

SWA:cls  
4/15/75

AN ORDINANCE **45182**

AMENDING ORDINANCE NO. 40321, AUTHORIZING THE CITY MANAGER TO AMEND AND EXTEND THE CATERING CONTRACT AT THE CONVENTION CENTER WITH CATERING BY ROSEMARY, INC.

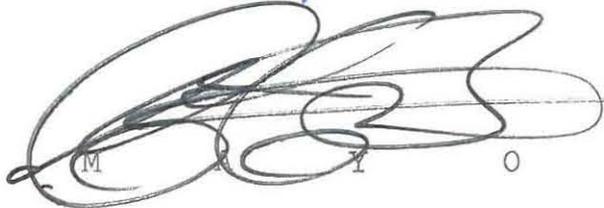
\* \* \* \*

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

SECTION 1. The City Manager is hereby authorized to execute the Extension Agreement attached hereto and incorporated herein by reference, amending Ordinance No. 40321, and extending the catering contract at the Convention Center with Catering by Rosemary, Inc., a Texas Corporation.

SECTION 2. A copy of the staff report and recommendation is attached hereto as Exhibit A.

PASSED AND APPROVED this 17<sup>th</sup> day of April, 1975.



M I R

ATTEST: H. Tusekman  
City Clerk

APPROVED AS TO FORM: rc  
City Attorney

75-21

DISTRIBUTION

ITEM NO. 18

APR 17 1975

AVIATION DIRECTOR	
BUILDING & PLANNING ADMIN.	
CITY WATER BOARD	
COMMERCIAL RECORDER	
COMMUNITY DEVELOPMENT OFFICER	
COMMUNITY ANALYSIS DIVISION	
COMPREHENSIVE PLANNING	
CONVENTION BUREAU	
CONVENTION CENTER	1
FINANCE DIRECTOR	1
ASSESSOR	
BUDGET	1
CONTROLLER	1
TREASURY DIVISION	
FINANCE-MODEL CITIES	
FINANCE-GRANT SECTION	
INTERNAL AUDIT	1
MANAGEMENT ANALYSIS	
PROPERTY RECORDS	
FIRE CHIEF	
HEALTH DIRECTOR	
HEMISFAIR PLAZA	
LAND ACQUISITION	
LEGAL	
BACK TAX ATTORNEY	
LIBRARY DIRECTOR	
MARKET & PARKING	
MONITORING & EVALUATION	
MUNICIPAL COURTS	
PARKS & RECREATION DEPT.	
PERSONNEL DIRECTOR	1
POLICE CHIEF	
PRESS ROOM	
PUBLIC INFORMATION	
PUBLIC WORKS DIRECTOR	
ENGINEERING DIV.	
ENGINEERING - SEWERS	
PURCHASING	
SPECIAL SERVICES	
TRAFFIC & TRANSPORTATION	

MEETING OF THE CITY COUNCIL

DATE: \_\_\_\_\_

MOTION BY: Cockrell

SECONDED BY: San Martin

ORD. NO. 45182

ZONING CASE \_\_\_\_\_

RESOL. \_\_\_\_\_

PETITION \_\_\_\_\_

COUNCIL MEMBER	ROLL CALL	AYE	NAY
LILA COCKRELL PLACE 1		✓	
DR. JOSE SAN MARTIN PLACE 2		✓	
CHARLES L. BECKER PLACE 3		✓	
REV. CLAUDE BLACK PLACE 4		✓	
GLENN LACY PLACE 5		<u>also</u>	
CLIFFORD MORTON PLACE 6		✓	
W.J. "BILL" O'CONNELL PLACE 7		✓	
DR. D. FORD NIELSEN PLACE 8		✓	
RICHARD TENIENTE PLACE 9		✓	

75-21

4/15/75

EXTENSION AGREEMENT

STATE OF TEXAS           X  
                                  X  
COUNTY OF BEXAR        X

This Extension Agreement, entered into by and between the City of San Antonio, acting by and through its City Manager, pursuant to Ordinance No. 45182, dated April 17, 1975, (hereinafter called "City"), and Catering by Rosemary, Inc., a Texas Corporation, acting by and through its designated official pursuant to its bylaws or a resolution of its Board of Directors, (hereinafter called "Concessionaire"), WITNESSETH:

I.

The Contract entered into by the City and Concessionaire on January 27, 1972 (hereinafter called the "Contract"), is hereby extended, and will terminate on July 31, 1983, subject to the following changes and amendments to the Contract which are to take effect as of May 1, 1975.

II.

The following changes are hereby made in Section II of the Contract:

- (A) The following list of services, provided by Concessionaire to tenants of the City's facilities at cost are not to be included in the definition of gross receipts under Section II of the Contract:
- 1) Table covers
  - 2) Flower arrangements
  - 3) Entertainment
  - 4) Tables and chairs rented from outside sources
  - 5) Head table skirting and other decorations
  - 6) Liquor provided to tenant at cost
  - 7) River boat rentals

- 8) Extra labor provided at cost
- 9) Service provided City Departments and City Council when normal City commission has been waived by the Director of Convention Facilities.

(B) Sub-section D shall hereafter read as follows:  
"Ten per-cent (10%) of the per plate charge to any Lessee in a catering operation made under Section 1A of this Contract."

### III.

Section VII is hereby amended to read as follows:  
"The attached Exhibit Number 2, incorporated herein by reference, is a list of kitchen equipment and other property which has or will be installed by the City to be used by Concessionaire, without additional payment hereunder. Concessionaire covenants to assume complete responsibility for said equipment and to replace, if necessary, equipment that cannot be repaired, with similar equipment of like quality, so that upon termination of this Contract all equipment listed in Exhibit Number 2, or similar equipment of like quality, will be delivered up to the City in working condition, reasonable wear and tear excepted."

### IV.

Except where specifically changed or amended by this Extension Agreement, and by Ordinance No. 44308, all other agreements and covenants of the Contract between the City and Concessionaire will remain in effect throughout the extended term of the Contract.

IN TESTIMONY OF WHICH this Extension Agreement has been executed by the City of San Antonio this 17<sup>th</sup> day of April, 1975, and by the Concessionaire this 17<sup>th</sup> day April, 1975 in duplicate originals.

CITY OF SAN ANTONIO

BY:

[Signature]  
City Manager

ATTEST:

[Signature]  
Asst City Clerk

CONCESSIONAIRE

CATERING BY ROSEMARY, INC.

BY:

[Signature]

ATTEST:

[Signature]  
Secretary



RECEIVED  
PROPERTY DIVISION

JAN 8 1975

MILAM BUILDING  
SAN ANTONIO, TEXAS  
78205

January 7, 1975

Mr. F. C. Cook  
Insurance and Property Division  
Chief, City of San Antonio  
San Antonio, Texas 78205

Re: Concessionaire's Bond  
Catering by Rosemary, Inc.  
Convention Center

Dear Mr. Cook:

We are enclosing Continuation Certificate of the above captioned bond, which is effective February 1, 1975 and expiring February 1, 1976.

Trusting the enclosed will meet your requirements, we are

Yours very truly,

BILLY GREAVES INSURANCE AGENCY

*Mary Alice Townsend*  
(Mrs.) Mary Alice Townsend

MAT:1  
encl.

cc: Catering by Rosemary, Inc.

RECEIVED

JAN 8 1975

PROPERTY RECORDS

RECEIVED  
INTERNAL A/C 17

# CERTIFICATE OF INSURANCE

NOV 6 1974

This is to certify that the policies listed in this Certificate have been issued to the Named Insured by the Company designated below. This Certificate does not amend, extend or otherwise alter the terms, conditions or exclusions of such policies.

Issued To (Name and Address)

CITY OF SAN ANTONIO, TEXAS  
San Antonio, Texas

*Mr. Fred Cook  
Mary Louise Townsend  
Mabel Rodriguez  
2222*

Named Insured and Address: **CATERING BY ROSEMARY, INC.**  
2411 North Zarzamora  
San Antonio, Texas 78201

Policy Number	Policy Term	Type of Insurance	Limits of Liability		
			Bodily Injury		Property Damage
0-TPJ 7182	10-1-74/75	Workmen's Compensation	Statutory		
		Employers' Liability	\$ ,000	Each Person	
			\$ ,000	Each Accident	
			\$ ,000	Medical - Each Person	
ICC753126	10-1-74 to 10-1-75	Comprehensive Automobile Liability	\$ 100 ,000	Each Person	
			\$ 300 ,000	Each Occurrence	\$ 50 ,000
OTC5773	10-1-74 to 10-1-75	Comprehensive General Liability  <input checked="" type="checkbox"/> Including Blanket Contractual Liability	\$ 300 ,000	Each Occurrence	\$ 50 ,000
				Aggregate Operations	\$ 100 ,000
				Aggregate Protective	\$ 100 ,000
			\$ 300 ,000	Aggregate Completed Operations and Products	\$ 100 ,000
		Manufacturers' and Contractors' Liability	\$ ,000	Each Occurrence	\$ ,000
				Aggregate	\$ ,000
		Owners', Landlords' and Tenants' Liability	\$ ,000	Each Occurrence	\$ ,000
				Aggregate	\$ ,000
		Completed Operations and Products Liability	\$ ,000	Each Occurrence	\$ ,000
			\$ ,000	Aggregate	\$ ,000
		Contractual Liability	\$ ,000	Each Occurrence	\$ ,000
				Aggregate	\$ ,000
CEP31608	10-1-74 to 10-1-75	Comprehensive Excess Indemnity	\$ 1,000,000	Each Occurrence	Combined Personal Injury and Property Damage
			\$ 1,000,000	Aggregate	

Description and location of operations and automobiles covered:

Additional Insured Endorsement: City of San Antonio, Texas as respects Operation of a Food and Beverage Concession at the San Antonio Convention Center, under Contract effective February 1, 1972.

UNITED STATES FIDELITY AND GUARANTY COMPANY

FIDELITY AND GUARANTY INSURANCE UNDERWRITERS, INC.

Date October 1, 1974

By *Mary Alice Townsend*  
BILLY GREAVES INSURANCE AGENCY

RECEIVED  
NOV 2 1974

*Catering by Rosemary*  
*Inc*

CITY OF SAN ANTONIO

# INTERDEPARTMENT ROUTING SLIP

CHECK AND FORWARD

1. ~~Internal Audit~~ ( )
2. City Clerk ( )
3. \_\_\_\_\_ ( )

- YOUR INFORMATION
- INVESTIGATE AND REPORT
- SUBMIT YOUR RECOMMENDATIONS OR COMMENTS
- NECESSARY ACTION
- FOR YOUR SIGNATURE
- RETURN TO \_\_\_\_\_
- FOR YOUR FILES

REMARKS: \_\_\_\_\_

*Recorded*  
*Convention facilities notified*  
*by telephone (Mrs. Norton).*

*Property Records* *Alton*  
DEPT. \_\_\_\_\_ SIGNATURE \_\_\_\_\_  
DATE *1-8-75* \_\_\_\_\_

UNITED STATES FIDELITY AND GUARANTY COMPANY

**IMPORTANT**  
THIS CERTIFICATE MUST BE FILED  
WITH THE OBLIGEE NAMED BELOW  
FOR ATTACHMENT TO YOUR BOND.

BALTIMORE, MARYLAND  
CONTINUATION CERTIFICATE

ND AMOUNT \$ 25,000.00

In consideration of an agreed premium, United States Fidelity And Guaranty Company hereby continues in force, for the period described, the Bond designated below, subject to all the agreements, limitations and conditions thereof and provided that the liability under said Bond and all continuations thereof shall not be cumulative.

Signed, sealed and dated February 1, 19 75

UNITED STATES FIDELITY AND GUARANTY COMPANY

Concessionaire's Bond

*Mary Alice Townsend* (SEAL)  
Mary Alice Townsend ATTORNEY-IN-FACT

BOND NUMBER	FS 13 (12-70)	PR	HO	PRINCIPAL AND ADDRESS
	72-0110-158-72	X		
AGENT NAME AND ADDRESS	Billy Greaves Ins. Agency San Antonio, Texas			OBLIGEE AND ADDRESS
	City of San Antonio, Texas			
PREMIUM PERIOD	FROM	TO		
	2-1-75	2-1-76		