

AN ORDINANCE **2013 - 05 - 30 - 0381**

AMENDING THE MANAGEMENT CONTRACT WITH CENTRO SAN ANTONIO MANAGEMENT CORPORATION TO PROVIDE ADDITIONAL POWER WASHING SERVICES IN THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT.

* * * * *

WHEREAS, pursuant to Ordinance Number 2009-05-07-0356, passed and approved on May 7, 2009, the City Council authorized the re-establishment of the Downtown Public Improvement District (the "PID") pursuant to the Public Improvement District Assessment Act, Local Government Code, Chapter 372; and

WHEREAS, pursuant to Ordinance No. 2009-09-10-0694, passed and approved on September 10, 2009, the City entered into a Contract for Improvements and/or Services in the San Antonio Public Improvement District in the Downtown Area (the "Contract") with Centro San Antonio Management Corporation ("Centro") through which Centro supplements City services by providing: 1) a management program; 2) a maintenance and landscaping program; and 3) a public service representative program; and

WHEREAS, the City has previously provided two power washing crews to clean the PID area, but can no longer provide such services; and

WHEREAS, Centro has agreed through this proposed First Amendment to provide two additional power-washing crews to be paid for with non-PID funds in addition to the current number of power washing crews it provides under the annual service and assessment plan for the PID; **NOW THEREFORE:**

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

SECTION 1. The First Amendment to the Contract is authorized and approved. The City Manager or her designee is authorized to execute the First Amendment. A copy of the First Amendment, previously executed by Centro, is attached to this Ordinance as **Exhibit I**.

SECTION 2. Funding in the amount of \$117,334.00 for this Ordinance is available in Fund 11001000, Cost Center 1902010001 and General Ledger 5201040, as part of the Fiscal Year 2013 Budget.

SECTION 3. Funding in the amount of \$234,668.00 for this Ordinance is contingent upon City Council approval of Fiscal Year 2014 budget for Fund 11001000, Cost Center 1902010001 and General Ledger 5201040.

SECTION 4. Payment not to exceed the budgeted amount is authorized to Centro San Antonio Management Corporation and shall be encumbered with a purchase order and is dependent upon the availability of funds for current and future fiscal year budgets.

LB
05/30/13
Item No. 30B

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 shall take effect immediately upon the receipt of eight affirmative votes; otherwise it shall be effective ten days after its passage.

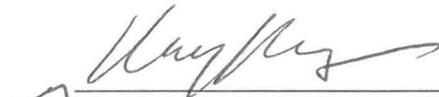
PASSED AND APPROVED this 30th day of May, 2013.

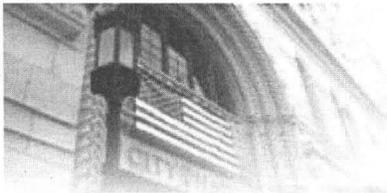

M A Y O R
Julián Castro

ATTEST:

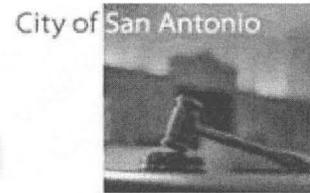

Leticia M. Vacck, City Clerk

APPROVED AS TO FORM:


Michael D. Bernard, City Attorney



Request for
**COUNCIL
ACTION**



Agenda Voting Results - 30B

Name:	6, 7, 8, 9A, 9B, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 17, 18, 20A, 20B, 20C, 21, 22, 25, 26, 27, 28, 29A, 29B, 30A, 30B						
Date:	05/30/2013						
Time:	10:49:32 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance amending the management contract with Centro San Antonio Management Corporation to include additional sidewalk power washing services to be provided in the Downtown Public Improvement District.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				x
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x			x	
Elisa Chan	District 9		x				
Carlton Soules	District 10	x					

EXHIBIT I

**FIRST AMENDMENT TO
CONTRACT FOR IMPROVEMENTS AND/OR SERVICES IN THE
SAN ANTONIO PUBLIC IMPROVEMENT DISTRICT
IN THE DOWNTOWN AREA**

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, this First Amendment to the Contract for Improvements and/or Services in the San Antonio Public Improvement District in the Downtown Area ("First Amendment") is entered into by the City of San Antonio, acting by and through the City Manager pursuant to Ordinance No. 2013-05-30-_____, passed and approved on May 30, 2013, and Centro San Antonio Management Corporation, a Texas non-profit corporation ("Contractor"), acting by and through its duly authorized officer.

A. City and Contractor entered into the Contract for Improvements and/or Services in the San Antonio Public Improvement District in the Downtown Area ("Contract") pursuant to City of San Antonio Ordinance No. 2009-09-10-0694, dated September 10, 2009.

B. City and Contractor agree to amend specific provisions of the Contract as set out in this First Amendment.

1. **Section 2 (1)(B)(3) is added as follows:**

"The Contractor shall provide 2 sidewalk power washing crews in addition to such services included in the Plan. The crews shall operate Sunday-Thursday from 9:00 am-5:30 pm. The invoices for such additional power washing services shall be separate from those for services furnished under the Plan and shall not be paid with PID funds."

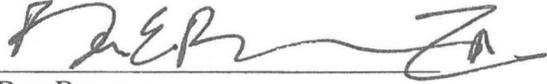
Except as otherwise expressly modified hereby, all terms and provisions of the Contract are ratified and confirmed and shall remain in full force and effect, enforceable in accordance with their terms.

EXECUTED AND SIGNED to be effective May 30, 2013.

CITY OF SAN ANTONIO

Sheryl Sculley
City Manager

**CENTRO SAN ANTONIO MANAGEMENT
CORPORATION**



Ben Brewer
President

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney