

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

ORDINANCE

**AUTHORIZING THE FIRST AMENDMENT TO THE LEASE
AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AS TENANT
AND PORT AUTHORITY OF SAN ANTONIO AS LANDLORD PASSED
AND APPROVED ON JUNE 18, 2020.**

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WHEREAS, the Alamo Regional Security Operations Center (“ARSOC”) vision is for a centralized security operations facility to provide real-time, collaborative, cyber-security information sharing among municipally owned entities in the San Antonio Area; and

WHEREAS, on June 18, 2020, City Council approved through Ordinance No. 2020-06-18-0417 a Lease Agreement between the City of San Antonio as Tenant and Port Authority of San Antonio as Landlord for property located at 638 Davy Crockett, Building 940 to be the ARSOC facility; and

WHEREAS, the Lease Agreement provides for a tenant improvement allowance to include construction of offices, restrooms, demising walls, architectural plans, and other mutually agreed upon stated tenant improvements; and

WHEREAS, the ongoing global pandemic has caused the need to add COVID health and safety facility enhancements and design changes to such construction; and

WHEREAS, an amendment is requested to include additional funds to be paid by the City to Port SA and to extend the project completion and “Move-in ready” date in order to include these health and safety facility enhancements and design changes; and

WHEREAS, this first amendment will result in an increase of \$470,939.00 to the tenant improvement allowance, which will be covered by transferring \$263,939.00 from the original ARSOC furniture and equipment allocation and adding \$207,000.00 from the City’s Information Technology Services Department’s FY2021 Security Budget allocation; and

WHEREAS, the tenant improvement allowance will thereby increase to \$3,176,824.00, with \$2,676,824.00 due within 30 days of commencement of the Primary Lease and \$500,000.00 plus a \$10.00 interest charge assessed by Port SA due by December 31, 2021; and

WHEREAS, all other terms, conditions, covenants, and provisions of the Lease Agreement not specifically amended by this first amendment will remain in full force and effect and unmodified; **NOW THEREFORE:**

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

SECTION 1. The City Council authorizes the City Manager or designee to enter into the First Amendment to the Lease Agreement in the form as shown in **Attachment I** with Port Authority of San Antonio.

SECTION 2. The amount of \$207,000.00 is appropriated in SAP Fund 43904032, 2011 Tax Notes: ITSD, SAP WBS TN-20111-01-01-35, SAP GL account 6102100 - Interfund Transfer out entitled Transfer to 23-00127-90-03-01-01. The amount of \$270,000.00 is authorized to be transferred to SAP Fund 40099000.

SECTION 3. The budget in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 09-00127, ARSOC - Alamo Regional Security Op Ct, shall be revised by increasing SAP WBS Element 09-00127-90-03-01-01 entitled Trf Fr TN-20111-01-01-35, SAP GL account 6101100, and SAP WBS Element 09-00127-01-03, SAP GL account 5201140, each by the amount of \$207,000.00.

SECTION 4. Payment is authorized to be encumbered and made payable to Port SA in an amount not to exceed \$407,939.00. Payment is in support of the ARSOC - Alamo Regional Security Op Ct Project, using Fund 40099000, with the WBS 09-00127-01-03 and GL 5201140. Funding for this project is provided by Tax Notes and is in the FY2021-FY2026 CIP Budget as amended above.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

SECTION 5. 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 Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. This Ordinance becomes effective immediately upon its passage by eight (8) votes or more and 10 days after passage upon its approval by less than eight (8) votes.

PASSED AND APPROVED this 18th day of March, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

Attachment I

DRAFT