

AN ORDINANCE 2013-12-05-0847

AUTHORIZING THE 1ST AMENDMENT TO A FIVE-YEAR LEASE BETWEEN THE CITY OF SAN ANTONIO AND BRASS CENTERVIEW 2012, LLC. FOR 1,108 SQUARE FEET OF OFFICE SPACE LOCATED AT 4414 CENTERVIEW DR. IN COUNCIL DISTRICT 7, FOR A CONSTITUENT FIELD OFFICE.

* * * * *

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 in substantially the form attached as **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 in the amount of \$16,645.08 for this ordinance is available for Fund 11001000, Cost Center 0107020001 and General Ledger 5206010, as part of the Fiscal Year 2014 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 for Fiscal Years 2015, 2016 and 2017.

SECTION 4. Payment not to exceed the budgeted amount is authorized to the order of Brass Centerview 2012, LLC. and should be encumbered with a purchase order. All expenditures will comply with the approved operating budget for current and future fiscal years.

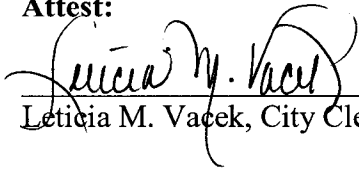
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this 5th day of December 2013.

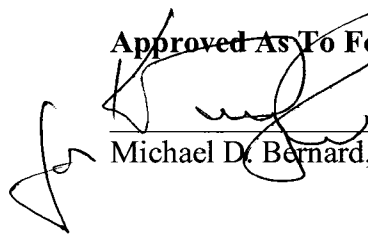

M A Y O R
for Julián Castro

Attest:



Leticia M. Vacek, City Clerk

Approved As To Form:



for Michael D. Bernard, City Attorney

Agenda Item:	17 (in consent vote: 7, 8, 9, 10, 11, 12A, 12B, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 31, 32, 34, 36, 37, 38, 39, 40, 41, 42, 43A, 43B, 43C, 43D)
Date:	12/05/2013
Time:	10:02:38 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing the 1st Amendment to Lease Agreement to a five-year Lease Agreement between the City of San Antonio and Brass Centerview 2012, LLC. for 1,108 square feet of office space located at 4414 Centerview Dr. in Council District 7, for the continued operation of a Constituent Field Office. [Ben Gorzell, Chief Financial Officer; Jorge Perez, Director, Building and Equipment Services]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Diego Bernal	District 1		x				x
Ivy R. Taylor	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				
Carlton Soules	District 10		x				

Attachment I

1st Amendment to Lease Agreement
(District 7 Constituent Office/4414 Centerview)

This 1st Amendment to Lease Agreement is entered into between Landlord and Tenant to be effective as of August 1, 2013.

1. Identifying Information.

Authorizing Ordinance:

Landlord: Brass Centerview 2012, LLC, assignee of Brass Centerview Holdings, LLC

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 Ordinance Authorizing Original Lease

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

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. Reduction in Rent

Paragraph 3.01 of the Lease is amended by restating the rent as follows for the period stated:

Rent Period	Monthly Rent
August 1, 2013 through December 4, 2016	\$1,600

4. 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.

5. 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.

6. Public Information.

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

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

Brass Centerview 2012, LLC, a
Delaware limited liability company, by
and through its sole managing member

**Brass Centerview 2012 Management,
LLC**, a Delaware limited liability
company

Printed
Name: _____

Title: _____

Date: _____

City of San Antonio, a Texas municipal
corporation

Signature: _____

Printed
Name: _____

Title: _____

Date: _____

Attest:

City Clerk

Approved as to Form:

City Attorney