

AN ORDINANCE

98059

AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CAPITAL FORESIGHT LIMITED PARTNERSHIP, ACTING BY AND THROUGH NETANEL SAIDOFF, ITS GENERAL PARTNER, AS LANDLORD, FOR THE USE BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT OF 6,000 SQUARE FEET OF GENERAL OFFICE AND/OR CLINIC SPACE AT 6723 S. FLORES, SUITE #101 BEGINNING SEPTEMBER 1, 2003 AND ENDING AUGUST 31, 2013 AT A RENTAL RATE OF \$5,940.00 FOR MONTHS 1 THROUGH 24 AFTER THE RENT COMMENCEMENT DATE (RCD), \$6,600.00 FOR MONTHS 25 THROUGH 48 AFTER THE RCD, \$6,900.00 FOR MONTHS 49 THROUGH 72 AFTER THE RCD, \$7,200.00 FOR MONTHS 73 THROUGH 96 AFTER THE RCD, AND \$7,500.00 FOR MONTH 97 AFTER THE RCD THROUGH LEASE EXPIRATION AND ADDITIONAL RENT OF \$1,260.00 PER MONTH FOR COMMON AREA (CAM) CHARGES FROM SEPTEMBER 1, 2003 THROUGH DECEMBER 31, 2004, TO BE ADJUSTED THEREAFTER, IN CONNECTION WITH THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC); AND APPROVING PAYMENTS TO THE LANDLORD IN CONNECTION THEREWITH.

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WHEREAS, the San Antonio Metropolitan Health District (SAMHD) operates the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) at clinics throughout the City which provides nutritious foods and nutrition education for qualified women, infants and children; and

WHEREAS, a desirable location for a WIC clinic to serve residents of south San Antonio has been located at 6723 S. Flores, Suite #101 and the owner, Capital Foresight Limited Partnership, has offered a lease for 6,000 square feet of general office and/or clinic space at this location for a period of ten (10) years beginning September 1, 2003 and ending August 31, 2013, at a rental rate of \$5,940.00 (\$0.99/ft²) for months 1 through 24 after the rent commencement date (RCD), \$6,600.00 (\$1.10/ft²) for months 25 through 48 after the RCD, \$6,900.00 (\$1.15/ft²) for months 49 through 72 after the RCD, \$7,200.00 (\$1.20/ft²) for months 73 through 96 after the RCD, and \$7,500.00 (\$1.25/ft²) for month 97 after the RCD through lease expiration, and additional rent of \$1,260.00 (\$0.21/ft²) per month for common area (CAM) charges from September 1, 2003 through December 31, 2004, to be adjusted thereafter; and

WHEREAS, funds for said lease have been provided to the City by the Texas Department of Health in connection with the WIC program and staff has recommended that this lease agreement be executed; and

WHEREAS, it is now necessary to authorize the execution of said lease agreement and approve payments to the landlord; **NOW THEREFORE:**

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

SECTION 1. The Lease Agreement offered by Capital Foresight Limited Partnership for 6,000 square feet of general office and/or clinic space located at 6723 S. Flores, Suite #101 in connection with the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) for a period of ten (10) years beginning September 1, 2003 and ending August 31, 2013, at a rental rate of \$5,940.00 (\$0.99/ft²) for months 1 through 24 after the rent commencement date (RCD), \$6,600.00 (\$1.10/ft²) for months 25 through 48 after the RCD, \$6,900.00 (\$1.15/ft²) for months 49 through 72 after the RCD, \$7,200.00 (\$1.20/ft²) for months 73 through 96 after the RCD, and \$7,500.00 (\$1.25/ft²) for month 97 after the RCD through lease expiration, and additional rent of \$1,260.00 (\$0.21/ft²) per month for common area (CAM) charges from September 1, 2003 through December 31, 2004 (Beginning January 1, 2005 the CAM charges will be adjusted to coincide with actual CAM, taxes and insurance not to exceed an increase of more than 1.5% from the previous year) is hereby approved.

SECTION 2. The City Manager, or her designee, is authorized to execute said lease agreement with Capital Foresight Limited Partnership, being in substantially the same form as the lease attached hereto and incorporated herein for all purposes as Attachment I.

SECTION 3. Payment is authorized up to \$7,200.00 for the period beginning September 1, 2003 and ending September 31, 2003 for lease costs for general office and/or clinic space at 6723 S. Flores, Suite #101. Said sum is authorized to be encumbered in and paid from Fund 26-016056, Activity Code 36-06-11, Index Code 738385. Lease payments for subsequent years will be authorized when the annual grant for the WIC program is accepted.

SECTION 4. The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, subject to concurrence by the City Manager or the City Manager's designee, may correct the allocations 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 and after the tenth (10th) day after passage hereof.

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



MAYOR
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney