

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

ORDINANCE

**APPROVING TWO RIVER WALK PATIO LEASE AGREEMENTS WITH
RAINFOREST CAFÉ INC. FOR THE USE OF 196 SQUARE FEET OF
RIVER WALK PATIO SPACE AND LNY LOSOYA RESTAURANT, LLC
D/B/A BRENNER'S STEAKHOUSE FOR 903.24 SQUARE FEET OF
RIVER WALK PATIO AND BALCONY SPACE FOR FIVE YEARS.
REVENUE OF \$164,198.52 GENERATED FROM THESE LEASE
AGREEMENTS WILL BE DEPOSITED INTO THE RIVER WALK
CAPITAL IMPROVEMENT FUND.**

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WHEREAS Ordinance 2006-01-05-39 authorized a lease agreement with Rainforest Café Inc. (Rainforest Café) for use of 196 square feet of River Walk patio space effective January 15, 2006 through January 14, 2011. City Council authorized two extensions to this agreement in 2011 and 2015. The most recent extension expired on January 14, 2021. Since this period, the Rainforest Café has been a month-to-month lessee due to difficulties operating during the pandemic; and

WHEREAS, LNY Losoya Restaurant, LLC d/b/a Brenner's Steakhouse (Brenner's Steakhouse) will be located at 215 Losoya St. The lease agreement will provide for use of 699.59 square feet of River Walk level space and 203.65 of Balcony Level space. This new addition to the River Walk is scheduled to be open by June 1, 2021; and

WHEREAS, the effective dates for each agreement are May 1, 2021 through April 30, 2026. The lease rate for River Walk Level space will begin at \$2.53/psf and \$1.90/psf for River Walk Balcony space (Brenner's Steakhouse). These lease rates will increase by 1.6% annually; **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 two River Walk patio lease agreements with Rainforest Café Inc. and, LNY Losoya Restaurant, LLC d/b/a Brenner's Steakhouse for use of River Walk patio space. A copy of the two lease agreements, in substantially final form, are attached hereto and incorporated herein for all purposes as **Attachment I and II.**

SECTION 2. Funds generated by this Ordinance will be deposited in Fund 29093000, WBS Element OR-00001-01-01-01-01, and General Ledger Account 4407711.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Deputy

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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 is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ **th day of April, 2021.**

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney