

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

**ORDINANCE**

**AUTHORIZING THE SECOND AMENDMENT TO THE AMENDMENT  
AND RESTATEMENT OF THE HENRY B. GONZALEZ CONVENTION  
CENTER (BUSINESS CENTER) LEASE AGREEMENT WITH TEXAS  
BADGER DEVELOPMENTS-1, LLC (D/B/A THE UPS STORE)  
EXTENDING THE LEASE OF SPACE AT THE HENRY B. GONZALEZ  
CONVENTION CENTER FROM JANUARY 1, 2023 THROUGH  
DECEMBER 31, 2023 AND MODIFYING THE MONTHLY BASE RENT.**

\* \* \* \* \*

**WHEREAS**, City Council originally authorized a Lease Agreement for space at the Henry B. Gonzalez Convention Center with Texas Badger Developments-1, LLC (d/b/a The UPS Store) through the passage of Ordinance No. 94484 on September 6, 2001; and

**WHEREAS**, City Council authorized the Amendment and Restatement of the Henry B. Gonzalez Convention Center (Business Center) Lease Agreement (“Agreement”) pursuant to Ordinance No. 2013-11-21-0787, which provided for a renewal period through December 31, 2017, and the Agreement was amended and extended by the First Amendment and Extension to the Amendment and Restatement of the Henry B. Gonzalez Convention Center (Business Center) Lease Agreement, pursuant to Ordinance No. 2017-11-09-0888; and

**WHEREAS**, the Parties desire to amend the Agreement to extend it through December 31, 2023 and modify the Monthly Base Rent to 5% of gross sales; **NOW THEREFORE:**

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

**SECTION 1.** The terms and conditions of the Second Amendment to the Amendment and Restatement of the Henry B. Gonzalez Convention Center (Business Center) Lease Agreement (“Second Amendment”) are authorized and approved. The City Manager is authorized to execute the First Amendment. A copy of the Second Amendment, previously executed by Texas Badger Developments-1, LLC, is attached to this Ordinance as Exhibit I.

**SECTION 2.** Funds generated by this Ordinance for Lease Agreement fees will be deposited in Fund 29006000, Internal Order 242000000273 and General Ledger 4401110.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager, or the City Manager’s designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon the receipt of eight affirmative votes; otherwise, it shall be effective ten days after its passage.

**PASSED AND APPROVED** this 15<sup>th</sup> day of December, 2022.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney

# EXHIBIT I

DRAFT