

AN ORDINANCE **9 6 7 6 9**

AUTHORIZING RATIFICATION OF THE EXECUTION OF A SHORT-TERM OCCUPANCY AGREEMENT WITH BART B. BROWN, ET AL, FOR SAPD'S USE OF 7,210 SQUARE FEET IN THE 1909 HORMEL-BUILDING FROM FEBRUARY 13, 2002 THROUGH SEPTEMBER 30, 2002; AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR LEASE OF 14,560 SQUARE FEET, FOR A ONE-YEAR TERM COMMENCING OCTOBER 1, 2002 AT A MONTHLY RENT OF \$5,714.80, (EXPENSES INCLUDED) WITH A RIGHT TO RENEW, SUBJECT TO CITY COUNCIL APPROVAL, FOR TWO (2) ONE (1) YEAR TERMS, UPON THE SAME LEASE TERMS AND CONDITIONS; AND RATIFYING PAYMENT OF THE RENT FOR THE PERIOD FEBRUARY 13, 2002 THROUGH OCTOBER 31, 2002 IN THE AMOUNT OF \$ \$23,698.55; AND AUTHORIZING PAYMENT FOR THE BALANCE OF THE LEASE TERM.

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WHEREAS, since February 13, 2002, the City of San Antonio has been using 7,210 square feet of space at 1909 Hormel-building known as San Antonio #1 for use by the San Antonio Police Department, pursuant to a Short-Term Occupancy Agreement with Bart B. Brown, Bart Berger Brown II 1992 Trust and Mr. Edgar Miller Brown 1992 Trust and Ellen M. Miller, as Landlord, the execution of which agreement must be ratified; and

WHEREAS, this ordinance further authorizes the execution of a Lease Agreement with the Landlord for the use of 14,560 square feet of space which includes the 7,210 square feet, beginning October 1, 2002 and ending on September 30, 2003 at a monthly rent of \$5,714.80 which includes taxes, utilities, insurance and operating expenses; and

WHEREAS, payment of rent must be ratified for the term of the agreement, as extended by the Landlord through September 30, 2002 and for the Lease from October 1 through October 31, 2002, such rent under both the agreement and the Lease totaling \$23,698.55; and

WHEREAS, said Lease may be renewed for two one-year terms, upon the same lease terms and conditions, subject to Council approval; and

WHEREAS, this ordinance is consistent with the City's policy of leasing non-city owned facilities; **NOW THEREFORE**,

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

SECTION 1. Execution of the Short-Term Occupancy Agreement ("agreement") for the use of 7,210 square feet from February 13, 2002 through May 31, 2002 and as extended by the landlord through September 30, 2002 is hereby ratified.

SECTION 2. The City Manager or her designee is hereby authorized to execute a Lease Agreement ("Lease") between Bart B. Brown, Bart Berger Brown II 1992 Trust and Mr. Edgar Miller Brown 1992 Trust and Ellen M. Miller, as "Landlord" and the City, as "Tenant" for the use of 14,560 square feet of space at a monthly rent of \$5,714.80. Said agreement commenced on October 1, 2002 and terminates on September 30, 2003 with a right to renew for a two one-year terms subject to City Council approval. A copy of the Lease Agreement, is attached hereto as **Attachment I** and incorporated herein as if set out verbatim for all purposes.

SECTION 3. Payment of rent is hereby ratified for the term of the agreement, from February 13, 2002, as extended by the Landlord through September 30, 2002 and for the Lease from October 1 through October 31, 2002, such rent under both the agreement and the Lease totaling \$23,698.55.

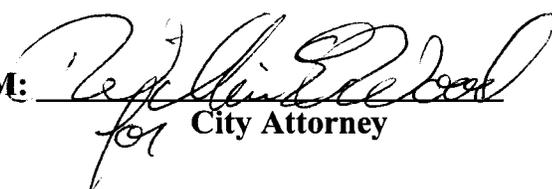
SECTION 4. Funds in the estimated amount of \$62,862.80 are authorized for appropriation and encumbrance in Fund 29-012003 (Miscellaneous Special Revenue–Confiscated Property-New State Account Fund) in Index Code 443556 entitled "Rental of Facilities" and are made payable to BB-San Antonio #1 c/o Cavender & Hill for the rental of space at 1909 Hormel-building known as San Antonio #1 from November 1, 2002 through September 30, 2003.

SECTION 5. This ordinance shall be effective on the 1st day of December, 2002.

PASSED AND APPROVED this 21st day of November, 2002.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney