

**AMENDMENT AND EXTENSION
OF
DEPOSITORY BANKING SERVICES
AND
LOCKBOX SERVICES
CONTRACT**

This *Amendment And Extension Of Depository Banking Services And Lockbox Services Contract* (“Extension”) is entered into by and between the **CITY OF SAN ANTONIO, TEXAS** (hereinafter referred to as “CITY”), a Texas Home-Rule Municipal Corporation, acting by and through its City Manager, or its Chief Financial Officer, pursuant to Ordinance No. 2022-05-05-_____, passed and approved May 5, 2022, and **FROST BANK** (hereinafter referred to as “DEPOSITORY”), a Texas state banking corporation operating pursuant to the laws of the State of Texas and authorized to perform depository and lockbox services in this State. CITY and DEPOSITORY are sometimes hereafter referred to individually as “a PARTY” and collectively as “the PARTIES”. This Extension is as follows:

WHEREAS, pursuant to Ordinance No. 2017-06-15-0451, passed and approved on June 15, 2017, the San Antonio City Council (“City Council”) authorized the execution of a *Depository Banking Services And Lockbox Services Contract* (“Contract”) with DEPOSITORY to provide banking and related services for an initial three (3) year term commencing July 1, 2017, with the option for CITY to renew for one (1) additional two (2) year term under the same terms and conditions, subject to approval of the City Council; and

WHEREAS, the City Council approved the renewal and extension of the Contract for the two (2) year extension, commencing July 1, 2020, and terminating June 30, 2022, by Ordinance No. 2020-05-21-0342; and

WHEREAS CITY desires, and DEPOSITORY has agreed, to amend and extend the Contract for an additional nine (9) month period, the term of which will commence July 1, 2022, and terminate March 31, 2023, with the option for City to extend for one (1) additional three (3) month term;
NOW, THEREFORE:

For valuable consideration, the PARTIES hereto severally and collectively agree, and by the execution hereof are bound, to the mutual obligations herein contained and to the performance and accomplishment of the tasks of each PARTY under the Contract.

**ARTICLE I
AMENDMENT AND EXTENSION OF CONTRACT**

1.1 CITY and DEPOSITORY mutually agree to amend Article V. TERM of the Contract, and hereby extend the term of the Contract, under the same terms and conditions, for a nine (9) month period, the term of which will commence July 1, 2022, and terminate March 31, 2023, with the

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option for City to extend for one (1) additional three (3) month term. CITY, at its sole discretion and option, shall have the right to renew or extend this Contract for one (1) additional three (3) month term, under the same terms and conditions without further action by the San Antonio City Council, subject to and contingent upon appropriation of funding therefore.

ARTICLE II
REMAINDER OF CONTRACT UNCHANGED
AND IN FULL FORCE AND EFFECT

2.1 The terms and conditions of the Contract, as amended pursuant to Article I above, shall remain unchanged and in full force and effect during its extended term.

ARTICLE III
CONFLICT PROVISIONS

3.1 In the event of conflict between any provision(s) in the Contract and any provision(s) in this document, the provision(s) in this document shall control and prevail.

EXECUTED this the ____ day of _____, 2022, to be effective July 1, 2022. This Amendment and Extension may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

CITY:
CITY OF SAN ANTONIO, TEXAS

DEPOSITORY:
FROST BANK

BY: _____
Troy Elliott, CPA
Deputy Chief Financial Officer

BY: _____
Mallory Ahl
Senior Vice President

Approved as to Form:

Assistant City Attorney

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