

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

AN ORDINANCE

AUTHORIZING A FIVE-YEAR AGREEMENT WITH GALLERY VENTURES LIMITED, L.L.C. D/B/A GALLERY VETRO! CREATIVE ARTGLASS TO OPERATE A RETAIL ESTABLISHMENT FROM 250 E. HOUSTON, LOCATED AT STREET LEVEL WITHIN THE HOUSTON STREET PARKING GARAGE.

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WHEREAS, the City of San Antonio owns and operates the Houston Street Parking Garage, located at the southwest corner of Houston and Navarro Streets, which includes office/retail space at street level; and

WHEREAS, on August 31, 2014, 250 E. Houston will be vacated by Foto Center, Inc. d/b/a The Pink Giraffe after thirty-two years of operation at this location; and

WHEREAS, in order to keep this key retail space active, staff entered into negotiations with Gallery Vetro, currently located at 513 E. Houston, in May 2014 to occupy 250 E. Houston upon The Pink Giraffe's termination; and

WHEREAS, Gallery Vetro has been a successful downtown San Antonio retail establishment for over fourteen years; and

WHEREAS, Gallery Vetro's successful track record and retail mix will further enhance the downtown visitor and resident experience in and around the Houston Street Garage; and

WHEREAS, the proposed lease area is 2,187 square feet; and

WHEREAS, the initial term of the agreement will be for five years commencing on September 1, 2014 through August 31, 2019; and

WHEREAS, the agreement provides for one five-year renewal option; and

WHEREAS, rent payments will begin three months after the lease commencement; and

WHEREAS, Gallery Vetro will be responsible for completing improvements/upgrades to the space and in consideration may be abated up to \$34,248.42 in rent; and

WHEREAS, the actual abatement amount will be determined based on Gallery Vetro's submission of receipts showing proof of payment for completing improvements/upgrades; **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 a five-year agreement with Gallery Ventures Limited, L.L.C. d/b/a Gallery Vetro! Creative Artglass to operate a retail establishment from 250 E. Houston, located at street level within the Houston Street Parking Garage. A copy of the 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 53001000, Internal Order 219000000116 and General Ledger 4401120.

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

Robert F. Greenblum, City Attorney