

AN ORDINANCE

98058

AUTHORIZING THE EXECUTION OF THE SECOND MODIFICATION AND RATIFICATION OF THE LEASE AGREEMENT WITH TCP LAS PALMAS PARTNERS, LTD., AS LANDLORD, FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT, ORIGINALLY APPROVED BY ORDINANCE NO. 66511 ON FEBRUARY 4, 1988, WHICH RELOCATES A POLICE FIELD OFFICE AT 803 CASTROVILLE ROAD FROM SUITE 125, CONSISTING OF 1,050 SQUARE FEET OF OFFICE SPACE TO SUITE 134, CONSISTING OF 854 SQUARE FEET FOR A MONTHLY RENTAL OF \$200.00 FOR NINETEEN AND A HALF MONTHS, WITH THE ORIGINAL TERM HAVING COMMENCED MARCH 15, 2003 TO CONTINUE THROUGH SEPTEMBER 30, 2004.

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WHEREAS, Ordinance No. 66511 dated February 4, 1988, authorized a Lease Agreement between Unicorp American Corporation, as Landlord, and the City of San Antonio, as Tenant, for the use of 669 square feet of space at the Las Palmas Shopping Center for the San Antonio Police Department to use as a store front operation; and

WHEREAS, the Lease Agreement between Unicorp American Corporation and the City was further modified by letter dated October 2, 1989 to reflect the relocation of the leased premises to Suite 125 containing approximately 1,050 square feet of retail space located at 803 Castroville Road in Las Palmas Shopping Center; and

WHEREAS, TCP Las Palmas Partners, Ltd., Successor in Interest to Unicorp American Corporation, as the new Landlord, requested that the City execute a Second Modification and Ratification of Lease Agreement to relocate the leased premises to Suite 134 containing 854 square feet located at 803 Castroville Road in the same Las Palmas Shopping Center for nineteen and a half months, which commenced March 15, 2003 and continues through September 30, 2004, for a monthly rental of \$200.00, being the same monthly rental since the original Lease was approved in 1988; and

WHEREAS, the Police Department was agreeable to the relocation and, although the actual relocation took place in March, 2003, with the Landlord's consent, the time delay between March and July had no impact on the performance of the operation; 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 is hereby authorized by the City Manager or her designee of the Second Modification and Ratification of Lease Agreement with TCP Las Palmas Partners, Ltd., Successor in Interest, as "Landlord," for use of office space by the San Antonio Police Department, as originally approved by Ordinance No. 66511 on February 4, 1988, and previously modified by letter dated October 2, 1989, which relocates a Police Field Office ("Store Front Operation") at 803 Castroville Road in the Las Palmas Shopping Center from Suite 125, consisting of 1,050 square feet to Suite 134, consisting of 854 square feet, at the continued monthly rent of \$200.00 for nineteen and a half months, with the original term having commenced on March 15, 2003 to continue through September 30, 2004. Provision has been made for automatic renewal of the term each year after September 30, 2004, but the lease is cancelable by either party with 60 days prior written notice. A copy of said Agreement, executed on behalf of the Landlord, is attached hereto as **Attachment I** and incorporated herein as if set out verbatim for all purposes.

SECTION 2. Funds in the amount of \$200.00 are authorized to be encumbered in Fund No. 11-000000 (General Fund) in Index Code 391904 entitled "Castroville Rd-Storefront West" and are made payable to **TCP Las Palmas Partners, Ltd.** for rent from September 1, 2003 through September 30, 2003. Funding for the remainder of the lease term from October 1, 2003 through September 30, 2004, is contingent upon annual budget appropriations.

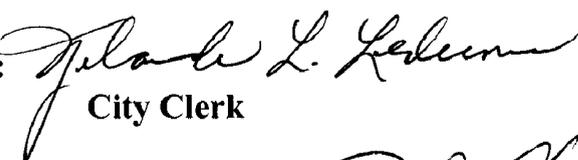
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and fund numbers as necessary to carry out the purpose of this Ordinance.

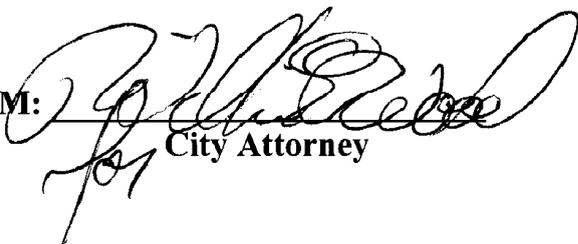
SECTION 4. This ordinance shall take effect on the 7th day of September 2003.

PASSED AND APPROVED this 28th day of August, 2003.



M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney