

AN ORDINANCE 2015-09-17-0799

**AUTHORIZING A FIVE-YEAR LEASE RENEWAL AGREEMENT
EXTENSION WITH WARFIELD TO LEASE 4,500 SQUARE FEET OF CLINIC
SPACE AT 4343 RITTIMAN ROAD FOR THE SAN ANTONIO
METROPOLITAN HEALTH DISTRICT FOR THE CONTINUED OPERATION
OF A WOMEN, INFANTS AND CHILDREN CLINIC AS PART OF THE
SPECIAL SUPPLEMENTAL NUTRITION PROGRAM.**

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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 San Antonio Metropolitan Health district or his designee, is hereby authorized to renew and extend a lease agreement between the City of San Antonio and Warfield for use of clinic space located at 4343 Rittiman Road to be used by the San Antonio Metropolitan Health District's continued operation of a Women, Infant and Children Clinic as part of the Special Supplement Nutrition Program for a five-year term ending on September 30, 2020 at a monthly rate of \$4,290.00. A copy of the lease, in substantially final form, is attached hereto and incorporated herein for all purposes as Attachment I.

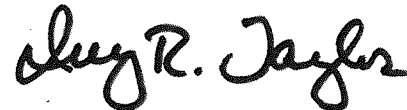
SECTION 2. Funding for this ordinance in the amount of \$51,480.00 is contingent upon approval of the Fiscal Year 2016 Budget. Fund 2601636xxx, General Ledger 5206010 and Internal Order 136000000xxx is hereby designated for use in the accounting for the fiscal transaction of this contract for the five years of the lease. Future funding through the term of this lease agreement is contingent upon City Council approval of subsequent fiscal year budgets.

SECTION 3. If approved by City Council, payment not to exceed the budgeted amount is authorized to Warfield, a general partnership, and should be encumbered with a purchase order.

SECTION 4. 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.

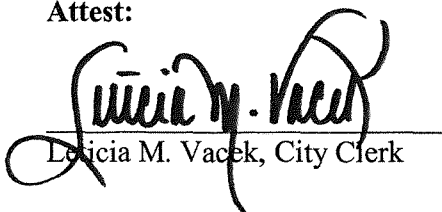
SECTION 5. This Ordinance is effective immediately upon receipt of eight affirmative votes; otherwise, it is effective 10 days after passage.

PASSED AND APPROVED this 17th day of September, 2015.

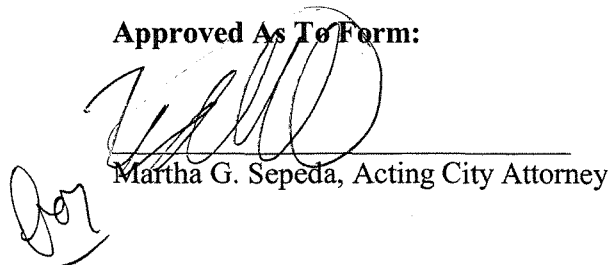


M A Y O R
Ivy R. Taylor

Attest:


Leticia M. Vacek, City Clerk

Approved As To Form:


Martha G. Sepeda, Acting City Attorney

Agenda Item:	24 (in consent vote: 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 22A, 22B, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 40, 41, 42, 43)						
Date:	09/17/2015						
Time:	10:02:11 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a five-year lease renewal agreement extension with Warfield to lease 4,500 square feet of clinic space at 4343 Rittiman Road for the San Antonio Metropolitan Health District for the continued operation of a Women, Infants and Children Clinic as part of the Special Supplemental Nutrition Program. [Lori Houston, Assistant City Manager and Acting 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				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			x	
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

ATTACHMENT 1

Renewal, Amendment and Extension of Lease Agreement

(WIC MHC and Council District 2 office space at 4343 and 4351 Rittiman Road)

1. Identifying Information.

**Ordinance Authorizing
Renewal and Extension:**

Landlord: Warfield, a Texas General Partnership

Landlord's Address: c/o Ernest Soble Commercial Properties, Inc., P.O. Box
790885, San Antonio, Texas 78279-0885

Tenant: City of San Antonio

**Tenant's Address and
location for payment of rent:** P.O. Box 829966, San Antonio, Texas 78283-3966 (Attention:
Director, Center City Development and Operations)

Lease: Lease Agreement between Landlord and Tenant pertaining to
Premises A (approximately 4,500 rentable square feet of the
building located at 4343 Rittiman Road and 20 surface parking
spaces located adjacent to the building) and Premises B
(approximately 632 rentable square feet of the building located
at 4351 Rittiman Road and 3 surface parking spaces), jointly
and individually referred herein as Premises and amended
herein to remove Premises B from the Leased Premises,
thereby making Premises A the entirety of the Premises as
graphically depicted on Exhibit A, which is incorporated by
reference for all purposes as if fully set forth.

**Ordinance Authorizing
Original Lease:** 2010-04-29-0351

Beginning of Renewal Term September 29, 2015

Expiration of Renewal Term September 30, 2020

2. Defined Terms.

All terms used in this instrument and not otherwise defined herein but defined in the Lease or any previous amendment to it have the meanings previously ascribed to them.

3. Renewal, Amendment and Extension.

The Original Lease is amended to remove approximately 632 rentable square feet identified as Premises B in the Original Lease from the Leased Premises for a total square footage of 4,500 rentable square feet comprising Premises A. The term of the Original Lease is extended from the Beginning of Renewal Term through and including the Expiration of Renewal Term. Landlord acknowledges delivery of Premises B in satisfactory condition with no obligation for Tenant to make any repairs or any further financial obligation on Tenant's behalf pertaining to Premises B.

4. Rent.

From the Beginning of the Renewal Term to the Expiration of the Renewal Term, Tenant must pay to Landlord the following rent at the place, at the intervals, and in the manner described in the Original Lease for the payment of rent: \$4,290.00.

5. No Default.

Neither Landlord nor Tenant is in default under the Original Lease, and neither party is aware of a cause of action against the other arising out of or relating to the period before this renewal and extension.

6. Same Terms and Conditions.

This renewal and extension instrument is a fully integrated statement of the modifications to the Original Lease. Except as expressly modified by this renewal and extension, the Original Lease remains a comprehensive statement of the rights and obligations of Landlord and Tenant. Landlord and Tenant reaffirm the Original Lease as modified by this agreement and represent to each other that no written right or obligation of either party has been waived such that it would impair exercise of the right or enforcement of the obligation on a future occasion.

7. Public Information.

This instrument is public information within the meaning of Chapter 552 of the Texas Government Code and accordingly may be disclosed to the public. Nothing in this agreement waives an otherwise applicable exception to disclosure.

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

City of San Antonio, a Texas municipal corporation

Warfield, a Texas general partnership,
by and through its managing agent, **Ernest Soble Commercial Properties, Inc.**

By: _____

Printed

Name: _____

Signature: _____

Stephen M. Soble, President

Title: _____

Date: _____

Date: _____

Attest:

City Clerk

Approved as to Form:

City Attorney

EXHIBIT A

WIC CLINIC - (4,500 S.F.)
3/9/93 RIT/WH
3/14/93
7/29/93 REVISED
8/14/93 REVISED

