

AN ORDINANCE

101810

AUTHORIZING THE TERMINATION OF LEASE NUMBERS. 224100 AND 224101 AND EXECUTION OF A NEW FIVE (5) YEAR LEASE AGREEMENT WITH TEXAS AIR MUSEUM INC., INCLUDING A POTENTIAL THREE (3) YEAR EXTENSION UPON MUTUAL AGREEMENT, FOR USE OF GROUND AND OFFICE/MUSEUM/GIFT SHOP SPACE AT 1234 99TH STREET AT STINSON MUNICIPAL AIRPORT, FOR GUARANTEED MONTHLY RENTAL AMOUNT EQUAL TO ONE HUNDRED FIFTY & 00/100 DOLLARS (\$150.00) OR TWENTY PERCENT (20%) OF GROSS RECEIPTS FROM OPERATION OF THE MUSEUM AND GIFT SHOP, WHICHEVER IS GREATER.

WHEREAS, pursuant to Ordinance No. 79526 adopted on January 27, 1994, the City and the Confederate Air Force, entered into a twenty (20) year Lease Agreement ("Lease No. 224101") for 27,259 square feet of ground space and Hangar 7 located at Stinson Municipal Airport; and

WHEREAS, pursuant to Ordinance No. 89355 adopted on March 4, 1999, the City and Texas Air Museum, Inc. entered into a fifteen (15) year Lease Agreement for 89,000 square feet of Ground Space and Buildings 556A and B located at Stinson Municipal Airport; ("Lease No. 224100"); and

WHEREAS, Lease No. 224101 was assigned to Texas Air Museum, Inc., by Assumption and Assignment Agreement dated October 3, 2000 and authorized by Ordinance No. 92577, dated September 28, 2000; and

WHEREAS, Lease No. 224100 was amended to change the rental terms, by Amendment of Lease authorized by Ordinance No. 92939, dated November 30, 2000; and

WHEREAS, the Texas Air Museum has requested to move to an alternate site; and therefore, it is now necessary to terminate Lease Nos. 224100 and 224101, and enter into a new Lease Agreement; **NOW THEREFORE:**

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

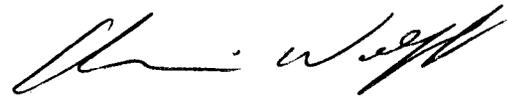
SECTION 1. The City Manager or her designee, is authorized to execute the Stinson Municipal Airport Lease Agreement, including provisions for termination of Lease Nos. 224100 and 224101, which is attached hereto as "Attachment 1" and incorporated herein by reference for all purposes, with Texas Air Museum, Inc., for use of the Ground, Office/Gift Shop and Hangar space described therein, at the Stinson Municipal Airport.

SECTION 2. Revenues from this Lease Agreement will be recorded in SAP Fund No. 51001000, entitled "Airport Operations", Internal Order 233000000014, and General Ledger Account 4409036 entitled "Aviation Non-Aviation Concessions."

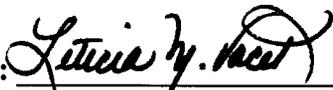
SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts 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.

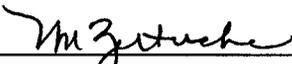
PASSED AND APPROVED this 1st day of December, 2005.



for **MAYOR**
PHIL HARDBERGER

ATTEST: 

City Clerk

APPROVED AS TO FORM: 
for _____
City Attorney

Agenda Voting Results

Name: 32.

Date: 12/01/05

Time: 08:55:26 PM

Vote Type: Multiple selection

Description: An Ordinance authorizing the termination of Lease Numbers 224100 and 224101 and execution of a new five (5) year lease agreement with Texas Air Museum Inc., including a potential three (3) year extension upon mutual agreement, for use of ground and office/museum/gift shop space at 1234 99th Street at the Stinson Municipal Airport, for a guaranteed monthly rental amount of \$150.00 or twenty percent (20%) of gross receipts from operation of the museum and gift shop, whichever is greater.
 [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8	Not present			
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10	Not present			
MAYOR PHIL HARDBERGER	MAYOR	Not present			