

AN ORDINANCE 2016-01-14-0010

RATIFYING THE FIRST AMENDMENT AND SECOND EXTENSION OF THE CITY OF SAN ANTONIO FINANCIAL ADVISOR SERVICES CONTRACTS WITH COASTAL SECURITIES, INC. AND ESTRADA HINOJOSA & COMPANY, INC. FOR FINANCIAL ADVISOR FOR CO-FINANCIAL ADVISOR SERVICES IN CONNECTION WITH THE CITY'S FINANCINGS, FOR UP TO A THREE MONTH TERM COMMENCING JANUARY 1, 2016 AND TERMINATING MARCH 31, 2016, UNDER THE SAME TERMS AND CONDITIONS.

* * * * *

WHEREAS, pursuant to Ordinance No. 2010-12-16-1099 and Ordinance No. 2010-12-16-1100, passed and approved December 16, 2010, the City entered into separate *City of San Antonio Financial Advisor Services Contracts* ("Contracts") with Coastal Securities, Inc. ("Coastal") and Estrada Hinojosa & Company, Inc. ("Estrada"), respectively, to serve as financial advisor or co-financial advisors to the City in connection with financing capital improvements and other projects through the potential issuance of, among others, certain obligations identified with specificity therein, and to provide other services specified therein, for a three (3) year term commencing December 20, 2010 and ending December 31, 2013, with the City having an option to extend the Contracts for one (1) additional two (2) year term upon approval of the City Council of City by passage of an Ordinance; and

WHEREAS, pursuant to Ordinance No. 2013-12-05-0866, passed and approved December 5, 2013, the Contracts were extended for the additional two (2) year terms commencing January 1, 2014 and ending December 31, 2015; and

WHEREAS, on October 19, 2015, City Staff issued a *Request For Proposal* ("RFP") for the purpose of procuring Financial Advisor Services for a three (3) year term commencing January 1, 2016 and ending December 31, 2019, with the City having an option to extend the contracts for one (1) additional two (2) year term upon approval of the City Council of City by passage of an Ordinance; and

WHEREAS, on November 17, 2015, eight Proposals ("Proposals") were received in response to the RFP; and

WHEREAS, City Staff's evaluation of the Proposals has extended beyond December 31, 2015; and

WHEREAS, in order to obtain essential Financial Advisor services during the time the Proposals are being evaluated and until a contract or contracts is/are awarded by City Council, City Staff entered into that certain *First Amendment And Second Extension of City of San Antonio Financial Advisor Services Contract* ("Second Extension") with both Coastal and Estrada, pursuant to which the Contracts with Coastal and Estrada were amended to provide for extension of the Contracts for up to a three (3) month term, commencing January 1, 2016 and ending March 31, 2016; and

WHEREAS, City Staff now recommends that the Second Extension with both Coastal and Estrada be ratified in all things; and

WHEREAS, after due deliberations on and consideration of the matter, the City Council desires to accept the Staff recommendations as set forth above; **NOW THEREFORE**;

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

SECTION 1. The amendment and extension of the Coastal Contract, to provide for an extension of up to three (3) months, commencing January 1, 2016, and ending March 31, 2016, upon the same terms and conditions, is hereby ratified in all things.

The City Manager, or her designee, or the Chief Financial Officer or his designee, are each hereby authorized to execute that certain First Amendment And Second *Extension of City of San Antonio Financial Advisor Services Contract* with Coastal, substantially in the form attached hereto as **Attachment I** and incorporated herein by reference for all purposes.

SECTION 2. The amendment and extension of the Estrada Contract, to provide for an extension of up to three (3) months, commencing January 1, 2016, and ending March 31, 2015, upon the same terms and conditions, is hereby ratified in all things.

The City Manager, or her designee, or the Chief Financial Officer or his designee, are each hereby authorized to execute that certain First Amendment And Second *Extension of City of San Antonio Financial Advisor Services Contract* with Estrada, substantially in the form attached hereto as **Attachment II** and incorporated herein by reference for all purposes.

SECTION 3. The City's Financial Advisors are paid from the proceeds derived from the issuance of obligations and other financings; therefore, there is no impact on the City's operating budget.

SECTION 4. No fiscal language is required for this Ordinance.

SECTION 5. This ordinance is effective immediately upon passage by eight (8) affirmative votes; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

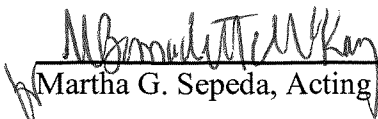
PASSED AND APPROVED this 14th day of January, 2016.


M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:


Leticia M. Vacek, City Clerk


Martha G. Sepeda, Acting City Attorney

Agenda Item:	16 (in consent vote: 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 20A, 20B, 21A, 21B, 21C, 21D, 21E)						
Date:	01/14/2016						
Time:	09:18:26 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance ratifying the First Amendment and Second Extension of the City of San Antonio Financial Advisor Services Contracts with Coastal Securities, Inc. and Estrada Hinojosa & Company, Inc. for Financial Advisor or Co-Financial Advisor Services in connection with the City's financings, for a two month term, commencing January 1, 2016 and terminating February 29, 2016, under the same terms and conditions, with the option to renew for one additional one month period, commencing March 1, 2016 and ending March 31, 2016. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]						
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				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

A T T A C H M E N T I

**FIRST AMENDMENT AND SECOND EXTENSION OF
CITY OF SAN ANTONIO FINANCIAL ADVISOR SERVICES CONTRACT**

This *First Amendment And Second Extension Of City of San Antonio Financial Advisor Services Contract* ("Second Extension") is entered into by and between the **CITY OF SAN ANTONIO**, a Texas municipal corporation, by and through its Chief Financial Officer (hereinafter referred to as "City"), and **COASTAL SECURITIES, INC.**, a Texas corporation, acting by and through its duly authorized representative (hereinafter referred to as "Firm"). City and Firm are sometimes hereinafter referred to as the "Parties".

For a good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by City and Firm, the Parties hereby agree as follows:

I. AMENDMENTS

- 1.1 Article III. TERM, of that certain *City of San Antonio Financial Advisor Services Contract* ("**CONTRACT**") between City and Firm is hereby amended so as to add thereto Sections 3.3 and 3.4, which shall read as follows:

3.3 **CITY** shall have the further option to renew this **CONTRACT** for one (1) additional two (2) month period for the services described herein. Such two (2) month period shall commence January 1, 2016 and end February 29, 2016. This option shall be at the **CITY's** sole discretion. **CITY** shall give **FIRM** written notice of its exercise of this option.

3.4 **CITY** shall have the additional option to renew this **CONTRACT** for one (1) additional one (1) month period for the services described herein. Such one (1) month period shall commence March 1, 2016 and end March 31, 2016. This option shall be at the **CITY's** sole discretion. **CITY** shall give **FIRM** written notice of its exercise of this option.

II. PROVISIONS TO REMAIN IN EFFECT

- 2.1 Save and except as modified herein, all other terms, conditions, covenants and provisions of the **CONTRACT** shall remain unchanged and in full force and effect.

III. ENTIRE AGREEMENT

- 3.1 The **CONTRACT**, as amended by this Second Extension, embodies the complete agreement of the Parties with regard to the subject matter contained herein, superseding all oral or written previous and contemporary agreements between the Parties relating to matters herein.

EXECUTED by the City and by the Firm, acting through their duly authorized officials, on the dates written below, to be effective from and after December 23, 2015.

CITY
CITY OF SAN ANTONIO, TEXAS

FIRM
COASTAL SECURITIES, INC.

Ben Gorzell, Jr., CPA
Chief Financial Officer

Jorge Rodriguez
Managing Director

Date: _____

Date: _____

Approved as to form:

Robert K. Nothman
Assistant City Attorney

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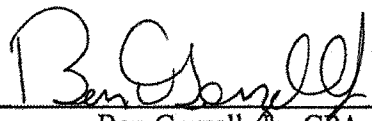
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CITY OF SAN ANTONIO, TEXAS

FIRM
**ESTRADA HINOJOSA &
COMPANY, INC.**



Ben Gorzell, Jr., CPA
Chief Financial Officer

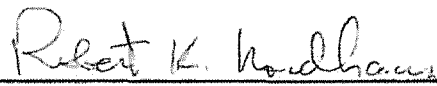


Robert A. Estrada
Senior Managing Director & CCO

Date: 12/22/15

Date: 12.21.15

Approved as to form:



Assistant City Attorney