

AN ORDINANCE 2016-10-13-0793

AUTHORIZING THE 1ST RENEWAL AND 2ND AMENDMENT TO A LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND BRASS CENTERVIEW 2016, LLC, FOR THE CONTINUED USE AS THE CITY COUNCIL DISTRICT 7 CONSTITUENT OFFICE LOCATED AT 4414 CENTERVIEW DR., SUITE 160, FOR THE MONTHLY RENTAL AMOUNT OF \$1,925.00.

* * * * *

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

SECTION 1. The City Manager and her designee, severally, are authorized and directed to execute and deliver on behalf of the City an instrument substantially in the form of **Attachment I**, which is incorporated for all purposes as if fully set forth. The City Manager and her designee, severally, should take all other actions conducive to effectuate the transaction, including agreeing to non-material changes to the approved form and executing and delivering ancillary documents and instruments conducive to effectuating the transaction.

SECTION 2. Funding for this ordinance is available for Fund 11001000, Cost Center 0107010001 and General Ledger 5206010, as part of the Fiscal Year 2017 Budget.

SECTION 3. Additional funding for this ordinance is contingent upon City Council approval of the City's operating budget and the availability of funds.

SECTION 4. Payment not to exceed the budgeted amount is authorized to Brass Centerview 2016, LLC, and should be encumbered with a purchase order. All expenditures will comply with the approved operating budget for current and future fiscal years.

SECTION 5. 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.

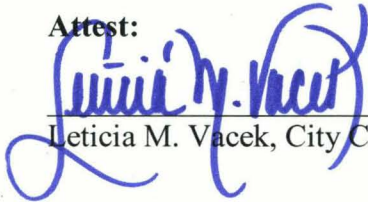
SECTION 6. This ordinance is effective immediately upon receipt of eight affirmative votes; otherwise, it is effective 10 days after passage.

PASSED AND APPROVED this 13th day of October, 2016.



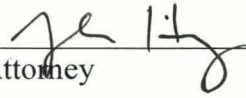
M A Y O R
Ivy R. Taylor

Attest:



Leticia M. Vacek, City Clerk

Approved As To Form:



For City Attorney

Agenda Item:	9 (in consent vote: 4, 5, 6, 7A, 7B, 7C, 8A, 8B, 8C, 8D, 9, 10, 11A, 11B, 12, 14, 15, 16, 20, 22, 23, 24, 25, 26)						
Date:	10/13/2016						
Time:	09:20:49 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the 1st Renewal and 2nd Amendment to Lease Agreement with Brass Centerview 2016, LLC for the continued use as the City Council District 7 Constituent Office of the office space located at 4414 Centerview Drive, Suite 160, for the monthly rental amount of \$1,925.00. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor	x					
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4	x					
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				x
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				

1st Renewal and 2nd Amendment to Lease Agreement

(District 7 Constituent Office/4414 Centerview)

This 1st Renewal and 2nd Amendment to Lease Agreement is entered into between Landlord and Tenant to be effective as of December 1, 2016.

1. Identifying Information.

Ordinance Authorizing 1st Renewal and 2nd Amendment:

Landlord: Brass Centerview 2016, LLC, a Delaware limited liability company, successor in interest to Brass Centerview 2012, a Delaware limited liability company

Landlord's Address: 4440 Piedras Drive, Suite 150, San Antonio, Texas 78228

Tenant: City of San Antonio

Tenant's Address: P.O. Box 829966, San Antonio, Texas 78283-3966 (Attention: Manager, Leasing Division)

Lease: Office Lease (District 7 Constituent Office/4414 Centerview) between Landlord and Tenant pertaining to Suite 160 at 4414 Centerview Dr., San Antonio, Texas 78228, and authorized by the Ordinances Authorizing Original Lease and 1st Amendment.

**Ordinance Authorizing
Original Lease:** 2011-11-17-0950

**Ordinance Authorizing 1st
Amendment:** 2013-12-05-0847

**Beginning of 1st Renewal
and 2nd Amendment
Term:** December 1, 2016

**Expiration of 1st Renewal
and 2nd Amendment
Term:** November 30, 2021

2. Defined Terms.

All terms defined in the Lease and not otherwise defined in this amendment, when used in this amendment, have the meanings ascribed to them in the Lease. References to "Lease" in this amendment include both the original Lease and all previous amendments to it.

3. Landlord Renovations.

Landlord agrees to renovate the space in accordance with the attached floor plan in Attachment 1 and provide new carpet and paint throughout the premises. The new premises square footage after renovation is 1,640 rentable square feet.

4. Rent.

Paragraph 3.01 of the Lease, as amended, is amended by this instrument by stating the rent as follows for the period stated:

Rent Period	Monthly Rent
December 1, 2016 through November 30, 2021	\$1,925

5. No Default.

Neither Landlord nor Tenant is in default under the Lease and neither party is aware of a cause of action against the other arising out of or relating to the period before the date of Landlord's signature on this amendment.

6. Same Terms and Conditions.

This amendment is a fully integrated expression of the changes the parties intend to make to the Lease, as previously amended. The parties acknowledge that, except as expressly set forth in this amendment, the Lease as previously amended remains in full force and effect according to its terms, and the parties reaffirm the obligations thereof. Both Landlord and Tenant are bound thereby. There have been no amendments or other modifications to the Lease except as expressly described in this amendment.

7. Public Information.

Landlord acknowledges that this instrument is public information within the meaning of Chapter 552 of the Texas Government Code and disclosed accordingly.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

In Witness Whereof, the parties have caused their representatives to set their hands.

Brass Centerview 2016, LLC, a Delaware limited liability company, by and through its sole managing member

City of San Antonio, a Texas municipal corporation

Brass Professional Management, LLC

Signature: _____

Printed Name: _____

Signature: James Stewart

Title: _____

Printed Name: James Stewart

Date: _____

Title: Authorized Agent

Attest: _____

Date: 9/7/16

City Clerk

Approved as to Form:

City Attorney

Attachment 1

