000 FROM THE 2022 BOND PROJECT INTO A NEW PROJECT FOR THE CONSTRUCTION OF THE NEW AQUATIC CENTER. FUNDS ARE AVAILABLE FROM THE 2017 - 2022 AND 2022 – 2027 GENERAL OBLIGATION BOND PROGRAMS INCLUDED IN THE FY 2023-2028 CAPITAL IMPROVEMENTS PROGRAM.

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WHEREAS, the Palo Alto Aquatic Center opened in 1992 and offered various swimming activities open to the public and has hosted several swim competitions year-round, including the US Open, USA Swimming Junior Olympics, U.S. Olympic Festival, and several NCAA Championships; and

WHEREAS, on May 6, 2017, San Antonio residents voted and approved the 2017 – 2022 General Obligation Bond Program including Proposition 3 for Parks, Recreation, and Open Space Improvements. Proposition 3 authorized \$5,300,000 for an Aquatic Center at Palo Alto College located at 1400 West Villaret in Council District 4, to leverage Alamo Colleges District (“Alamo Colleges”) funding for improvements to the existing aquatic center facilities, including a new roof, heating, ventilation, air-conditioning (HVAC) replacement, interior and exterior renovations; and

WHEREAS, on June 18, 2020, through Ordinance 2020-06-18-0412, City Council approved a funding agreement (“2020 Funding Agreement”) authorizing \$5,300,000 from the City’s 2017 Bond Program for improvements to the Aquatic Center as described in Proposition 3 of the 2017 Bond Program; and

WHEREAS, once Alamo Colleges began the design process, it was determined the existing aquatic facility required extensive rehabilitation, and it would be best to demolish the natatorium and construct a new facility. The center has been closed since December 2019 due to the facility’s condition; and

WHEREAS, on May 7, 2022, San Antonio residents voted and approved the 2022 – 2027 General Obligation Bond Program including Proposition C for Parks and Recreation that authorized \$10,000,000 for construction of a new multi-generational facility at Palo Alto to support senior and constituent services, meeting space, and other recreational services; and

WHEREAS, during negotiations of the 2022 Bond project funding agreement, Alamo Colleges proposed constructing a new aquatic center and requested to use both the 2017 and 2022 Bond funds towards this project. Alamo Colleges will provide \$22,000,000 towards the new aquatic center for a total project budget of \$36,994,000 for design and construction. The proposed project includes demolishing the old aquatic center and constructing a new 31,414-square-foot aquatic center to include a 50-meter Olympic pool, bleacher seating, scoring office/press box, and mechanical/pool equipment rooms; and

WHEREAS, Alamo Colleges will provide significant renovations to the existing interconnecting space, gymnasium, and external improvements to provide the District 4 Multi-generational Recreation Facility as approved under the 2022 Bond Program. Alamo Colleges will provide \$14,700,000 and fully fund the renovations to deliver the District 4 Multi-generational Recreation Facility. The first floor of the interconnecting space will consist of approximately 13,356 square feet and will receive updates to the lobby, concessions, toilet rooms, locker rooms, and showers. The second floor will consist of approximately 13,959 square feet. It will be renovated to provide multipurpose rooms supporting senior and constituent services, recreational and other community services, office and flexible-use classrooms; and

WHEREAS, to facilitate the proposed project City Council must declare the 2017 Bond project unnecessary as the 2017 aquatic center project is no longer a renovation because the existing aquatic facility will be demolished a new center constructed. The 2017 Bond funds will be paired with the 2022 Bond funds and appropriated into a new project. The 2020 Funding Agreement will be terminated and replaced with the proposed funding agreement for the new aquatic center and multi-generational facility as one project; and

WHEREAS, construction will be overseen by the Alamo Colleges and is anticipated to begin design shortly after the execution of the funding agreement. Design is estimated to take about one year followed by construction for up to two years. Funding will be provided on a reimbursement basis and upon construction verification and approval; and

WHEREAS, this agreement will be executed in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract to maximize the amount of small, minority, and women-owned business participation on the contract. The Goal Setting Committee is determining the subcontracting goals to apply to the project that Alamo Colleges will be required to meet as part of the agreement; and

WHEREAS, this Ordinance declares the 2017 Bond Project for the Aquatic Center at Palo Alto College unnecessary and appropriates \$5,300,000 from the 2017 Bond project and \$10,000,000 from the 2022 Bond project into a new project for the construction of the new Aquatic Center. Funds are available from the 2017 - 2022 and 2022 – 2027 General Obligation Bond Programs included in the FY 2023-2028 Capital Improvements Program; and

WHEREAS, this Ordinance authorizes the negotiation and execution of a Funding Agreement between the Alamo Colleges District and the City of San Antonio in an amount not to exceed \$15,300,000.00 for the construction of a new Aquatic Center and renovation of existing spaces for a District 4 Multi-generational Facility at Palo Alto College, a 2017 and 2022 Bond funded project. Funding will be provided on a reimbursement basis and upon construction verification and approval; **NOW THEREFORE:**

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

SECTION 1. The 2017 Bond Project described in the 2017 Bond Program as “Aquatic Center at Palo Alto College LF” is declared unnecessary.

SECTION 2. The Funding Agreement approved by City Council through Ordinance 2020-06-18-0412 is terminated.

SECTION 3. The City Manager or designee, or the Director of the Public Works Department or designee, is authorized to negotiate and execute a funding agreement between the City of San Antonio and Alamo Community College District in an amount not to exceed \$15,300,000.00.

SECTION 4. The amount of \$5,300,000.00 is re-appropriated in Fund 45099000 from Project 23-01641 Aquatic Center at Palo Alto College to Project 23-04154 Aquatic & Multigeneration Center at Palo Alto College. The budget in Project 23-01641 shall be decreased to zero for all WBS Elements and GL accounts.

SECTION 5. The amount of \$10,000,000.00 is re-appropriated in Fund 45099000 from Project 23-03973 District4 Multigenerational Recreational to Project 23-04154 Aquatic & Multigeneration Center at Palo Alto College. The budget in Project 23-03973 shall be decreased to zero for all WBS Elements and GL accounts.

SECTION 6. The budget in Project 23-04154 shall be revised by increasing the WBS elements and GL Accounts by the amounts in the tables below each totaling \$15,300,000.00.

WBS	GL	AMOUNT
23-04154-90-01-22-01	6101100	66,616.00
23-04154-90-01-22-02	6101100	1,945,937.00
23-04154-90-01-22-03	6101100	3,502,172.00
23-04154-90-01-22-04	6101100	4,485,275.00
23-04154-90-01-17-01	6101100	1,009,166.00
23-04154-90-01-17-02	6101100	1,812,684.00
23-04154-90-01-17-03	6101100	192,104.00
23-04154-90-01-17-04	6101100	2,286,046.00
TOTAL		\$15,300,000.00

WBS	GL	AMOUNT
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9/7/23
Item No.

23-04154-01-01	5402030	132,032.39
23-04154-01-01	5402050	65,113.42
23-04154-05-01-01	5402030	67,330.24
23-04154-05-01-01	5402050	33,163.95
23-04154-05-02-01	5201140	14,994,000.00
23-04154-08-01	5402060	8,360.00
TOTAL		\$15,300,000.00

SECTION 7. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer, 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 8. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this ____th day of September, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney