

AN ORDINANCE **96641**

RATIFYING THE EXECUTION OF THE SECOND AMENDMENT TO THE LEASE AGREEMENT APPROVED BY ORDINANCE NO. 88963 ON DECEMBER 17, 1998 AND AMENDED BY ORDINANCE NO. 94062 ON JUNE 7, 2001, FOR USE OF SPACE BY THE OFFICE OF INTERNAL REVIEW AT 415 SOUTH MAIN STREET, WITH BRY/DUN INVESTMENTS, LTD., AS LANDLORD, COMMENCING SEPTEMBER 1, 2002, FOR THE PURPOSE OF REDUCING THE LEASE SPACE FROM 7,671 SQUARE FEET TO 6,331 SQUARE FEET EFFECTIVE SEPTEMBER 30, 2002; ESTABLISHING A MONTHLY RENT RATE OF \$6,800.00 EFFECTIVE SEPTEMBER 1, 2002; REDUCING THE NUMBER OF PARKING SPACES PROVIDED AT NO CHARGE FROM 27 SPACES TO 10 SPACES; AND ESTABLISHING A LEASE TERMINATION DATE OF DECEMBER 31, 2002.

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WHEREAS, Ordinance Number 88963 passed on December 17, 1998 approved a Lease Agreement with Jane K. Dreyfus, James M. Kallison and Jack B. Kallison for use of space at 415 South Main Street, by the Office of Internal Review; and

WHEREAS, an Amendment to said Lease Agreement was approved through Ordinance Number 94062 passed on June 7, 2001, with the current lessor, Bry/Dun Investments, Ltd., to a lease agreement entered into with the lessor's predecessors in title, to add 1,340 square feet of office space for six months from June 7, 2001 to November 30, 2001 at 419 S. Main Street, Suite 302 for the Office of Internal Review for a sum of \$1,340.00 each month; and

WHEREAS, the parties have agreed to reduce the space and otherwise modify the Lease Agreement; and

WHEREAS, the Landlord has required the City to manifest the Agreement through a Second Amendment to 415 Main Lease Agreement, and the execution of such amendment must be ratified by action of the City Council; **NOW THEREFORE;**

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

SECTION 1. Execution is hereby ratified, of the Second Amendment to 415 S. Main Lease Agreement approved by Ordinance No. 88963 on December 17, 1998 and amended by Ordinance No. 94062 on June 7, 2001, for use of space by the office of internal review at 415 South Main Street, with Bry/Dun Investments, Ltd., as Landlord, commencing September 1, 2002, for the purpose of reducing the lease space from 7,671 square feet to 6,331 square feet effective September 30, 2002; establishing a monthly rent

rate of \$6,800.00 effective September 1, 2002; reducing the number of parking spaces provided at no charge from 27 spaces to 10 spaces; and establishing a lease termination date of December 31, 2002. A copy of the Second Amendment to 415 S. Main Lease Agreement is affixed hereto as Attachment I.

SECTION 2. Funds in the amount of \$27,200.00 are authorized to be expended in Fund 11-000 (General Fund), in Index Code 380121 entitled "Kallison Prof Bldg Lease", and payment of \$13,600.00 to Bry/Dun Investments, LTD. for the lease space for the months of September and October 2002 is hereby ratified.

SECTION 3. Funds in the amount of \$13,600.00 are authorized to be encumbered in Fund 11-000000 (General Fund) in Index Code 380121 entitled "Kallison Prof Bldg Lease" and are made payable to Bry/Dun Investments, LTD. for the period of November 1, 2002 through December 31, 2002.

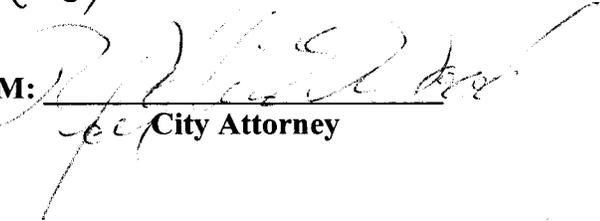
SECTION 4. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall be effective on November 10, 2002.

PASSED AND APPROVED this 31st day of October, 2002.


M A Y O R **PRO ITEM**

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney