

AN ORDINANCE

99436

AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL AGREEMENT NO. 5 AMENDING LEASE NO. DOT-FAA77SW-1013 WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION TO INCORPORATE THE PAYMENT OF UTILITY SERVICES UNDER THE LEASE FOR THE AIR TRAFFIC CONTROL TOWER AT STINSON MUNICIPAL AIRPORT AND TERMINATING CONTRACT NO. DOT-FA73SW-1127.

WHEREAS, under the terms of various Federal Aviation Administration (hereinafter, "FAA") grants accepted by the City of San Antonio, the City is obligated to provide rent-free space to the FAA in exchange for the installation and maintenance by the FAA of air operational and navigational aids at the Stinson Municipal Airport; and

WHEREAS, it has been determined that the installation and maintenance of air operational and navigational aids at Stinson Municipal Airport enhances safety of aircraft and their passengers by assisting pilots on final approach to the airport; and

WHEREAS, the attached Supplemental Agreement updates and amends a lease that was previously authorized in 1976; and

WHEREAS, on July 22, 1976, the City and FAA entered into Lease No. DOT-FA77SW-1013, as amended by Supplemental Agreement Nos. 1, 2, 3, and 4, dated April 3, 1986, April 14, 1988, August 2, 1991, and August 29, 1996, respectively, for the consideration and purposes more particularly stated in said lease, as amended; and

WHEREAS, both the City and FAA agree to incorporate the utility services from contract No. DOT-FA73SW-1127 into said lease and modify the lease to establish payment for such services, to be paid each Government quarter in arrears; and

WHEREAS, both the City and FAA agree that on the effective date of this Supplemental Agreement, Contract No. DOT-FA73SW-1127 will terminate in its entirety; and

WHEREAS, the City of San Antonio and the United States of America wish to enter into the attached Supplemental Agreement No. 5 for the continued use of ground space by the FAA for the operation and maintenance by the FAA of air operational and navigational aids at Stinson Municipal Airport; **NOW THEREFORE:**

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

FLM
06/24/04
Item no.

SECTION 1. The City Manager or her designee is hereby authorized to execute the Supplemental Agreement No. 5 to Lease No. DOT-FA77SW-1013 for the payment of utilities and operation of the Air Traffic Control Tower at Stinson Municipal Airport, a copy of which is attached hereto and incorporated by reference herein.

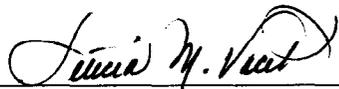
SECTION 2. The proceeds of the agreement shall be deposited into Fund 51-001 entitled "Airport Fund," Index Code 040576, entitled "FAA Utilities Stinson Airport". The Lease rate for utilities shall be paid in arrears at the end of each U.S. Government quarter in the amount of \$452.00 without the submission of invoices or vouchers.

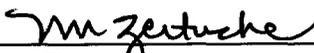
SECTION 3. The Director of Finance may, subject to concurrency by the City Manager, or the City Manager's designee, correct allocation to specific index codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. This Ordinance shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED THIS 24th DAY OF June, 2004.


for **M A Y O R**
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney