

AN ORDINANCE 2006-06-29-0781

AMENDING THE CURRENT LICENSE AGREEMENT WITH THE MIRACLE LEAGUE OF SAN ANTONIO TO ADD APPROXIMATELY 1.5 ACRES OF CITY OWNED PROPERTY AT WOLFF BASEBALL STADIUM FOR THE MIRACLE LEAGUE'S USE IN DEVELOPING PARKING FOR ITS FACILITIES AT THE PARKS FACILITY HEADQUARTERS/CITY NURSERY PROPERTY IN DISTRICT 6.

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WHEREAS, the Miracle League of San Antonio entered into a license agreement with the City of San Antonio for use of 3.67 acres of City owned property for the purpose of developing and maintaining all weather surface football, soccer, and track fields for use by individuals with physical disabilities; and

WHEREAS, the term of the Miracle League license agreement is for 10 years, September 1, 2005 through August 31, 2015; and

WHEREAS, the Miracle League is responsible for maintenance of the licensed premises during the term of the agreement; and

WHEREAS, the Miracle League has recently requested use of an additional approximately 1.5 acres of Wolff Baseball Stadium property adjacent to their license fields for parking for their participants; and

WHEREAS, the Miracle League will pave the 1.5 acres at its own expense and will coordinate all events scheduled at their licensed premises with the Missions Baseball Group and with Alamodome staff; **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 Parks and Recreation is hereby authorized to execute Amendment No. 1 to the Field Use and Maintenance License Agreement with the Miracle League of San Antonio. A copy of the Amendment, in substantially final form, is attached hereto and incorporated herein for all purposes as Attachment I.

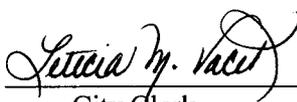
SECTION 2. This ordinance shall be effective on and after July 9, 2006.

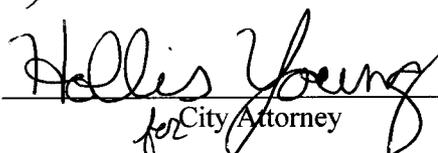
PASSED AND APPROVED this 29th day of June, 2006.



M A Y O R

PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

ATTACHMENT I

FIELD USE AND MAINTENANCE LICENSE AGREEMENT MIRACLE LEAGUE OF SAN ANTONIO AMENDMENT NO. 1

The City of San Antonio, hereinafter called "City", entered into a contract with the Miracle League of San Antonio, hereinafter called "League", pursuant to Ordinance No. 101263, passed and approved by the City Council of the City of San Antonio on August 18, 2005. Both the City and League wish to amend said contract and hereby agree to the following amendments to said contract to be effective July 8, 2006:

1) Section 2.1 is amended to read as follows:

"CITY hereby designates LEAGUE as the primary user and maintainer of approximately **5.17** acres of fields in the Parks Facility Headquarters/City Nursery and Wolff Baseball Stadium Properties, being part of N.C.B. 13951, San Antonio, Bexar County, and LEAGUE hereby accepts such obligations and agrees to perform such services and duties as required hereinafter. LEAGUE shall use the premises for the operation of a youth sports league in full compliance with all requirements of the national Miracle League organization and for no other purpose."

2) Section 3.1 is amended to read as follows:

"3.1 CITY, for and in consideration of the mutual benefits to CITY and LEAGUE and the observance of the terms and conditions set forth hereinafter, hereby grants to LEAGUE permission to enter and use, without payment of CITY'S established field use fee, the premises described in **Amended EXHIBIT A** which is attached hereto and incorporated by reference herein. Such free use shall also apply to any fields added in the future pursuant to paragraph 2.2 hereinbefore under the restrictions described in Section 3.7."

3) Section 3.6 is added to the contract to read as follows:

"3.6 LEAGUE agrees to pave, at its own expense, approximately 1.5 acres of property adjacent to their existing fields for use as parking for their participants."

4) Section 3.7 is added to the contract to read as follows:

"3.7 LEAGUE covenants and agrees that it will not interfere with the rights of Mission Baseball Group to parking at Wolff Baseball Stadium and further covenants and agrees to coordinate all scheduled events at its licensed premises with Mission Baseball Group and with Alamodome Department staff in order to avoid such conflicts."

All other terms and conditions of the current agreement remain in full force and effect.

Executed this _____ day of _____, 2006.

LICENSOR:

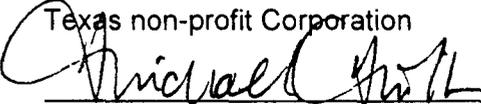
CITY OF SAN ANTONIO, a Texas
Municipal Corporation

Sheryl Sculley, City Manager

ATTEST:

City Clerk

LICENSEE:
MIRACLE LEAGUE OF SAN ANTONIO, a
Texas non-profit Corporation



Michael Miller, President

APPROVED AS TO FORM:

City Attorney