

AN ORDINANCE 2011-03-03-0168

AUTHORIZING A FIVE-YEAR RENEWAL OF LEASE AGREEMENT FROM WASHINGTON PLACE JOINT VENTURE FOR 6,050 SQUARE FEET OF OFFICE SPACE LOCATED AT 215 S. SAN SABA IN COUNCIL DISTRICT 1, FOR THE CONTINUED USE BY THE SAN ANTONIO POLICE DEPARTMENT'S REGIONAL AUTO CRIME TEAM PROGRAM FOR THE INITIAL MONTHLY RENEWAL AMOUNT OF \$7,260.00.

* * * * *

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 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. The City Manager or her designee, or the Chief of Police for the City of San Antonio or his designee is hereby authorized to execute a lease agreement in an amount not to exceed a monthly rental payment of \$7,260.00 between the City of San Antonio and the Washington Place Joint Venture for use of office space located at 215 S. San Saba to be used by the Police Department's Regional Auto Crime Team Program for a five-year term, commencing on March 1, 2011 and terminating on February 28, 2016, and authorizing payment of the monthly lease rental contingent upon funding by the Texas Automobile Theft Authority (ABTPA). A copy of the contract, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

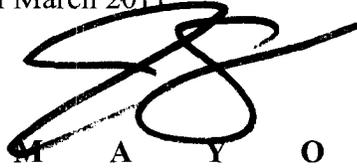
SECTION 3. Payment not to exceed the budgeted amount is authorized and should be encumbered with a purchase order.

SECTION 4. Fund 2603117002 entitled "REACT 2010-2011" and internal order 117000000132 are hereby designated for use in the accounting for the fiscal transaction of this contract for the first year of the contract. Funds in the amount of \$50,820.00 for the first year of the contract are authorized to be paid to Washington Place Joint Venture. The funds for the remaining years two through five in the average annual amount of \$92,506.00 per year of said contract's five-year term will be contingent on the availability of ABTPA funds. Future City Council appropriation of such funding and allocations to the ReACT Program, are contingent upon funding.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer (CFO), City of San Antonio. The CFO 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 6. 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.

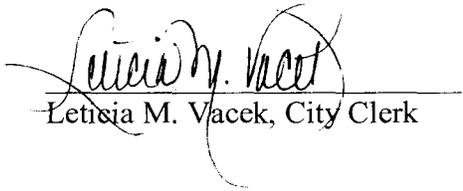
PASSED AND APPROVED this 3rd day of March 2011



M A Y O R

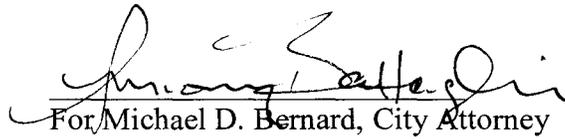
Julián Castro

Attest:

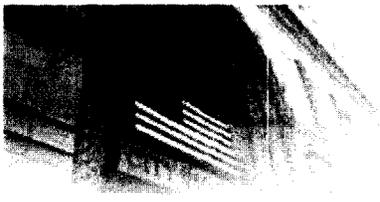


Leticia M. Vacek, City Clerk

Approved As To Form:

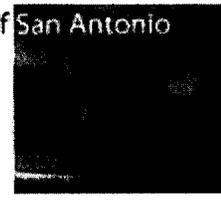


For Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 21

Name:	6, 7, 8, 10, 11, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 25H, 26, 27, 28, 29, 30, 31						
Date:	03/03/2011						
Time:	03:14:19 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a five-year renewal of lease agreement from Washington Place Joint Venture for office space located at 215 S. San Saba in Council District 1, for the continued use by the San Antonio Police Department's Regional Auto Crime Team program for the initial monthly rental amount of \$7,260.00. [Peter Zanoni, Assistant City Manger; Mike Frisbie, Director, Capital Improvements Management Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x			x	
David Medina Jr.	District 5		x				x
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

Attachment I

Renewal and Extension of Lease Agreement

(Washington Place JV-SAPD)

This Renewal and Extension of Lease Agreement is between Landlord and the City of San Antonio (Tenant), under the Ordinance Authorizing Renewal and Extension.

1. Identifying Information.

Ordinance Authorizing Present Renewal:

Landlord: Washington Place Joint Venture

Landlord's Address: c/o Spencer Property Management, 5825 Callaghan Rd., Ste.
101, San Antonio, Texas 78228-1124

Lease: Lease Agreement between Landlord and Tenant pertaining to
approximately 6,050 square feet of office space at 215 South
San Saba and authorized by the Ordinance Authorizing Original
Lease

**Ordinance Authorizing
Original Lease:** 86833, October 23, 1997

1st Renewal: Two-year renewal and extension of lease agreement between
Landlord and Tenant authorized by the Ordinance Authorizing
1st Renewal

**Ordinance Authorizing 1st
Renewal:** 92772, October 26, 2000

2nd Renewal: Renewal and extension of lease agreement between Landlord
and Tenant authorized by the Ordinance Authorizing 2nd
Renewal

**Ordinance Authorizing 2nd
Renewal:** 96583, October 24, 2002

3rd Renewal: Renewal and extension of lease agreement between Landlord
and Tenant authorized by the Ordinance Authorizing 3rd
Renewal

**Ordinance Authorizing 3rd
Renewal:** 2007-10-18-1102

4th Renewal: Two-year renewal and extension of lease agreement between
Landlord and Tenant authorized by the Ordinance Authorizing
4th Renewal

**Ordinance Authorizing 4th
Renewal:** 2008-11-06-0977

Beginning of Present March 1, 2011

Renewal Term

**Expiration of Present
Renewal Term** February 28, 2016

2. Defined Terms.

All terms used in this instrument and not otherwise defined herein but defined in the Lease or any previous amendment to it have the meanings previously ascribed to them.

3. Renewal and Extension

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

4. Rent.

Rent during the Renewal Term is as follows:

Renewal Year	Monthly Rent
Year 1	\$7,260.00
Year 2	\$7,477.80
Year 3	\$7,702.13
Year 4	\$7,933.19
Year 5	\$8,171.19

5. Utilities

All utilities during the Present Renewal Term will be paid by the Landlord.

6. 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 this renewal and extension.

7. Same Terms and Conditions.

This renewal and extension instrument is a fully integrated statement of the modifications to the Lease. Except as expressly modified by this and previous renewal and extensions, the Lease remains a comprehensive statement of the rights and obligations of Landlord and Tenant. Landlord and Tenant reaffirm the Lease as modified by this agreement.

8. 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

Washington Place Joint Venture, a limited partnership

By: _____

By: _____

Printed
Name: _____

Printed
Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Approved as to Form:

City Attorney