

AN ORDINANCE

2020-05-21-0342

APPROVING THE RENEWAL AND EXTENSION OF DEPOSITORY SERVICES AND LOCKBOX SERVICES CONTRACT WITH FROST BANK, TO RENEW AND EXTEND THE CONTRACT FOR THE TWO (2) YEAR RENEWAL TERM BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2022.

* * * *

WHEREAS, pursuant to Ordinance No. 2017-06-15-0451, passed and approved on June 15, 2020, the *Depository Banking Services And Lockbox Services Contract* (“Contract”) with FROST BANK (“Frost”) was approved, under which Frost has provided banking and related services for an initial three (3) year term commencing July 1, 2017, with the option in the City to renew for one (1) additional two (2) year term under the same terms and conditions, subject to approval of the City Council; and

WHEREAS, the initial three (3) year term of the Contract expires on June 30, 2020; and

WHEREAS, City Staff has recommended that the Contract be renewed and extended for the two (2) year extension, the term of which will commence July 1, 2020, and terminate June 30, 2022; and

WHEREAS, upon consideration and deliberation of the matter and the City Staff recommendation on it, the City Council has determined that it is in the best interests of the City to accept the City Staff recommendation; **NOW, THEREFORE:**

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

SECTION 1. The *Renewal And Extension Of Depository Services And Lockbox Services Contract* (“Extension”) between the City and Frost Bank is hereby approved in all things. A copy of the Extension is attached hereto as **Attachment I**. The Chief Financial Officer or the Deputy Chief Financial Officer is hereby authorized to execute the Extension on behalf of the City of San Antonio.

SECTION 2. This Ordinance shall take effect immediately if passed by eight (8) affirmative votes; otherwise this Ordinance shall take effect ten (10) days from the date of passage hereof.

SECTION 3: Annual fees/costs for the Depository Banking and Lockbox Services are paid through interest earned on a compensating balance held at Frost Bank.

SECTION 4: 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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

PASSED and APPROVED this 21st day of May, 2020.



M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:



Tina Flores, Acting City Clerk



Andrew Segovia, City Attorney



City of San Antonio

City Council

May 21, 2020

Item: 18

File Number: 20-3119

Enactment Number:

2020-05-21-0342

Ordinance approving a contract amendment with Frost Bank to extend the term of the contract for Depository Banking and Lockbox Services for an additional two years from July 1, 2020 through June 30, 2022 under the same terms and conditions. There is no fiscal impact to the City's FY 2020 Adopted Budget. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

Councilmember Manny Pelaez made a motion to approve. Councilmember Rebecca Viagran 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
05/21/20
Item No. 18

A T T A C H M E N T I

**RENEWAL AND EXTENSION
OF
DEPOSITORY BANKING SERVICES
AND
LOCKBOX SERVICES
CONTRACT**

This *Renewal And Extension Of Depository Banking Services And Lockbox Services Contract* (“Extension”) is entered into by and between the **CITY OF SAN ANTONIO, TEXAS** (hereinafter referred to as “CITY”), a Texas Home-Rule Municipal Corporation, acting by and through its City Manager, or its Chief Financial Officer, pursuant to Ordinance No. 2020-05-21-____, passed and approved May 21, 2020, and **FROST BANK** (hereinafter referred to as “DEPOSITORY”), a Texas state banking corporation operating pursuant to the laws of the State of Texas and authorized to perform depository and lockbox services in this State. CITY and DEPOSITORY are sometimes hereafter referred to individually as “a PARTY” and collectively as “the PARTIES”. This Extension is as follows:

WHEREAS, pursuant to Ordinance No. 2017-06-15-0451, passed and approved on June 15, 2017, CITY’s City Council authorized the execution of a *Depository Banking Services And Lockbox Services Contract* (“Contract”) with DEPOSITORY to provide banking and related services for an initial three (3) year term commencing July 1, 2017, with the option in CITY to renew for one (1) additional two (2) year term under the same terms and conditions, subject to approval of CITY’s City Council; and

WHEREAS, the initial three (3) year term of the Contract expires on June 30, 2020; and

WHEREAS, CITY desires, and DEPOSITORY has agreed, to renew and extend the Contract for the two (2) year extension, the term of which will commence July 1, 2020, and terminate June 30, 2022; **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 of each PARTY under the Contract.

I. RENEWAL AND EXTENSION OF CONTRACT

1.1 Pursuant to the provisions of Article V. TERM of the Contract, CITY and DEPOSITORY mutually agree to renew and extend the term of the Contract, under the same terms and conditions, for a period of two years, commencing July 1, 2020, and ending June 30, 2022.

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II. REMAINDER OF CONTRACT UNCHANGED AND IN FULL FORCE AND EFFECT

2.1 The terms and conditions of the Contract, as amended pursuant to Article I above, shall remain unchanged and in full force and effect during its extended term.

III. CONFLICT PROVISIONS

3.1 In the event of conflict between any provision(s) in the Contract and any provision(s) in this document, the provision(s) in this document shall control and prevail.

EXECUTED this the ____ day of _____, 2020, to be effective July 1, 2020.

CITY:
CITY OF SAN ANTONIO, TEXAS

DEPOSITORY:
FROST BANK

BY: _____
Troy Elliott, CPA
Deputy Chief Financial Officer

BY: _____
Anthony White
Executive Vice President

Approved as to Form:

Robert K. Nordhaus
Assistant City Attorney