

AN ORDINANCE 2014-12-04-0960

AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND CATHOLIC LIFE INSURANCE FOR THE RELOCATION OF OFFICE SPACE FROM SUITE 604 TO SUITE 510 LOCATED WITHIN THE CATHOLIC LIFE BUILDING AT 1635 N.E. LOOP 410 IN CITY COUNCIL DISTRICT 10, FOR USE AS THE DISTRICT 10 CONSTITUENT 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 a lease agreement substantially in the form of **Attachment I**, which is incorporated by reference for all purposes as if fully set forth. The City Manager and designee, severally, should take all other actions reasonably necessary or convenient to effectuate the transaction, including agreeing to non-material changes to the approved form and executing and delivering all ancillary instruments and agreements conducive to effectuating the transaction.

SECTION 2. Funding in the amount of \$13,950.00 for this ordinance is available for Fund 11001000, Cost Center 0110020001 and General Ledger 5206010, as part of the Fiscal Year 2015 Budget.

SECTION 3. Future funding through the term of this lease agreement is contingent upon City Council approval of subsequent fiscal year budgets.

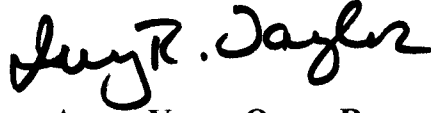
SECTION 4. Payment not to exceed the budgeted amount is authorized to Catholic Life Insurance and should be encumbered with a purchase order.

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.

TM [12/4/14]
Item No. 21.

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 4th day of December, 2014.




M A Y O R
Ivy R. Taylor

Attest:



Leticia M. Vacek, City Clerk

Approved As To Form:



Martha G. Sepeda, Acting City Attorney

for

Agenda Item:	21 (in consent vote: 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 16D, 16E, 17, 18, 19, 20, 21, 22A, 22B, 23, 24, 26, 27, 28, 30, 31, 33, 34)						
Date:	12/04/2014						
Time:	09:28:18 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the execution of a Landlord requested Amendment to a Lease Agreement between the City of San Antonio and Catholic Life Insurance for the relocation of office space from Suite 604 to Suite 510 located within the Catholic Life Building at 1635 N.E. Loop 410, in City Council District 10, for use as the District 10 constituent office. [Peter Zanoni, Deputy City Manager; Mike Etienne, Director, EastPoint & Real Estate Services Office]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
	District 1	x					
Keith Toney	District 2		x				
Rebecca Viagran	District 3	x					
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7	x					
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

1st Amendment to Lease Agreement

(City Council District 10 Constituent Office)

This 1st Amendment to Lease Agreement is entered into between Landlord and Tenant.

1. Identifying Information.

**Authorizing
Ordinance:**

Landlord: Catholic Life Insurance

Landlord's Address: Catholic Life Insurance Building, 1635 N.E. Loop 410, Suite 913, San Antonio, Texas 78209

Tenant: City of San Antonio

Tenant's Address: P.O. Box 829966, San Antonio, Texas 78283-3966

Lease: Approximately 1,033 square feet located in Ste. 604 of the Catholic Life Insurance Building, 1635 N.E. Loop 410, San Antonio, Texas 78209, utilized as the City Council District No.10 Constituent Office

**Ordinance Authorizing
Original Lease:** 2011-10-20-0856

**Effective date of
Amendment:** 12/15/14

1st Amendment: Amends the leased space replacing Ste. 604 consisting of approximately 1,033 square feet with Ste. 510 consisting of approximately 1,061 square feet located in the Catholic Life Insurance Building, 1635 N.E. Loop 410, San Antonio, Texas 78209 and more fully depicted in the attached **Exhibit A**, which is incorporate herein by reference for all purposes.

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 the original Lease.

3. Relocation, Improvements to New Premises.

The existing lease is amended to relocate the subject Lease premises to a comparable space in the same building. Specifically, the new leased space is Ste. 510 consisting of 1,061 square feet located in the Catholic Life Insurance Building, 1635 N.E. Loop, San Antonio, Texas. Landlord agrees to logistically coordinate with City Council 10 staff and physically move the existing field office from Ste. 604 to Ste. 510. Landlord agrees to pay, at its sole expense, all costs, directly or indirectly associated with moving and setting this office up including, but not limited to, moving the contents of the Ste. 604 to Ste. 510 and all Information Technology related expenses. Landlord is required to make the Ste. 510 office fully operational for its intended purpose prior to Tenant's actual relocation including obtaining a Certificate of Occupancy. Further, Landlord shall ensure that all Information Technology work is completed in coordination with the City of San Antonio's Information Technology Services Department and in accordance with the City's Structured Cabling Infrastructure Standards, which Landlord, by virtue of execution of this 1st Amendment to Lease Agreement, agrees to have received from Tenant. Tenant hereby acknowledges and accepts this relocation provided a Certificate of Occupancy has issued for Ste. 510 and any related Information Technology work has been completed in a professional and competent manner.

4. Rent.

Tenant shall continue to pay monthly rent at the current rate of \$1,550.00 through the expiration of the lease term, October 31, 2016.

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. The parties acknowledge that, except as expressly set forth in this amendment, the Lease remains in full force and effect according to its terms, and the parties reaffirm the obligations thereof. Both Landlord and Tenant are bound thereby. Neither party is in default under the Lease. There have been no amendments or other modifications to the Lease except as expressly described in this amendment.

Remainder of Page Intentionally Left Blank

7. Public Information.

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

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

Landlord

Tenant

Catholic Life Insurance, a Texas Life Insurance Company

City of San Antonio, a Texas municipal corporation

Signature: Ramiro A. Flores

Signature: _____

Printed Name: RAMIRO A. FLORES

Printed Name: _____

Title: AVP PROPERTY MANAGEMENT

Title: _____

Date: 10/28/14

Date: _____

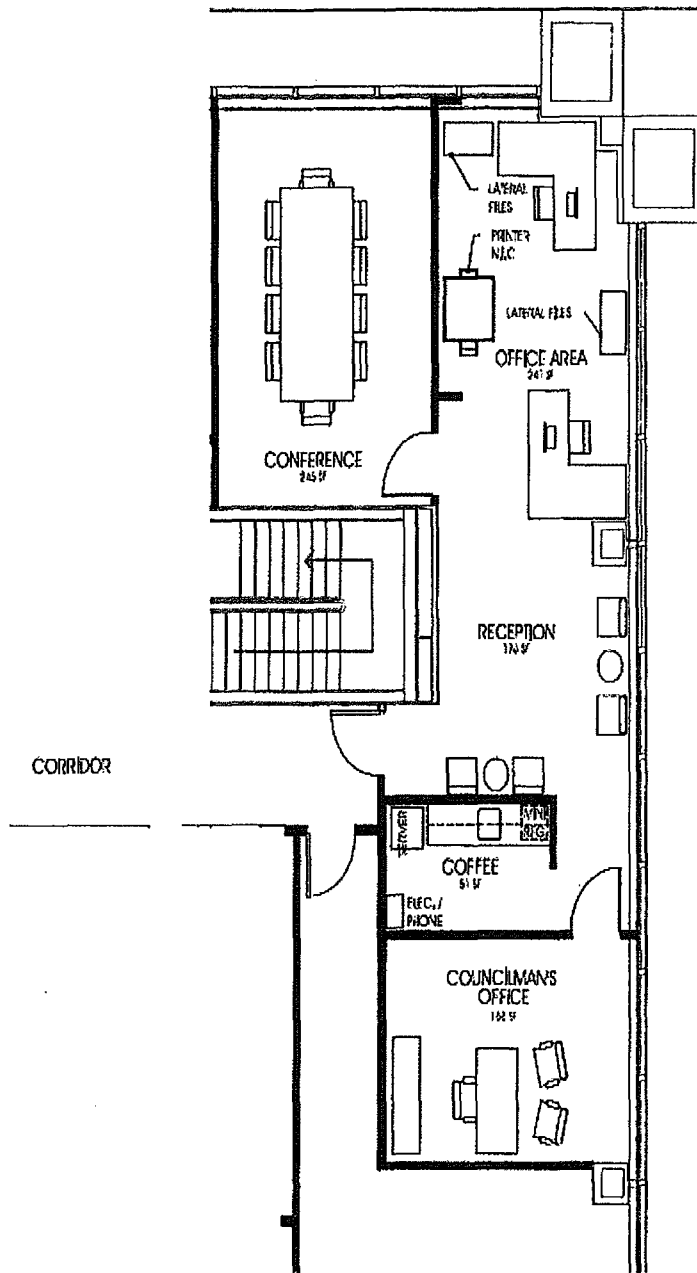
Attest:

City Clerk

Approved as to Form:

City Attorney

Exhibit A: Description of Premises



Catholic Life Bldg., Suite 510, 1,061 R.S.F.

* = Required fields



City of San Antonio Contracts Disclosure Form

Office of the
City Clerk

Please fill out this form online, print completed form and submit with proposal to originating department. All questions must be answered.

For details on use of this form, see [Section 2-59 through 2-61](#) of the City's Ethics Code.

*This is a New Submission or Correction or Update to previous submission.

*1. Name of person submitting this disclosure form.

First: RAMIRO M.I. A Last: FLORES Suffix: _____

*2. Contract information.

a) Contract or project name: 5TH FLOOR COUNCILMAN'S OFFICE

b) Originating department: _____

*3. Name of individual(s) or entity(ies) seeking a contract with the city (i.e. parties to the contract).

RAMIRO A. FLORES (CATHOLIC LIFE INSURANCE BUILDING)

*4. List any individual(s) or entity(ies) that is a partner, parent, joint venture, or subsidiary entity(ies) of the individual or entity listed in Question 3.

Not applicable. Contracting party(ies) does not have partner, parent, joint venture, or subsidiary entities.

Names of partner, parent, joint venture or subsidiary entities, and all the board members, executive committee members, and officers of each entity:

*5. List any individuals or entities that will be subcontractors on this contract.

Not applicable. No subcontractors will be retained for this contract.

Subcontractors may be retained, but have not been selected at the time of this submission.

List of subcontractors, including the name of the owner(s), and business name:

*6. List any attorneys, lobbyists, or consultants retained by any individuals listed in Questions 3, 4, or 5 to assist in seeking this contract.

Not applicable. No attorneys, lobbyists, or consultants have been retained to assist in seeking this contract.

List of attorneys, lobbyists, or consultants retained to assist in seeking this contract:

* = Required fields



City of San Antonio Contracts Disclosure Form

Office of the
City Clerk

*7. Disclosure of political contributions.

List any campaign or officeholder contributions made by the following individuals in the past 24 months totaling more than \$100 to any current member of City Council, former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections:

- a) any individual seeking contract with the city (Question 3)
- b) any owner or officer of entity seeking contract with the city (Question 3)
- c) any individual or owner or officer of an entity listed above as a partner, parent, or subsidiary business (Question 4)
- d) any subcontractor or owner/officer of subcontracting entity retained for the contract (Question 5)
- e) the spouse of any individual listed in response to (a) through (d) above
- f) any attorney, lobbyist, or consultant retained to assist in seeking contract (Question 6)

Not applicable. No campaign or officeholder contributions have been made in preceding 24 months by these individuals.

List of contributions:

Updates on Contributions Required

Information regarding contributions must be updated by submission of a revised form from the date of the submission of this form, up through the time City Council takes action on the contract identified in response to Question 2 and continuing for 30 calendar days after the contract has been awarded.

Notice Regarding Contribution Prohibitions for "High-Profile" Contracts

Under Section 2-309 of the Municipal Campaign Finance Code, the following listed individuals are prohibited from making a campaign or officeholder contribution to any member of City Council, candidate for City Council or political action committee that contributes to City Council elections from the 10th business day after a contract solicitation has been released until 30 calendar days after the contract has been awarded:

- a) Legal signatory of a high-profile contract
- b) Any individual seeking a high-profile contract
- c) Any owner or officer of an entity seeking a high-profile contract
- d) The spouse of any of individual listed in response to (a) through (c) above
- e) Any attorney, lobbyist, or consultant retained to assist in seeking a high-profile contract

Penalty. A high-profile contract cannot be awarded to the individual or entity if a prohibited contribution has been made by any of these individuals during the contribution "black-out" period, which is the 10th business day after a solicitation has been released until 30 calendar days after the contract has been awarded.

*8. Disclosure of conflict of interest.

Are you aware of any fact(s) with regard to this contract that would raise a "conflict of interest" issue under Sections 2-43 or 2-44 of the City Ethics Code for any City Council member or board/commission member that has not or will not be raised by these city officials?

I am not aware of any conflict(s) of interest issues under Section 2-43 or 2-44 of the City Ethics Code for members of City Council or a city board/commission.

I am aware of the following conflict(s) of interest:

* = Required fields



City of San Antonio Contracts Disclosure Form

Office of the
City Clerk

*9. Prohibited Interest in Contracts.

Currently, or within the past twelve (12) months, have you, your spouse, sibling, parent, child or other family member within the first degree of consanguinity or affinity served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner or employee of a business entity in which you, your spouse, parent, child own 10% or more of the voting stock or shares, or 10% or more of the fair market value served on a City board or commission?

Currently, or within the past twelve (12) months, has an owner, partner, or employee of a business entity who owns 10% or more of the voting stock or shares, or 10% or more of the fair market value, that will be a subcontractor for this contract, served on a City board or commission?

No

Yes

Notice Regarding Prohibited Interest in Contracts.

Please be aware, the City's Charter and Ethics Code prohibits members of certain more-than-advisory boards and commissions, as well as their close family members and any businesses they or their families hold a 10% or greater ownership interest from obtaining a contract with the City during their board or commission service. The prohibition extends to subcontracts on City contracts, and would also apply to parent, subsidiary or partner businesses owned by the member of the board or commission and their family. Please see [Section 141 of the City Charter](#) and [Section 2-52 of the City Ethics Code \(Prohibited Interests in Contracts\)](#) for complete information.

Former members of certain more-than-advisory boards and commissions, their family members and the businesses they own will continue to be prohibited from obtaining any discretionary contracts for one year after leaving City service. Please see [Section 2-58 of the City Ethics Code \(Prohibited Interest in Discretionary Contracts\)](#) for complete information.

Please note that any contract in place at the time the applicant becomes a City officer may remain in effect, but cannot be amended, extended, modified, or changed in any manner during the officer's City service on the more-than-advisory board.

If you have any questions, please contact the Office of the City Attorney to request to speak with a member of the Ethics staff: (210) 207-8940.

Acknowledgements

*1. Updates Required

I understand that this form must be updated by submission of a revised form if there is any change in the information before the discretionary contract, housing and retail development incentive, or the purchase, sale, or lease of real estate to or from the City is the subject of action by the City Council, and no later than 5 business days after any change has occurred, whichever comes first. This includes information about political contributions made after the initial submission and up until 30 calendar days after contract has been awarded.

*2. No Contact with City Officials or Staff during Contract Evaluation

I understand that a person or entity who seeks or applies for a city contract or any other person acting on behalf of that person or entity is prohibited from contacting city officials and employees regarding the contract after a Request for Proposal (RFP), Request for Qualification (RFQ), or other solicitation has been released.

This no-contact provision shall conclude when the contract is posted as a City Council agenda item. If contact is required with city officials or employees, the contact will take place in accordance with procedures incorporated into the solicitation documents. Violation of this prohibited contacts provision set out in Section 2-61 of the City Ethics Code by respondents or their agents may lead to disqualification of their offer from consideration.

* = Required fields



City of San Antonio Contracts Disclosure Form

Office of the
City Clerk

***3. Contribution Prohibitions for "High-Profile" Contracts**

- This is not a high-profile contract.
 This is a high-profile contract.

***4. Conflict of Interest Questionnaire (CIQ)**

Chapter 176 of the Local Government Code requires all contractors and vendors to submit a Conflict of Interest Questionnaire Form (CIQ) to the Office of the City Clerk, even if contract is not designated as "High Profile".

- I acknowledge that I have been advised of the requirement to file a CIQ form under Chapter 176 of the Local Government Code.

***Oath**

- I swear or affirm that the statements contained in this Contracts Disclosure Form, including any attachments, to the best of my knowledge and belief are true, correct, and complete.

Your Name: Ramon A. Jara Title: AVP PROPERTY MANAGEMENT

Company Name or DBA: CATHOLIC LIFE INSURANCE BUILDING Date: 10/29/2014

Please fill this form out online, print completed form and submit with proposal to originating department. All questions must be answered.

If necessary to mail, send to:

Purchasing

P.O. Box 839966

San Antonio, Texas 78283-3966