

AN ORDINANCE 2018-11-15-0910

AUTHORIZING THE EXECUTION OF A FIRST EXTENSION AND AMENDMENTS TO THE FINANCING AND JOINT USE AGREEMENT FOR THE DISTRICT 7 COMPREHENSIVE SENIOR CENTER, ALSO KNOWN AS THE DORIS GRIFFIN SENIOR ONE-STOP CENTER, WITH WELLMED CHARITABLE FOUNDATION, TO INCLUDE \$210,995 FOR SHARED OPERATION COSTS.

* * * * *

WHEREAS, the City is committed to providing San Antonio seniors comprehensive services that enhance their social, psychological, and physiological well-being; and

WHEREAS, as part of this commitment, the City offers a variety of services within City-owned, leased, and donated facilities to senior citizens, ages 60 and older; and

WHEREAS on August 8, 2013, City Council approved a contract, executed July 18, 2014, with extension options, between the City of San Antonio and WellMed Charitable Foundation to co-locate and jointly provide services in the comprehensive senior center, opened December 14, 2014, through Fiscal Year 2018; and

WHEREAS the Contract, Article I, allows for 2 one-year extension periods; and

WHEREAS the City desires to enter into its first extension as well as amend Article I of the Contract to state the extension will expire September 30, 2020, with two additional renewal options, and removing a 4-month notice period; **NOW THEREFORE:**

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

SECTION 1. The City Manager or her designee, or the Director of the Department of Human Services (DHS) or her designee, is authorized to execute a first extension of the Financing and Joint Use Agreement for the District 7 Comprehensive Senior Center, also known as the Doris Griffin Senior One-Stop Center, with WellMed Charitable Foundation. A copy of the extension in substantially final form is attached hereto and incorporated herein for all purposes as **Attachment I.**

SECTION 2. Amendments to the term provisions in Article I of the Contract are also approved.

SECTION 3. Funding in the amount of \$210,995.00 is available in Fund 11001000, Cost Center 3806020701 and General Ledger 5202020 as part of the FY 2019 Budget.

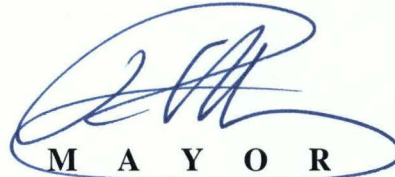
SECTION 4. Funds will be encumbered upon issuance of purchase orders, and payment is authorized to WellMed Charitable Foundation and should be encumbered with a purchase order.

All expenditures will be in accordance with the Fiscal Year 2019 and subsequent budgets that fall within the term period of this contract approved by City Council.

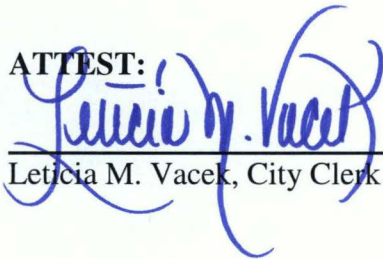
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 15th day of November, 2018.



M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

CITY COUNCIL MEETING

CONSENT AGENDA: ITEMS 5, 6, 7, 9, 10A, 10B, 11, 12, 13, 15,
16, 18, 19, 22, AND 23

DATE: November 15, 2018

TO APPROVE

NAME	ROLL CALL	MOTION	SECOND	ABSTAIN	AYE	NAY	ABSENT
Roberto C. Treviño DISTRICT 1					✓		
William "Cruz" Shaw DISTRICT 2							X
Rebecca J. Viagran DISTRICT 3		✓			✓		
Rey Saldaña DISTRICT 4					✓		
Shirley Gonzales DISTRICT 5					✓		
Greg Brockhouse DISTRICT 6					✓		
Ana E. Sandoval DISTRICT 7					✓		
Manny Peláez DISTRICT 8					✓		
John Courage DISTRICT 9			✓		✓		
Clayton H. Perry DISTRICT 10					✓		
Ron Nirenberg MAYOR					✓		

COMMENTS:

KD
11/15/2018
Item No. 11

Attachment I

**EXTENSION & AMENDMENT #6
TO THE FINANCING AND JOINT USE AGREEMENT
FOR THE DISTRICT 7 COMPREHENSIVE SENIOR CENTER
BETWEEN WELLMED CHARITABLE FOUNDATION AND
THE CITY OF SAN ANTONIO**

This first extension and 6th amendment (“Extension”) to the Financing and Joint Use Agreement for the District 7 Comprehensive Senior Center (“Agreement”) is entered into by the **City of San Antonio** (“City”), a Texas Municipal Corporation, acting through its Director of the Department of Human Services (“Director”), and the **WellMed Charitable Foundation** (“WellMed”), a Texas non-profit corporation, (together, the “Parties”).

WHEREAS, the City presently contracts with WellMed for an Agreement executed on July 18, 2014 pursuant to Ordinance No. 2013-08-0525; passed and approved on August 8, 2013; and

WHEREAS, WellMed has waived the four (4) months advanced written notice in Section 1.3 for City to extend the Agreement; and

WHEREAS, pursuant to Section 1.2 of the Agreement, the parties desire to enter into the first extension upon the approval by City Council pursuant to Ordinance No. _____; passed and approved on November 15, 2018; and

WHEREAS, the Parties further desire to amend the Agreement pursuant to Section 27.1 to allow for further extensions without the prior approval of City Council and to remove the provision of four (4) months advance written notice; NOW THEREFORE:

City and WellMed agree to extend and to amend the Agreement as follows:

1. The Agreement is hereby extended for a first extension through September 30, 2020.
2. Section 1.1 of the Agreement is amended as follows:
Except as otherwise provided for pursuant to the provisions hereof, this Agreement will commence immediately upon its execution and terminate on September 30, 2020.
3. Section 1.2 of the Agreement is amended as follows:
City shall have the option to renew this CONTRACT for two (2) additional one-year terms upon the approval of the Director and the review of the City Attorney’s Office.
4. Section 1.3 of the Agreement is hereby deleted.
5. A revised Attachment “C” to the Agreement, reflecting the addition of the FY 19 Operations Budget as a budget attachment is attached hereto as **Exhibit I**, and incorporated into the Agreement by reference for all purposes as if fully set forth therein. The attachment supersedes prior conflicting or inconsistent agreements with regard to the referenced

Attachment "C," and all references in the Agreement to Attachment "C" shall mean the Attachment as revised by this Amendment.

6. The document attached hereto and incorporated herein as **Exhibit II** is the agreed upon FY 19 Operations Budget for the District 7 Comprehensive Senior Center, and shall be labeled "**C-6**" for the purposes of attachment to Attachment "C," the Funding Schedule. The attachment supersedes prior conflicting or inconsistent agreements with regard to the referenced budget, and all references in the Agreement to the budget shall mean the budget as revised by this Amendment.

7. All other terms, prior amendments and provisions of the AGREEMENT are hereby continued and will remain in effect, except for the provisions modified by this Extension.

Executed to be effective as of the date of September 30, 2018.

CITY:
City of San Antonio, Texas

WELLMED:
WellMed Charitable Foundation


Melody Woosley, Director
Department of Human Services

Carol Zernial, Executive Director

Date: _____

Date: _____

APPROVED AS TO FORM:



Assistant City Attorney

Exhibit I**[INSERT ATTACHMENTS HERE, SUCH AS]****Attachment C****Financing and Joint Use Agreement****Funding Schedule and Budget(s)**

Op Year	Party	Authorizing Ordinance	Funding	Description / Purpose	Budget Attachment
FY2013	City	2012-09-13-0696	\$375,000.00	Capital Improvements	
	City	FY 2014 Proposed DHS Operating Budget	\$375,000.00	Operations and Meals	
FY2014	City	2013-018-08-0525	\$170,000.00	Operations and Meals	
	City	2013-08-08-0525	\$90,000.00	Vehicle	
FY2013	WM	N/A	\$500,000.00	Capital Improvements	
FY2014	WM	N/A	\$400,000.00	Operations and Maintenance	
FY2015	City	2014-09-18-0690	\$613,992.13	Operations and Meals	C-2
	WM	N/A	\$475,241.00	Operations	C-2
FY2016	City	2015-09-10-0754	\$462,903	Operations	C-3
	WM	N/A	\$462,903	Operations	C-3
FY2017	City	2016-09-15-0693	\$476,786.11	Operations (incl. direct payments)	C-4
	WM	N/A	\$476,786.11	Operations	C-4
FY2018	City	2017-09-14-0652	\$467,404.60	Operations	C-5
	WM	N/A	\$467,404.60	Operations	C-5
FY2019	City		\$491,861.95	Operations	C-6
	WM	N/A	\$491,861.95	Operations	C-6