

AN ORDINANCE 2017-08-31-0605

**AUTHORIZING A FIVE YEAR EXTENSION OF A
PARKING LEASE WITH THE GENERAL SERVICES
ADMINISTRATION FOR THE CONTINUED USE OF THE
PARKING LOT AT 727 EAST CESAR CHAVEZ BY THE
CITY OF SAN ANTONIO IN COUNCIL DISTRICT 1.**

* * * * *

WHEREAS, City Council approved Ordinance 2012-08-06-0615 with the General Services Administration for city use of 325 parking spaces; and

WHEREAS, an extension would allow continued use at 727 East Cesar Chavez from 6 p.m. - 6 a.m. Monday through Friday, all day Saturday, Sunday, and Federal holidays beginning September 1, 2017; and

WHEREAS, the agreement term is set to expire and city staff recommends the agreement be extended; and

WHEREAS, the General Services Administration is agreeable to the extension; **NOW THEREFORE**,

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 five year extension of the parking agreement approved under Ordinance 2012-08-06-0615 with the General Services Administration, substantially in the form of **Attachment I**, which is incorporated by reference for all purposes as if fully set forth. The City Manager or her designee, jointly or 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 \$50,103.36 for this ordinance is available for Fund 53001000, Cost Center 1910090001 and General Ledger 5206010, as part of the Fiscal Year 2017 Budget.

SECTION 3. Payment not to exceed the budgeted amount is authorized General Services Administration (GSA) and should be encumbered with a purchase order.

SECTION 4. Additional funding for this ordinance is contingent upon City Council approval of the City's operating budget and the availability of funds for Fiscal Year 2018, 2019, 2020, and 2021.

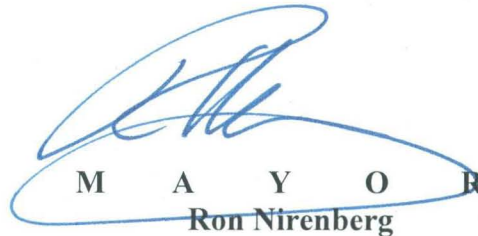
SECTION 5. Funds generated by this Ordinance will be deposited as per the table below:

General Ledger	Internal Order	Fund
4403132	219000000106	53001000
4403133	219000000106	53001000
4403153	219000000106	53001000
4999991	219000000106	53001000

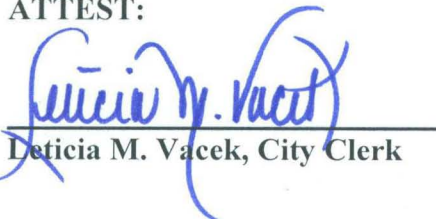
SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 7. 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 31st day of August, 2017.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney

Agenda Item:	12 (in consent vote: 7, 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28A, 28B)						
Date:	08/31/2017						
Time:	09:24:59 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a five-year extension of parking lease with the General Services Administration for the continued use of the parking lot at 727 East Cesar Chavez, beginning September 1, at an initial rate of \$50,103.36 annually. [Lori Houston, Assistant Manager; John Jacks, Director, Center City Development & Operations]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				x
Clayton H. Perry	District 10		x				

Attachment I

Attachment I

GENERAL SERVICE ADMINISTRATION PUBLIC BUILDING SERVICE SUPPLEMENTAL LEASE AGREEMENT	SUPPLEMENTAL AGREEMENT	DATE
	No. 2	
TO LEASE NO: GS-07P-OTX02477		
ADDRESS OF PREMISES: San Antonio Federal Building Parking Lot 727 Cesar Chavez Blvd. San Antonio, TX 78206		
<p>THIS AGREEMENT, made and entered into this date by and between The City of San Antonio, a Texas Municipal Corporation whose address is PO Box 839966 San Antonio, Texas 78283-3966 hereinafter called the Lessee and UNITED STATES OF AMERICA, hereafter call the Government</p> <p>WHEREAS, the parties hereto desire to amend the above lease</p> <p>NOW THEREFORE, These parties for the consideration hereinafter mentioned covenant and agree that the said Lease is amended, effective <u>September 1, 2017</u> as follows:</p> <p>The purpose of this Supplemental Lease Agreement (SLA) No. 2 is to extend the term of the current parking outlease for a period of five (5) years and update the termination rights.</p> <p>Paragraph 3 is hereby deleted in its entirety and replaced with the following: "3. TO HAVE AND TO HOLD the premises with their appurtenances under the following term beginning September 1, 2017 and ending August 31, 2022. This agreement may be terminated at the convenience of either party at any time after September 1, 2018 by giving at least 180 days notice in writing and no rental shall accrue after the effective date of termination."</p> <p>Paragraph 4 is hereby deleted in its entirety and replaced with the following: "4. RENTAL CONSIDERATION: The Lessee shall pay the Lessor annual rent as follows: Year 1 September 1, 2017 - August 31, 2018 \$50,103.36 Year 2 September 1, 2018 - August 31, 2019 \$54,111.63 Year 3 September 1, 2019 - August 31, 2020 \$58,440.56 Year 4 September 1, 2020 - August 31, 2021 \$63,115.80 Year 5 September 1, 2021 - August 31, 2022 \$68,165.06</p> <p>Rent is payable annually due at the beginning of each annual year of the agreement. All payments shall be made payable to the GSA, and shall contain the lease number for identification purposes - GS-07P-OTX02477. All payments are to be paid by check or money order and mailed to the OFFICE OF FINANCE, GENERAL SERVICES ADMINISTRATION, PO BOX 301511, LOS ANGELES, CA 90030-1511, to be received on or before the first day of each month the rent is due. Lessor may notify Lessee of a change in payment and/or notice address at any time through written correspondence. Mailing may be accomplished by sending the notice via facsimile or via a commercial or U.S. Postal Service overnight delivery service. The "Your Rights as a Debtor to GSA" (Attachment C) is attached and made part of this lease."</p> <p>Paragraph 6 is hereby deleted in its entirety and replaced with the following: "6. The City of San Antonio (Lessee) shall be responsible for the re-striping of the premises every year that the outlease is in place. The restriping plan must be pre-approved by GSA before the commencement of the work. If the Lessee fails to re-stripe the premises annually, GSA will restripe the parking lot and bill the lessee."</p> <p>Paragraph 25 is hereby deleted in its entirety and replaced with the following: "25. All obligations of the City of San Antonio under this instrument are funded subject to the discretion of the City Council whether to appropriate funding. If the City Council fails to appropriate money for any obligation under this agreement, the City may terminate this agreement any time after August 31, 2018 and have no further liability.</p> <p>All other items and conditions of the lease shall remain force and effect. IN WITNESS WHEREOF, the parties subscribed there names as of the above date.</p>		
LESSEE: The City of San Antonio, a Texas Municipal Corporation		
BY _____ (Signature) _____ (Title)		
IN PRESENCE OF _____ (Signature) _____ (Title)		
UNITED STATE OF AMERICA		
_____ (Signature) _____ CONTRACTING OFFICER GENERAL SERVICES ADMINISTRATION (Official Title)		