

**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 FARMERS MARKET LEASES AT MARKET SQUARE FROM FIESTA CUTOUTS TO JOSE A. DELGADO, DBA SHAINY DESIGNS II AND FROM MORE PLANTS TO RICARDO CAMPUZANO, DBA MANOS MAGICAS.**

\* \* \* \* \*

**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 14 in Market Square Plaza, ranging from cafes to shops specializing in local, regional and Latin American products; and

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

**WHEREAS**, the ordinance also provided the City the option to renew all the Farmers Market and El Mercado leases for an additional three-year period until June 30, 2017 and a subsequent two-year period until June 30, 2019; and

**WHEREAS**, the City has exercised its first and second option to extend the Farmers Market and El Mercado agreements until June 30, 2019; and

**WHEREAS**, Hugo and Cristina Matta dba Fiesta Cutouts have operated stores in Farmers Market specializing in regional and Central American products since 2009; and

**WHEREAS**, Mr. Delgado's family has operated Mexican imports stores in Market Square since 2010; and

**WHEREAS**, Micaela Leon dba More Plants has operated Mexican Imports stores in Farmers Market since 2001; and

**WHEREAS**, the Municipal Code provides authority for the City to assign leases when businesses are sold and establishes an assignment fee of \$1,500.00, which will be deposited into the Market Square Improvement Fund; and

**WHEREAS**, this proposed ordinance will authorize amendments to the lease agreements with Fiesta Cutouts and More Plants, effectively assigning the lease agreements; **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 Department for Culture and Creative Development or his designee, is authorized to execute the assignment of a Market Square lease agreement from Fiesta Cutouts to Jose A. Delgado dba Shany Designs II, and More Plants to Ricard Campuzano, dba Manos Magicas. Copies of the Assignments and Amendments of the 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 into Fund 29604001, Internal Order 219000000147 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**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

SW/ah  
xx/xx/xx  
Item #18-2264

# **ATTACHMENT I**

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# **ATTACHMENT II**

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