

**CITY OF SAN ANTONIO
SAN ANTONIO METROPOLITAN HEALTH DISTRICT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Sheryl Sculley, City Manager

FROM: Fernando A. Guerra, MD, MPH, Director of Health

SUBJECT: Lease at 3600 Fredericksburg Road, WIC Clinic

DATE: March 2, 2006

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the City Manager to execute a five year lease agreement not to exceed \$316,750.00 with S & S Shopping Centers, Ltd. for office and clinic space for the San Antonio Metropolitan Health District's Women, Infants and Children Supplemental Nutrition Program (WIC) Clinic located at 3600 Fredericksburg Road for the period February 1, 2006 through January 31, 2011. This ordinance will also approve payments for said lease.

Staff recommends approval.

BACKGROUND INFORMATION

The Health District's WIC Program is a project funded through a grant from the Texas Department of State Health Services which provides nutritious foods and nutrition education to an estimated 48,000 individuals per month in twelve locations scattered throughout the City. The location at 3600 Fredericksburg Road, with 5,000 square feet of office and clinic space, was opened in 2001 and has been one of the busiest and most successful sites, serving an estimated 6,300 participants each month. Nevertheless, in anticipation of the need for a new lease, and in accordance with Texas Department of State Health Services guidelines, an announcement was printed in the San Antonio Express-News on November 15, 16, and 17 of 2005, indicating SAMHD's need for space to house the WIC Clinic on the Northwest Side. S & S Shopping Centers Ltd, the current landlord, was the sole respondent and provided an offer at the current rental rate.

In view of the documented success of the program at this location and the willingness of the landlord to provide this facility at a reasonable rate, staff recommends acceptance of the proposed lease agreement.

POLICY ANALYSIS

This ordinance follows past City policy in utilizing leased space to augment City-owned facilities.

FISCAL IMPACT

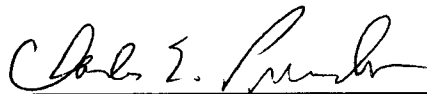
This lease agreement is for the period February 1, 2006 through January 31, 2011 at a flat rate of \$5,000.00 per month plus common area maintenance (CAM) charges calculated at \$0.67 per square foot per year (\$279.16 per month). With CAM charges the monthly rent is \$5,279.16 or \$1.06/square foot. The total cost of the five-year lease will not exceed \$316,750.00 and will be entirely supported through grant funding.

COORDINATION

The City Attorney's Office, the Human Resources Department, Risk Management Division, and Asset Management have reviewed and approved the lease agreement with S & S Shopping Centers, Ltd. This ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

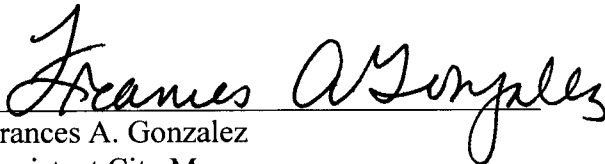
SUPPLEMENTARY COMMENTS

The required City of San Antonio Discretionary Contracts Disclosure form is attached.



Fernando A. Guerra, MD, MPH

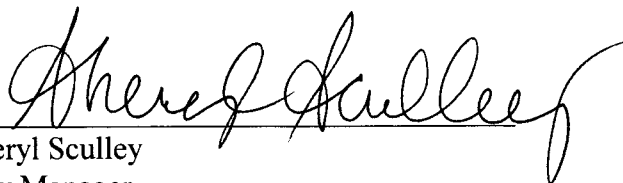
Director of Health, San Antonio Metropolitan Health District



Frances A. Gonzalez

Assistant City Manager

Approved for Council Consideration:



Sheryl Sculley

City Manager

City of San Antonio
Discretionary Contracts Disclosure

*For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)
Attach additional sheets if space provided is not sufficient.*

(1) Identify any individual or business entity¹ that is a **party** to the discretionary contract:

Stanley Spigel

(2) Identify any individual or business entity which is a **partner, parent** or **subsidiary** business entity, of any individual or business entity identified above in Box (1):

☐ No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

Barbara Spigel, Limited Partner Spigel Properties,
Stuart Spigel, Limited Partner General Partner Inc.
Julie Lynn Zimmermann, Limited Partner

(3) Identify any individual or business entity that would be a **subcontractor** on the discretionary contract.

☒ No subcontractor(s); or

List subcontractors:

(4) Identify any **lobbyist** or **public relations firm** employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☒ No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

¹ A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

List all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made to any *current or former member* of City Council, any *candidate* for City Council, or to any *political action committee* that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under Box (1), (2), (3) or (4) above, or by the officers, owners of any business entity listed in Box (1), (2) or (3):

☒ **No contributions made; If contributions made, list below:**

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:

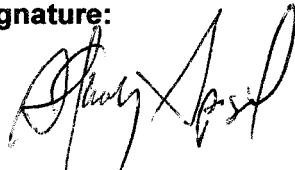
(6) Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.

☒ **Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code; or**

Party aware of the following facts:

This form is required to be supplemented in the event there is any change in the information before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed, whichever occurs first.

Signature: 	Title: President Company or D/B/A: Spigel Properties, Inc. General Partner	Date: 2-27-06
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² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.