

ORDINANCE 2023-01-26-0025

**APPROVING A TWO-YEAR EXTENSION TO THE LEASE
AGREEMENT WITH LITTLE CHURCH OF LA VILLITA.**

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WHEREAS, the agreement between the Little Church of La Villita and the City of San Antonio commenced in 2010 to include 4,253 square feet which includes the event space, administrative offices, a food pantry, and an art gallery; and

WHEREAS, the agreement has since been amended several times to extend the term of the lease, with the current lease expiring in June 2023; and

WHEREAS, in August 2022, as a result of significant construction activity within La Villita that limited access to the facility and reduced customer traffic within the historic artisan village, City staff offered a two-year extension to all La Villita tenants; and

WHEREAS, the two-year extension provided certainty for tenants and allowed them to focus on operations during a time complicated by construction and the pandemic, as they would have otherwise needed to direct time and resources towards submitting a Request for Proposals response and negotiating lease terms; and

WHEREAS, Little Church of La Villita reached out to express interest in an extension when staff presented the extension to City Council and this Ordinance provides them with the same benefit received by other La Villita tenants, **NOW THEREFORE:**

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


SECTION 1. The City Manager or designee, or the Director of the Center City Development and Operations Department or designee is authorized to execute a two-year extension to the lease agreement with Little Church of La Villita, a copy of which is attached to this Ordinance as **Exhibit I.**

SECTION 2. 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 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 3. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

CEH
01/26/23
Item No. 15


PASSED AND APPROVED this 26th day of January, 2023.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting January 26, 2023

15.

2023-01-26-0025

Ordinance approving a two-year extension to the lease agreement between the City of San Antonio and Little Church of La Villita. Revenue of \$10,385.13 will be deposited into the General Fund. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations.]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Rocha Garcia seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Perry

EXHIBIT 1

Extension of La Villita Lease

(Orthodox Ecumenical Church, Inc. d/b/a Little Church of La Villita)

This extension of the La Villita Lease is between Lessee and the City of San Antonio ("Lessor").

1. Identifying Information.

Lessee: Orthodox Ecumenical Church, Inc. d/b/a Little Church of La Villita

Lessee's Address: 418 Villita Street, Building #12
418 Villita Street, Building #13

Beginning of Extension Term: July 1, 2023

Expiration of Extension Term: June 30, 2025

2. Term.

2.1 The term of the lease is extended for a period of 24 months from July 1, 2023 until June 30, 2025.

3. Rental.

3.1 Rent amounts for the extension term shall be for the following amounts.

Little Church - Building 12 & 13

| Term | Monthly Base Rent | Monthly Utilities | Monthly CAM | Monthly Total | NIOSA discount | NIOSA Month Total | TOTAL |
|------------------------------|-------------------|-------------------|-------------|---------------|----------------|-------------------|-------------|
| July 1, 2023 - June 30, 2024 | \$ 2,181.34 | \$ 566.71 | \$ 713.66 | \$ 3,461.71 | \$ (1,163.38) | \$ 2,298.33 | \$40,377.14 |
| July 1, 2024 - June 30, 2025 | \$ 2,224.97 | \$ 580.88 | \$ 731.50 | \$ 3,537.35 | \$ (1,186.65) | \$ 2,350.70 | \$41,261.50 |

Annual 16 day NIOSA retail space abatement remains applicable

3.2 This agreement only serves to extend the existing agreement for two additional years. This agreement has no impact on additional terms of the original lease or if additional renewal options are available to tenant. Little Church does have 1 remaining 2 year renewal option that will be available to exercise at the conclusion of this extension period.

4. No Default.

4.1 Neither Lessor nor Lessee is in default under the Lease, and neither party is aware of a cause of action against the other arising out of or relating to the period before this renewal.

5. Same Terms and Conditions.

5.1 This renewal instrument is a fully integrated statement of the modifications to the Lease. Except as expressly modified by this renewal, the Lease remains a (...)

(continued on the following page)

comprehensive statement of the rights and obligations of Lessor and Lessee. Lessor and Lessee reaffirm the Lease as modified by this agreement and represent to each other that, except as expressly stated in this instrument, no written right or obligation of either party has been waived such that it would impair exercise of the right or enforcement of the obligation on a future occasion.

6. Non-Discrimination

6.1 As a party to this contract, Lessee understands and agrees to comply with the Non-Discrimination Policy of the City of San Antonio contained in Chapter 2, Article X of the City Code and further, shall not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, veteran status, age or disability, unless exempted by state or federal law, or as otherwise established herein.

7. Public Information.

7.1 Lessee acknowledges that this instrument is public information within the meaning of Chapter 552 of the Texas Government Code and accordingly may be disclosed to the public. Nothing in this agreement waives an otherwise applicable exception to disclosure.

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Blank*

In Witness Whereof, the parties have caused their representatives to set their hands.

Lessor

City of San Antonio, a Texas municipal corporation

Signature

Printed Name

Date

Lessee

**Orthodox Ecumenical Church, Inc. d/b/a Little
Church of La Villita**

Kay G. English
Signature

Kay G. English
Printed Name

10-22-22
Date