

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 RIVER WALK PATIO LEASE FROM AZTEC ON THE RIVER, LTD. TO AZTEC FAMILY GROUP, LLC.

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WHEREAS, on December 9, 1999, City Council approved Ordinance 90983, which authorized the lease of 1,409 square feet of City-owned River Walk patio space to Aztec on the River, Ltd., owner of the adjacent Aztec Theatre Building; and

WHEREAS, on August 25, 2005, City Council approved Ordinance 101302 to authorize Aztec on the River's sublease of the River Walk patio space to Iron Cactus San Antonio, which utilizes the property for outdoor dining in conjunction with their restaurant in the lower level of the adjacent Aztec Theatre Building; and

WHEREAS, in January, in accordance with provisions of the lease, Aztec on the River, Ltd. submitted a written request asking that the City of San Antonio approve assignment of their River Walk patio lease as a result of their sale of the Aztec Theatre Building to Aztec Family Group, LLC; and

WHEREAS, both Aztec on the River, Ltd. and Aztec Family Group, LLC have signed the City's lease assignment document, and the \$1,500.00 lease assignment fee has been paid to the City; and

WHEREAS, the Iron Cactus San Antonio's sublease will enable them to continue to operate on the River Walk and there will be no change to the City's projected FY2015 revenue from this lease of \$27,729.12, which is deposited to the River Capital Improvement Fund; **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 Center City Development and Operations Department or her designee, is authorized to execute the assignment of a River Walk Patio lease agreement from Aztec on the River, Ltd. to Aztec Family Group, LLC. A copy of the Assignment of Lease Agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. 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 3. 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