

AN ORDINANCE 2019-01-17-0029

AUTHORIZING AN AMENDMENT TO A LEASE AGREEMENT WITH AVIS RENT A CAR SYSTEM, LLC TO EXTEND THE TERM FOR THREE YEARS FOR 43,406 SQUARE FEET OF GROUND SPACE ON JONES-MALTSBERGER ROAD WITH A LEGAL DESCRIPTION OF LOT 2, BLOCK 1, NCB 8645, NORTH LOOP ESTATES AT THE SAN ANTONIO INTERNATIONAL AIRPORT, GENERATING \$31,595.40 IN ANNUAL REVENUE THAT WILL BE DEPOSITED IN THE AVIATION OPERATING AND MAINTENANCE FUND.

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WHEREAS, in 2008, City Council authorized a lease agreement with Avis Rent A Car System, LLC which included 43,404 square feet of ground space at San Antonio International Airport; and

WHEREAS, the current lease agreement expires on January 16, 2019, and Avis wishes to extend the lease for an additional three years and will generate annual revenue of \$31,595.40; **NOW THEREFORE:**

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


SECTION 1. The City Manager or her designee is authorized to execute an amendment to the lease agreement with Avis Rent A Car, LLC for 43,406 square feet of ground space at San Antonio International Airport, extending the term for three years, a copy of which is set out in **EXHIBIT 1**.

SECTION 2. Funds generated by this ordinance will be deposited into Fund 51001000, Internal Order 233000000008 and General Ledger 4409040.

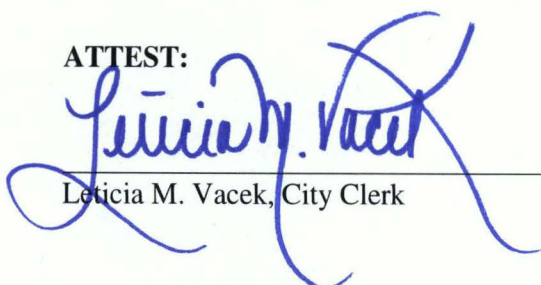
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.


PASSED and APPROVED this 17th day of January, 2019.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:..


for Andrew Segovia, City Attorney

Agenda Item:	17 (in consent vote: 7, 8, 9, 10, 11, 12, 13A, 13B, 14, 16, 17, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30)						
Date:	01/17/2019						
Time:	09:52:27 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance amending a lease agreement with Avis Rent A Car System, LLC to extend the term for three years for 43,406 square feet of ground space on Jones-Maltsberger Road with a legal description of Lot 2, Block 1, NCB 8645, North Loop Estates at the San Antonio International Airport, generating \$31,595.40 in annual revenue that will be deposited in the Aviation Operating and Maintenance Fund. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
Art A. Hall	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				

MAT
01/17/19
Item No. 17

EXHIBIT 1
AVIS LEASE AMENDMENT

SAN ANTONIO INTERNATIONAL AIRPORT LEASE AMENDMENT NO. 5

THIS AMENDMENT is made in multiple originals and entered into by and between the City of San Antonio ("City" or "Lessor"), a Texas Municipal Corporation, acting by and through its City Manager pursuant to Ordinance No. _____ passed and approved on _____, and **Avis Rent A Car System, LLC**, a Delaware limited liability company (hereinafter "Lessee") acting by and through its duly authorized officer.

WHEREAS, City and Lessee entered into a San Antonio International Airport ("SAT") Lease dated January 30, 2008, as authorized by Ordinance Number 2008-01-17-0024; and

WHEREAS, the Lease was amended on September 8, 2008, as authorized by Ordinance No. 2008-08-21-0720 ("Amendment No. 1"); and

WHEREAS, the Lease was amended again on June 20, 2013, as authorized by Ordinance No. 2013-06-20-0455 ("Amendment No. 2"); and

WHEREAS, the Lease was amended again on December 17, 2015, as authorized by Ordinance No. 2015-12-17-1063 ("Amendment No. 3"); and

WHEREAS, the Lease was amended again administratively on October 18, 2018, ("Amendment No. 4"), which established a termination date for the Lease of January 16, 2019, which is one year after beneficial occupancy of the CONRAC; and

WHEREAS, the parties now desire to decrease the square footage of the Leasehold to 43,406 square feet, and extend the lease for an additional period of three (3) years; NOW THEREFORE,

In consideration of the terms covenants, agreements and demises herein contained and for other good and valuable consideration, each to the other given, the receipt and sufficiency of which is hereby mutually acknowledged, City and Lessee agree to amend the Lease as follows:

1. **Section I, DESCRIPTION OF LEASED PREMISES** is amended as follows:
 - 1.1 The total square footage of the Leased Premises is hereby decreased to 43,406 square feet.
2. **Exhibit C—SITE PLAN OF LEASED PREMISES**, is replaced by Exhibit 1, attached hereto.
3. **Section II—RENTAL** is amended as follows:

2.1 The rental table contained in Section 2.1 is adjusted to reflect the current square footage:

Leased Premises	Sq. Ft.	Annual Rate Per Sq. Ft.	<u>Monthly Rental</u>	<u>Annual Rental</u>
Motor Vehicle Rental Storage Area	43,406	\$0.73	\$2,632.95	\$31,595.40
TOTAL RENTAL			\$2,632.95	\$31,595.40

4. **Section V. LEASE TERM** is amended as follows:

5.1 The term of the Lease is extended for a term of three (3) additional years, commencing on January 17, 2019 and terminating on January 16, 2022.

5. This Amendment sets forth the entire agreement between the parties. Except as amended herein, all of the terms and provisions of the Agreement between the parties shall remain in full force and effect. In case of any inconsistency between the provisions of the Agreement and this Amendment, the later provisions shall govern and control.

6. This Amendment shall be effective upon execution by all parties.

EXECUTED by City and Lessee as indicated below.

AVIS RENT A CAR SYSTEM LLC

CITY OF SAN ANTONIO

By: _____

By: _____

Sheryl Sculley, City Manager

Print Name

Date: _____

APPROVED AS TO FORM:

Its: _____

Date: _____

City Attorney

EXHIBIT 1

**SAN ANTONIO AIRPORT SYSTEM
AVIS RENTAL CAR LOT SQUARE FOOTAGE**



SCALE:
1"=100'

JONES-MALTSBERGER RD.

LOT 2
BLOCK 1
NCB 8645
NORTH LOOP ESTATES
43,406 SQ. FT.
(1 ACRE)

451.4'

443.7'

125.3'

JOHN CAPE RD.



**SAN ANTONIO AIRPORT SYSTEM
RENTAL VEHICLE STORAGE LOT
JOHN CAPE RD.**

SAN ANTONIO, TX 78216
43,406 SQ.FT.

EXHIBIT ____, PAGE ____
for premises leased to

AVIS

at
SAN ANTONIO
INTERNATIONAL AIRPORT
LEASE No. _____