

AN ORDINANCE 2009-09-17-0740

APPROVING AMENDMENTS TO THE AIRLINE-AIRPORT USE AND LEASE AGREEMENTS AT SAN ANTONIO INTERNATIONAL AIRPORT TO EXTEND THE TERM OF EACH AGREEMENT FOR ONE YEAR.

* * * * *

WHEREAS, the City entered into several Airline-Airport Use and Lease Agreements (“Agreements”) with various airlines, pursuant to Ordinance No. 94625, for a contingent five-year term ending on the earlier of September 30, 2006 or the date of beneficial occupancy of Terminal B; and

WHEREAS, in order to accommodate schedule postponements in the start of the Terminal Expansion Program, the Agreements were extended for a contingent three-year term ending on the earlier of September 30, 2009 or the date of beneficial occupancy of Terminal B; and

WHEREAS, in order to negotiate a new Airline-Airport Use and Lease Agreement, City Staff and the Airlines agree that it is now necessary to extend the Agreements for one year, through September 30, 2010; **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 Amendments to the Airline-Airport Use and Lease Agreements in a form which is substantially similar to the attached hereto.

SECTION 2. Funds generated by this Ordinance will be deposited per the table below.

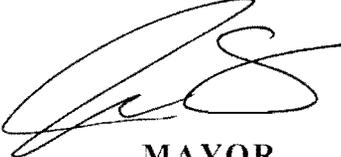
Amount	General Ledger	Fund	Internal Order
\$10,114,688.52	4409017	51001000	233000000016
\$4,779,633.84	4409046	51001000	233000000102
\$345,299.52	4405937	51001000	233000000016
\$52,125.00	4405924	51001000	230000000102
\$326,250.00	4409012	51001000	230000000102
\$2,628,842.76	4409017	51001000	233000000017
Total Amount: \$18,246,839.64			

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.

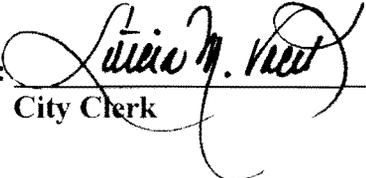
GS
09/17/09
Item No. 15

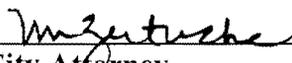
SECTION 4. This Ordinance shall take effect immediately upon passage by eight (8) affirmative votes; otherwise it shall be effective ten (10) days after its passage.

PASSED AND APPROVED this 17th day of September, 2009.



**MAYOR
JULIÁN CASTRO**

ATTEST:  _____
City Clerk

APPROVED AS TO FORM:  _____
for City Attorney

**ATTACHMENT TO ORDINANCE
ITEM NO. 15 – September 17, agenda**

AMENDMENT TO AIRLINE-AIRPORT USE AND LEASE AGREEMENT

This Amendment To Airline-Airport Use And Lease Agreement is entered into by and between the City of San Antonio ("City"), a Texas home-rule municipality, acting by and through its City Manager pursuant to Ordinance No. _____, and _____ (AIRLINE), an entity authorized to do business in Texas, acting by and through its duly authorized officers, both of which may be collectively referred to as "the Parties".

WHEREAS, an Airline-Airport Use And Lease Agreement ("Agreement") was executed between the City and Airline pursuant to Ordinance No. 94625 of September 27, 2001, for a contingent five-year term, terminating on the earlier of September 30, 2006 or the date of beneficial occupancy of Terminal B; and

WHEREAS, in order to accommodate scheduled postponements in the start of the Terminal Expansion Program, the Agreement was extended for a contingent three-year period terminating on the earlier of September 30, 2009 or the date of beneficial occupancy of Terminal B; and

WHEREAS, in order to negotiate a new Airline-Airport Use and Lease Agreement, it is necessary to extend the contract term; NOW THEREFORE,

In consideration of the terms, covenants, agreements and demises herein contained, and in consideration of other good and valuable consideration, each to the other given, the sufficiency and receipt of which are hereby acknowledged, the Agreement entered into by and between City and Airline pursuant to Ordinance 94625, is amended to extend the term for one (1) year, beginning October 1, 2009 and ending on September 30, 2010, unless sooner terminated under the provisions of the Agreement. All other provisions of the Agreement and all prior amendments thereto are hereby retained in their entirety and remain unchanged.

IN WITNESS WHEREOF, the undersigned have duly executed this Amendment To Airline-Airport Use And Lease Agreement on this the ____ day of _____, 2009.

AIRLINE: _____

CITY OF SAN ANTONIO, TEXAS

By: _____
Signature

Sheryl Sculley, City Manager

Printed Name

Its: _____

APPROVED AS TO FORM:

By: _____
City Attorney