

**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 FARMERS MARKET LEASE ASSIGNMENTS OF FOTO MEMORIES BY ZUBAIR – PERSONALIZED PHOTOS AND GIFTS TO TAINY DELGADO GARNICA DBA TAE SOUVENIRS AND SIEW PANG INTERNATIONAL TO CARLOS SANDOVAL AND CATON SANDOVAL DBA FIESTA MERCADO.**

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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 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, including the aforementioned lease, for an additional three-year period and until June 30, 2017 and a subsequent two-year period until June 30, 2019; and

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

**WHEREAS**, Hasan K. Zubair dba Foto Memories by Zubair - Personalized Photos and Gifts has operated a store in El Mercado specializing in photography and personalized gifts since 2011; and

**WHEREAS**, Ms. Garnica's family has operated Mexican imports stores in El Mercado and Farmers Market since 2010; and

**WHEREAS**, Siew Pang dba Siew Pang International has operated a Mexican Imports store in Farmers Market since 2001; and

**WHEREAS**, the Sandoval family has operated Mexican imports shops in Farmers Market for over twenty years; and

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

**WHEREAS**, this proposed Ordinance will authorize the amendments to the lease agreements with Foto Memories by Zubair - Personalized Photos and Gifts and Siew Pang International, 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 Center City Development and Operations Department or his designee, is authorized to execute the Assignment and Amendment of the Lease Agreement with Foto Memories by Zubair - Personalized Photos and Gifts to Tainy Delgado Garnica dba TAE Souvenirs. 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.** The City Manager or her designee, or the Director of the Center City Development and Operations Department or his designee, is authorized to execute the Assignment and Amendment of the Lease Agreement with Siew Pang International to Carlos Sandoval and Caton Sandoval dba Fiesta Mercado. A copy of the assignment and amendment of the lease agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment II.**

**SECTION 3.** Funds generated by this Ordinance will be deposited into Fund 29604001, Internal Order 219000000147 and General Ledger 4406845.

**SECTION 4.** 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 5.** 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

\_\_\_\_\_  
City Attorney