

AN ORDINANCE 2008-05-01-0346

AUTHORIZING A 5-YEAR RENEWAL OF THE NIX HOSPITAL'S LEASE OF PARKING SPACES AT THE HOUSTON STREET GARAGE, BEGINNING AT \$77.00 A MONTH FOR ABOVE-GROUND SPACES AND \$88.00 A MONTH FOR BASEMENT SPACES AND INCREASING OVER THE TERM.

* * * * *

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

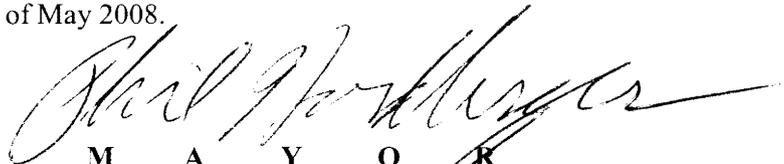
SECTION 1. The City Manager and her designee, severally, are authorized and directed to execute and deliver on behalf of the City an instrument with Accord Medical Management, LP d/b/a Nix Healthcare System in substantially the form attached as **Attachment I**, which is incorporated for all purposes as if fully set forth. The City Manager and her designee, severally, should take all other actions conducive 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. Funds generated by this ordinance will be deposited into Fund 53004000 Parking Revenue, Internal Order 219000000082 Houston Street Garage Nix, General Ledger 4401180 Lease Rental of Parking Space.

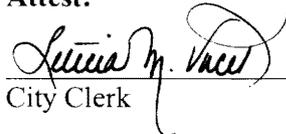
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This ordinance becomes effective 10 days after passage.

PASSED AND APPROVED this 1st day of May 2008.

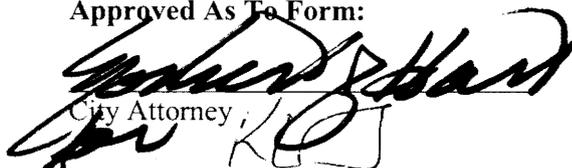

M A Y O R
PHIL HARDBERGER

Attest:

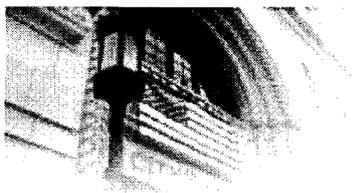


City Clerk

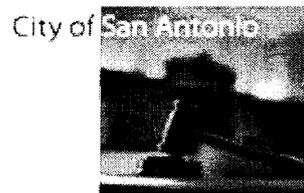
Approved As To Form:



City Attorney



Request for
COUNCIL
ACTION



Agenda Voting Results - 17

Name:	5, 6, 7, 8, 9, 10, 13, 14, 16, 17, 18, 19, 21, 23, 25, 26, 27, 28A, 28B, 28C, 28D, 28E, 28F, 28G						
Date:	05/01/2008						
Time:	09:48:03 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a 5-year renewal of the Nix Hospital's lease of parking spaces at the Houston Street Garage, beginning at \$77.00 a month for above-ground spaces and \$88.00 a month for basement spaces and increasing over the term. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x			x	
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



CMS or Ordinance Number: CN0040002555

TSLGRS File Code:1000-25

Document Title:

CONT - Parking Spaces lease for May 1, 2008 - April 30, 2009
2nd renewal ordinance 200805010346

Commencement Date:

2/12/2004

Expiration Date:

4/30/2009

2nd Renewal of License Agreement

(Nix Hospital Parking)

1. Identifying Information.

Ordinance Authorizing 2nd Renewal:

2008-05-01-0346

Licensor: City of San Antonio

Licensor's Address: P.O. Box 839966, San Antonio, Texas 78283-3966
(Attention: Director, Downtown Operations Department)

Licensee: Accord Medical Management, LP, successor by conversion to Accord Medical Management, Inc., d/b/a Nix Healthcare System

Licensee's Address: 414 Navarro Street, Suite 600, San Antonio, Texas 78205-2523

License: License Agreement between Licensor and Licensee pertaining to 400 parking spaces in the garage formerly known as the Mid-City Garage, now known as the Houston Street Garage, and Authorized by the Ordinance Authorizing Original License

Ordinance Authorizing Original License: 87741, April 30, 1998

1st Renewal: Renewal and Extension of License Agreement between Licensor and Licensee pertaining to the Original License and authorized by the Ordinance Authorizing 1st Renewal

Ordinance Authorizing 1st Renewal: 98803, February 12, 2004

Beginning of 2nd Renewal Term May 1, 2008

Expiration of 2nd Renewal Term April 30, 2013

2. Defined Terms.

The term "License" includes the original License and all amendments to it. All terms used in this instrument and not otherwise defined in it but defined in the License have the meanings from the License.

3. Renewal.

3.01. The term of the License is extended from the Beginning of the Renewal Term through and including the Expiration of the Renewal Term.

3.02. The original License provided for up to three 5-year renewals. The renewal effected by this instrument is the second of the three provided for. Whether the third renewal may be put into effect is governed by the terms of the License.

4. License Fee.

4.1. For the first year of the 2nd Renewal Term (May 1, 2008 through April 30, 2009), the License Fee is \$77 a month for each above-ground space and \$88 a month for each basement space. The Licensee Fee for later years of this 2nd Renewal Term is increased according to the formula set out in the License.

4.2. Licensee must pay the License Fee to Licensor at the place, at the intervals, and in the manner described in the License for the payment of License Fees:

5. No Default.

Neither Licensor nor Licensee is in default under the License, and neither party is aware of a cause of action against the other arising out of or relating to the period before this renewal.

6. Same Terms and Conditions.

This instrument is a fully integrated statement of the modifications to the License. Except as expressly modified by this renewal, the License remains a comprehensive statement of the rights and obligations of Licensor and Licensee. Licensor and Licensee reaffirm the License as modified by this agreement.

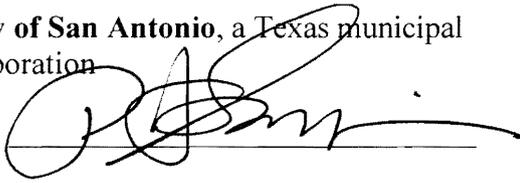
7. Public Information.

Licensee 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:

Licensors:

City of San Antonio, a Texas municipal corporation

By: 
Printed

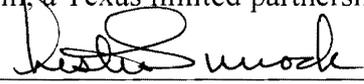
Name: Pat DiGiovanni

Title: Deputy City Manager

Date: 5/19/8

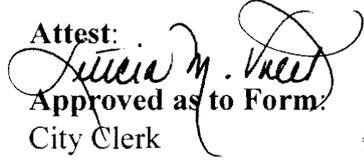
Licensee:

Accord Medical Management, LP,
successor by conversion to Accord Medical
Management, LP, d/b/a Nix Health Care
System, a Texas limited partnership

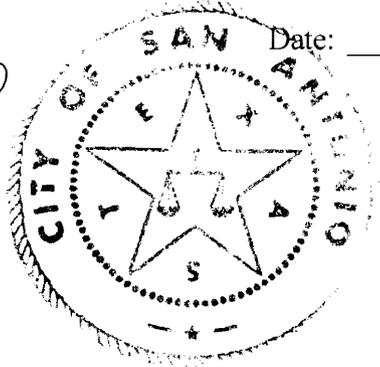
By: 

Printed
Name: Lester E. Surrock

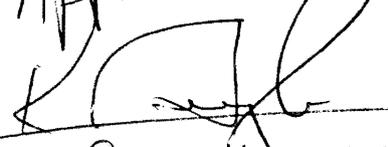
Title: Senior Vice President & Chief
Financial Officer

Attest:

Approved as to Form:
City Clerk

City Attorney



Date: 4-3-08

Approved as to Form

of the City Attorney



CMS or Ordinance Number: OR00000200805010346

TSLGRS File Code: 1000-05

Document Title:

ORD - Parking Spaces lease for May 1, 2008 - April 30, 2009
2nd renewal ordinance 200805010346

Ordinance Date:
5/1/2008