

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

AN ORDINANCE

APPROVING THE ASSIGNMENT OF A MARKET SQUARE LEASE AGREEMENT FROM AURORA LOMAS SANDOVAL DBA FRESH CONCEPTS TO BERTHA MAYTE DE LA ROSA.

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WHEREAS, the City of San Antonio owns and manages Market Square, a unique and historic public market place that plays a vital role in the life, culture and economy of San Antonio; and

WHEREAS, Market Square, with a retail history dating back to the nineteenth century, provides a unique and authentic Mexican Market experience, offering retail sales, holiday celebrations, and year round entertainment; and

WHEREAS, there are 56 businesses in the Farmers Market, 33 in El Mercado and 10 in Market Square Plaza, ranging from cafes to shops specializing in local, regional and Latin American products; and

WHEREAS, Aurora Lomas Sandoval dba Fresh Concepts holds a lease agreement with the City of San Antonio; and

WHEREAS, on June 23, 2011, City Council passed Ordinance No. 2011-06-23-0571, which authorized extensions to all Farmers Market leases until June 30, 2014; and

WHEREAS, the ordinance also provided the City the option to renew all the Farmers Market leases, including the aforementioned lease, for an additional three-year period and subsequently a two-year period; and

WHEREAS, the City has subsequently extended the Farmers Market agreements until June 30, 2017; and

WHEREAS, Ms. Lomas Sandoval has operated Fresh Concepts, a Mexican Imports shop in Farmers Market since March 2009; and

WHEREAS, Ms. Lomas Sandoval is requesting to assign her store to Bertha Mayte De La Rosa; and

WHEREAS, the Municipal Code provides authority for the City to assign a lease when businesses are sold and establish an assignment fee of \$1,500.00; and

WHEREAS, this proposed ordinance will authorize an amendment to the lease agreement with Aurora Lomas Sandoval dba Fresh Concepts, effectively assigning the lease agreement to Bertha Mayte De La Rosa dba Shainy Designs; **NOW THEREFORE:**

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

SECTION 1. The City Manager or her designee, or the Director of the Culture and Creative Development Department or his designee, is authorized to execute the assignment of a Market Square lease agreement from Aurora Lomas Sandoval dba Fresh Concepts to Bertha Mayte De La Rosa. A copy of the Assignment and Amendment of Lease Agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Funds generated by this ordinance will be deposited into Fund 29604001, Internal Order 228000000147 and General Ledger 4406845.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance 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 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 ____ day of _____.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney