

AN ORDINANCE      2014 - 11 - 13 - 0903

**AUTHORIZING AN EXTENSION OF AN EXISTING LEASE TO APRIL 30, 2018 FOR 1,775 SQUARE FEET OF OFFICE SPACE AT THE MONTHLY RATE OF \$468.00 WITH BROOKS DEVELOPMENT AUTHORITY LOCATED AT 3319 SIDNEY BROOKS DRIVE IN COUNCIL DISTRICT 3 TO SERVE AS THAT DISTRICT'S FIELD OFFICE.**

\*      \*      \*      \*      \*

**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 lease agreement substantially in the form of **Attachment I**, which is incorporated by reference for all purposes as if fully set forth. The City Manager and designee, 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 \$4,680.00 for this ordinance is available for Fund 11001000, Cost Center 0103020001 and General Ledger 5206010, as part of the Fiscal Year 2015 Budget.

**SECTION 3.** Future funding through the term of this lease agreement is contingent upon City Council approval of subsequent fiscal year budgets.

**SECTION 4.** Payment not to exceed the budgeted amount is authorized to Brooks Development Authority and should be encumbered with a purchase order.

**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 receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** this 13<sup>th</sup> day of November, 2014.

  
M A Y O R  
Ivy R. Taylor

**Attest:**

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**Approved As To Form:**

  
\_\_\_\_\_  
Robert F. Greenblum, City Attorney  
for  
/

<b>Agenda Item:</b>	16 ( in consent vote: 5, 6, 8, 9, 10, 11, 13, 15A, 15B, 16, 17, 18, 19A, 19B, 22, 23, 24, 25, 26, 27, 28, 30, 31, 33, 37A, 37B, 37C, 37D, 37E )						
<b>Date:</b>	11/13/2014						
<b>Time:</b>	09:45:37 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing an extension of an existing lease to April 30, 2018 for 1,775 square feet of office space at the monthly rate of \$468.00 with Brooks Development Authority located at 3319 Sidney Brooks Drive in Council District 3 to serve as that District's field office. [Peter Zanoni, Deputy City Manager; Mike Etienne, Director, EastPoint & Real Estate Services Office]						
<b>Result:</b>	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Diego Bernal	District 1		x				x
Keith Toney	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			x	
Michael Gallagher	District 10		x				

**Amendment No. 2 to Lease Agreement**  
(Council District No. 3 Constituent Office)

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**1. Identifying Information.**

**Ordinance Authorizing  
Amendment No. 2:**

**Landlord:** Brooks Development Authority, a Texas Defense Base  
Development Authority

**Landlord's Address:** 1 B.D.A. Crossing, Suite 100, San Antonio, Texas 78235

**Tenant:** City of San Antonio

**Tenant's Address:** P.O. Box 839966, San Antonio, Texas 78283-3966 (Attention:  
Director, Asset Management Department)

**Lease:** Lease Agreement (Council District No. 3 Constituent Office)  
between Landlord and Tenant dated January 5, 2006; and  
Amendment No. 1 to Lease Agreement dated November 30, 2007.

**Premises:** Approximately 1,775 square feet in Building 510, Brooks City  
Base, as more particularly described on **Exhibit A**.

**Ordinance Authorizing  
Original Lease:** 101844, December 15, 2005

**Ordinance Authorizing  
Amendment No. 1** 2007-11-01-1155

**2. Defined Terms.**

All terms defined in the Lease and not otherwise defined in this amendment, when used in this amendment, have the meanings ascribed to them in the Lease.

**3. Extended Term.**

The term of this Lease is extended through April 30, 2018.

**4. No Default.**

Neither Landlord nor Tenant is in default under the Lease and neither party is aware of a cause of action against the other arising out of or relating to the period before the date of Landlord's signature on this amendment.

**5. Same Terms and Conditions.**

This amendment is a fully integrated expression of the changes the parties intend to make to the Lease, as previously amended. The parties acknowledge that, except as expressly set forth in this amendment, the Lease as previously amended remains in full force and effect according to its terms, and the parties reaffirm the obligations thereof. Both Landlord and Tenant are bound thereby. Without limiting the generality of the above, the renewal option set out in 4.4 of the Lease applies according to its terms after expiration of the term extension effected by this instrument. There have been no amendments or other modifications to the Lease except as expressly described in this amendment.

**6. Public Information.**

Landlord acknowledges that this instrument is public information within the meaning of Chapter 552 of the Texas Government Code and accordingly may be disclosed to the public.

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

**Tenant**

**Landlord**

**City of San Antonio**, a Texas municipal corporation

**Brooks Development Authority**, a Texas defense base development authority

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

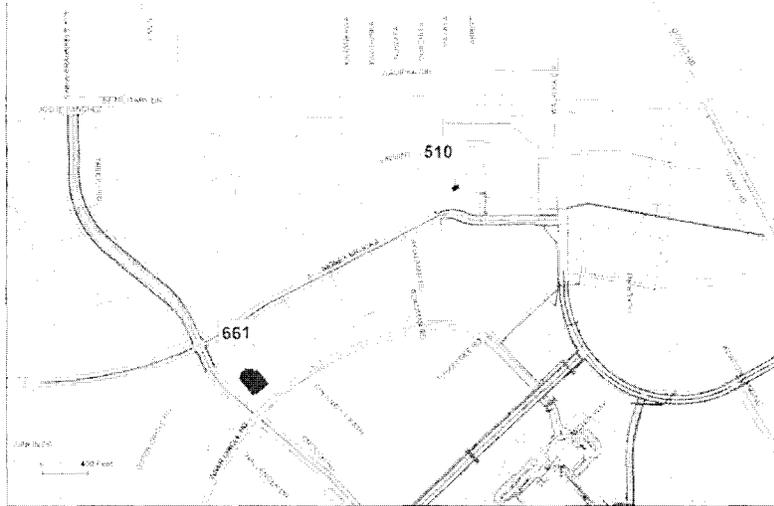
Date: \_\_\_\_\_

**Approved as to Form:**

\_\_\_\_\_  
City Attorney

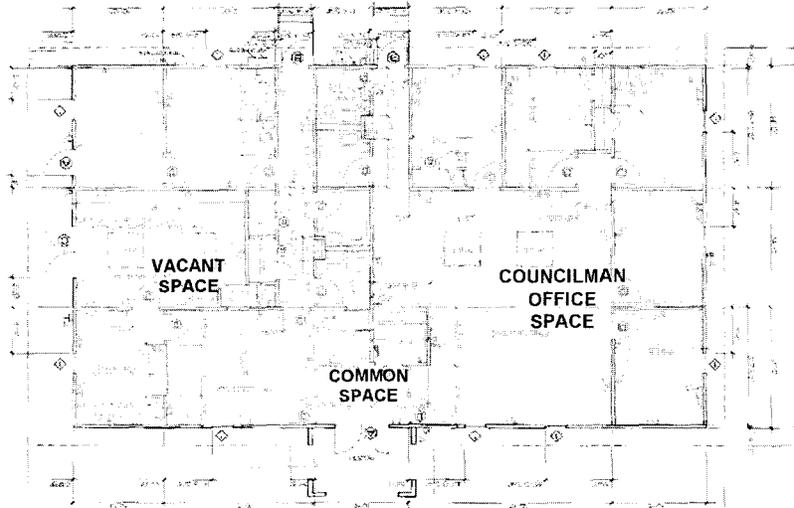
# Exhibit A

## Building 510 Site Location



**BROOKS**  
CITYBASE

# Building 510 - Floor Plan



**BROOKS**  
CITYBASE