

AN ORDINANCE 2013-12-05-0866

APPROVING THE EXTENSION OF THE CITY OF SAN ANTONIO FINANCIAL ADVISOR SERVICES CONTRACTS WITH COASTAL SECURITIES, INC. AND ESTRADA HINOJOSA & COMPANY, INC. FOR FINANCIAL ADVISOR OR CO-FINANCIAL ADVISOR SERVICES IN CONNECTION WITH THE CITY'S FINANCINGS, FOR A TWO YEAR TERM COMMENCING JANUARY 1, 2014 AND TERMINATING DECEMBER 31, 2015, UNDER THE SAME TERMS AND CONDITIONS.

* * * * *

WHEREAS, pursuant to Ordinance No. 2010-12-16-1099 and Ordinance No. 2010-12-16-1100, passed and approved December 16, 2010, City entered into separate *City of San Antonio Financial Advisor Services Contracts* ("Contracts") with Coastal Securities, Inc. ("Coastal" and the "Coastal Contract") and Estrada Hinojosa & Company, Inc. ("Estrada" and the "Estrada Contract"), respectively, to serve as financial advisor or co-financial advisors to the City in connection with financing capital improvements and other projects through the potential issuance of, among others, certain obligations identified with specificity therein, and to provide other services specified therein, for a three (3) year term commencing December 20, 2010 and ending December 31, 2013, with the City having an option to extend the Contracts for one (1) additional two (2) year term upon approval of the City Council of City by passage of an Ordinance; and

WHEREAS, City Staff has recommended that the Coastal Contract and the Estrada Contract each be extended for the remaining two (2) year term, commencing January 1, 2014, and ending December 31, 2015, upon the same terms and conditions, and Coastal and Estrada are willing to agree to such extension; and

WHEREAS, after due deliberations on and consideration of the matter, the City Council desires to accept the Staff recommendations as set forth above; **NOW THEREFORE**;

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

SECTION 1. The extension of the Coastal Contract, to provide for one (1) additional two (2) year term commencing January 1, 2014, and ending December 31, 2015, upon the same terms and conditions, is hereby approved.

The City Manager, or her designee, or the Chief Financial Officer or his designee, are each hereby authorized to execute that certain *Extension of City of San Antonio Financial Advisor Services Contract* with Coastal, substantially in the form attached hereto as **Attachment I** and incorporated herein by reference for all purposes.

SECTION 2. The extension of the Estrada Contract, to provide for one (1) additional two (2) year term commencing January 1, 2014, and ending December 31, 2015, upon the same terms and conditions, is hereby approved.

The City Manager, or her designee, or the Chief Financial Officer or his designee, are each hereby authorized to execute that certain *Extension of City of San Antonio Financial Advisor Services Contract* with Estrada, substantially in the form attached hereto as **Attachment II** and incorporated herein by reference for all purposes.

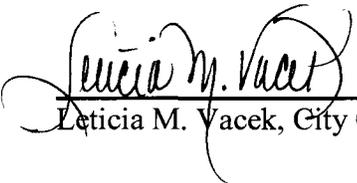
SECTION 3. The City's Financial Advisors are paid from the proceeds derived from the issuance of obligations and other financings; therefore, there is no impact on the City's operating budget.

SECTION 4. This ordinance is effective immediately upon passage by eight (8) affirmative votes; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

PASSED AND APPROVED this 5th day of December, 2013.


M A Y O R
for Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael D. Bernard, City Attorney

Agenda Item:	37 (in consent vote: 7, 8, 9, 10, 11, 12A, 12B, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 31, 32, 34, 36, 37, 38, 39, 40, 41, 42, 43A, 43B, 43C, 43D)
Date:	12/05/2013
Time:	10:02:38 AM
Vote Type:	Motion to Approve
Description:	An Ordinance approving the extension of the City of San Antonio Financial Advisor Services Contracts with Coastal Securities, Inc. and Estrada Hinojosa & Company, Inc. for Financial Advisor or Co-Financial Advisor Services in connection with the City's financings, for a two year term beginning January 1, 2014 and ending December 31, 2015, under the same terms and conditions. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director, Finance]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Diego Bernal	District 1		x				x
Ivy R. Taylor	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			x	
Joe Krier	District 9		x				
Carlton Soules	District 10		x				

A T T A C H M E N T I

**EXTENSION OF
CITY OF SAN ANTONIO
FINANCIAL ADVISOR SERVICES CONTRACT**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
THE COUNTY OF BEXAR §

This *Extension of City of San Antonio Financial Advisor Services Contract* (“Extension”) is made and entered into by and between the **CITY OF SAN ANTONIO** (hereinafter referred to as “**CITY**”), a Texas home-rule municipal corporation, acting by and through its City Manager, her designee, or its Chief Financial Officer or his designee, pursuant to Ordinance No. 2013-12-05-____ (“Ordinance”), passed and approved December 5, 2013, and **COASTAL SECURITIES, INC.**, a Texas corporation, acting by and through its duly authorized representative (hereinafter referred to as “**FIRM**”).

WHEREAS, pursuant to Ordinance No. 2010-12-16-1099, passed and approved December 16, 2010, **CITY** and **FIRM** entered into that one certain *City of San Antonio Financial Advisor Services Contract* (“Contract”), containing terms and conditions under which **FIRM** shall serve as Financial Advisor or Co-Financial Advisor to **CITY** in connection with financing capital improvements and other projects through the potential issuance of, among others, certain obligations identified with specificity therein, and shall also provide other services specified therein, for a three (3) year term commencing December 20, 2010 and ending December 31, 2013, with **CITY** having an option to extend the Contract for one (1) additional two (2) year term upon approval of the City Council of **CITY** by passage of an Ordinance; and

WHEREAS, **CITY** desires to renew and extend the Contract for the two (2) year renewal term, upon the same terms and conditions as the Contract, and **FIRM** desires to do the same; **NOW, THEREFORE**:

FOR VALUABLE CONSIDERATION, the parties hereto severally and collectively agree, and by the execution hereof are bound, to the mutual obligations herein contained and to the performance and accomplishment of the tasks hereinafter described.

I. RENEWAL AND EXTENSION OF CONTRACT

- 1.1 The Contract is hereby renewed and extended for the period commencing January 1, 2014 and ending December 31, 2015, under the same terms and conditions as set forth in the Contract.

II. CONFLICT OF INTEREST

- 2.1 For the purposes of this Extension, **FIRM** warrants and certifies, and this Extension is entered into and executed by **CITY** in reliance thereon, that **FIRM**, its officers, employees and agents are neither officers nor employees of **CITY**, as those terms are defined in Division 2, Section 2.52 of the *City of San Antonio Ethics Code* dated March 2, 2006 ("Ethics Code"). **FIRM** further warrants and certifies that it has tendered to the **CITY** a current *City of San Antonio Discretionary Contracts Disclosure* in compliance with the Ethics Code.
- 2.2 Section 2.1 of this Extension shall supersede Article XV. Conflict of Interest, Section 15.1 of the Contract.

III. INCORPORATION OF TERMS AND CONDITIONS OF CONTRACT BY REFERENCE

- 3.1 Except as provided for in this Extension, all other terms and conditions of the Contract are hereby renewed and extended pursuant to the terms of this Extension, and incorporated into this Extension, and are made a part hereof for all purposes.

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IV. CONFLICT PROVISIONS

4.1 Any discrepancy between the provisions of this Extension and the provisions of the Contract shall be resolved in favor of this Extension.

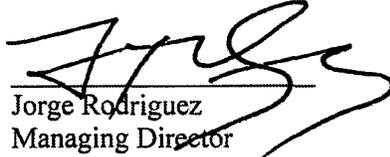
EXECUTED and AGREED TO this the ____ day of _____, 2013, to be effective on January 1, 2014.

CITY:
CITY OF SAN ANTONIO

FIRM:
COASTAL SECURITIES, INC.

Ben Gorzell, Jr., CPA
Chief Financial Officer

BY:



Jorge Rodriguez
Managing Director

Approved as to form:

Robert Nordhaus
Assistant City Attorney

A T T A C H M E N T I I

**EXTENSION OF
CITY OF SAN ANTONIO
FINANCIAL ADVISOR SERVICES CONTRACT**

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
THE COUNTY OF BEXAR §

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EXECUTED and AGREED TO this the ____ day of _____, 2013, to be effective on January 1, 2014:

CITY:
CITY OF SAN ANTONIO

FIRM:
ESTRADA HINOJOSA &
COMPANY, INC.

Ben Gorzell, Jr., CPA
Chief Financial Officer

BY: 
Donald J. Gonzales
Managing Director

Approved as to form:

Robert Nordhaus
Assistant City Attorney