

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

**AN ORDINANCE**

**AUTHORIZING AN AMENDMENT TO THE LEASE AGREEMENT WITH RIVERCENTER MALL IN ORDER TO ACCOMMODATE MALL IMPROVEMENTS ON THE WEST SIDE OF THE RIVER WALK LAGOON.**

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**WHEREAS**, on August 21, 2008, City Council approved Ordinance 2008-08-21-0722 with Rivercenter Mall for use of public space to accommodate improvements to the mall on the east side of the River Walk lagoon area; and

**WHEREAS**, per the agreement, Rivercenter Mall is responsible for all landscape maintenance and removal of all trash within the lagoon area, as well as cleaning of the public walkways, staircases, and the pedestrian bridge in the lagoon area; and

**WHEREAS**, in addition, they are also responsible for maintenance of the lagoon island and bridge and for cleaning the river in the lagoon area; and

**WHEREAS**, Rivercenter Mall is now proposing to make improvements to the west side of the River Walk lagoon area and seeking to utilize 699 square feet of patio space for outdoor food and beverage service, plus 359 square feet to be occupied by a staircase linking Commerce Street to the River Walk that will be available 24/7 for public use; and

**WHEREAS**, Rivercenter Mall will pay for the 699 square feet used for commercial purposes, but will not be charged for staircase space, provided the staircase remains open at all times for use by the public; and

**WHEREAS**, Rivercenter Mall will be responsible for all maintenance and cleaning of both areas; and

**WHEREAS**, construction work is planned to begin after City Council approval and forecast to be finished no later than June 1, 2015 when rent will commence; and

**WHEREAS**, the proposed amendment will extend the lease term from May 31, 2029 to May 31, 2035; and

**WHEREAS**, the Historic & Design Review Commission granted conceptual approval of the proposed improvements to the west side of the lagoon area on December 4, 2013; **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 Office or his designee, is authorized to execute an amendment to the lease agreement with Rivercenter Mall in order to accommodate mall improvements on the west side of the River Walk lagoon. A copy of the amendment is attached hereto and incorporated herein for all purposes as **Attachment I.**

**SECTION 2.** Funds generated by this ordinance will be deposited into Fund 28034000, Internal Order 131000001670 and General Ledger 4401150.

**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:**

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Leticia M. Vacek, City Clerk

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Robert F. Greenblum, City Attorney