

AN ORDINANCE

2021-03-04-0139

AN ORDINANCE APPROVING THE SECOND EXTENSION OF THE PROFESSIONAL SERVICES AGREEMENT FOR INVESTMENT CONSULTING AND INVESTMENT TRAINING SERVICES WITH PATTERSON CAPITAL MANAGEMENT LLC D/B/A PATTERSON AND ASSOCIATES, FOR THE SECOND OF TWO (2) ONE YEAR RENEWAL TERMS BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; RATIFYING PRIOR SERVICES; AND AUTHORIZING COMPENSATION OF \$2,000.00 PER MONTH, PAYABLE QUARTERLY IN ARREARS.

* * * * *

WHEREAS, pursuant to Ordinance No. 2016-09-08-0689, passed and approved on September 8, 2016, the City and Patterson Capital Markets LLC D/B/A Patterson and Associates (“Consultant”) have entered into that certain *Professional Services Agreement For Investment Consulting And Training Services* (“Contract”) that provides for Consultant to provide investment consulting and training services to the City for an initial three (3) year term that began October 1, 2016, and ended September 30, 2019, with the City to have the right to renew the Contract for two (2) additional one (1) year terms upon approval of the San Antonio City Council by passage of an Ordinance; and

WHEREAS, pursuant to Ordinance No. 2020-04-30-0300, passed and approved April 30, 2020, the Contract was renewed and extended for the first one (1) year renewal term beginning on October 1, 2019 and ending on September 30, 2020, under the same terms and conditions; and

WHEREAS, City Staff has recommended, and Consultant has agreed, to extend the term of the Contract for the second of two (2) one (1) year renewal terms, with the extended term to begin October 1, 2020 and end September 30, 2021, with compensation to be \$2,000 per month, payable quarterly in arrears; and

WHEREAS, after due deliberations on and consideration of the matter, the City Council desires to accept the Staff recommendation as set forth above; **NOW THEREFORE**;

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

SECTION 1. The *Second Extension of the Professional Services Agreement For Investment Consulting And Training Services* (“Second Amendment”), is hereby approved in all things.

The City Manager, or his designee, or the Deputy Chief Financial Officer, or his designee, are each hereby authorized to execute the Second Amendment, substantially in the form attached hereto as **Attachment I** and incorporated herein by reference for all purposes.

SECTION 2. Any and all actions taken on behalf of the City and/or the Consultant prior to the effective date of this Ordinance are hereby ratified and confirmed in all things.

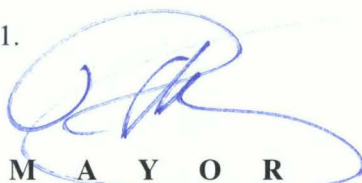
SECTION 3. Funding in the amount of \$24,000.00 for this ordinance is available in Fund 11001000, Cost Center 0707010001 and General Ledger 5201040 as part of the Fiscal Year 2021 budget.

SECTION 4. Payment is authorized to Patterson Capital Management LLC D/B/A Patterson and Associates and should be encumbered with a purchase order.

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 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 6. This ordinance is effective immediately upon passage by eight (8) affirmative votes; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

PASSED AND APPROVED this 4th day of March , 2021.

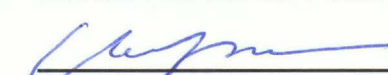

M A Y O R
Ron Nirenberg

ATTEST:



Tina Flores, Acting City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney



City of San Antonio

City Council

March 04, 2021

Item: 20

Enactment Number:

File Number: 21-1872

2021-03-04-0139

Ordinance approving the second extension of the professional services agreement for investment consulting and investment training services with Patterson Capital Management LLC D/B/A Patterson and Associates for the second of two (2) one-year renewal terms beginning October 1, 2020 and ending on September 30, 2021 and ratifying services and authorizing payment at a cost of \$2,000.00 per month, payable quarterly in arrears. [Ben Gorzell, Jr., Chief Financial Officer, Troy Elliott, Deputy Chief Financial Officer]

Councilmember John Courage made a motion to approve. Councilmember Manny Pelaez seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

RKN
03/04/21
Item No. 20

A T T A C H M E N T I

**SECOND EXTENSION
OF
PROFESSIONAL SERVICES AGREEMENT FOR
INVESTMENT CONSULTING AND INVESTMENT TRAINING SERVICES**

THE STATE OF TEXAS §
 §
THE COUNTY OF BEXAR §

This *Second Extension Of Professional Services Agreement For Investment Consultant And Investment Training Services* (“Second Extension”) is made and entered into by and between the **CITY OF SAN ANTONIO** (hereinafter referred to as “City”), a Texas Municipal Corporation, acting by and through its Deputy Chief Financial Officer, and **PATTERSON CAPITAL MANAGEMENT LLC, D/B/A PATTERSON AND ASSOCIATES**, a Texas Limited Liability Company, acting by and through its duly authorized President, Linda T. Patterson (hereinafter referred to as “Consultant”). City and Consultant are sometimes hereinafter referred to as the Parties.

WHEREAS, pursuant to Ordinance No. 2016-09-08-0689, passed and approved June 8, 2016, the City and Consultant entered into that one certain *Professional Services Agreement For Investment Consultant And Investment Training Services* (“Agreement”), providing for Consultant to provide the services described therein for a three (3) year period beginning October 1, 2016 and ending September 30, 2019, with two (2), one (1) year options to extend the Agreement; and

WHEREAS, pursuant to Ordinance No. 2020- , passed and approved , 2020, the Agreement was renewed and extended for the first renewal one (1) year renewal term beginning on October 1, 2019 and ending on September 30, 2020, under the same terms and conditions; and

WHEREAS, each of the Parties desires to renew and extend the Agreement for the second one (1) year renewal term beginning October 1, 2020 and ending September 30, 2021, upon the same terms and conditions; **NOW, THEREFORE:**

FOR VALUABLE CONSIDERATION, the Parties hereto severally and collectively agree, and by the execution hereof are bound, to the mutual obligations herein contained and to the performance and accomplishment of the tasks hereinafter described.

I. RENEWAL AND EXTENSION OF AGREEMENT

1.1 The Agreement is hereby renewed and extended under the same terms and conditions for the second one (1) year renewal term beginning October 1, 2020 and ending September 30, 2021.

II. INCORPORATION OF TERMS AND CONDITIONS OF CONTRACT BY REFERENCE

2.1 Except as provided for in this Second Extension, all other terms and conditions of the Agreement are hereby renewed and extended, and are incorporated into this Second Extension, and are made a part hereof for all purposes.

III. CONFLICT PROVISIONS

3.1 Any conflict between the provisions of this Second Extension and the provisions of the Agreement shall be resolved in favor of this Second Extension.

IV. ENTIRE AGREEMENT

The Agreement, as amended, embodies the complete agreement of the parties hereto with regard to the subject matter contained herein, superseding all oral or written previous and contemporary agreements between the parties relating to matters herein.

EXECUTED and AGREED TO this the ____ day of February, 2021, to be effective from and after October 1, 2020.

CITY:

CITY OF SAN ANTONIO

LICENSEE:

PATTERSON CAPITAL MANAGEMENT
LLC, D/B/A PATTERSON AND
ASSOCIATES

BY: _____

Troy Elliott, CPA
Deputy Chief Financial Officer

BY: _____

Linda T, Patterson
President

Approved as to form:

Robert K. Nordhaus
Assistant City Attorney