

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 A RIVER WALK PATIO LEASE WITH 155 E. COMMERCE HOTEL L.L.C. TO EXTEND THE CONSTRUCTION PHASE OF THE LEASE THROUGH DECEMBER 31, 2020 AND REVISE THE START DATE FOR USE OF THE RIVER WALK PATIO TO JANUARY 1, 2021.

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WHEREAS, in 2013, 155 E. Commerce Hotel LLC (formerly Chilton Restoration LLC) purchased the properties at 155 and 161 E. Commerce Street; and

WHEREAS, on January 21, 2015, the Historic Design & Review Commission granted conceptual approval of a proposed 18 story hotel at the site, which overlooks the River Walk; and

WHEREAS, on June 18, 2015, City Council approved a five year lease with four renewal options to allow the hotel's use of 1,361 square feet of River Walk patio space, beginning upon completion of the hotel but no later than January 1, 2018; and

WHEREAS, site work began in late 2016 and demolition was completed in 2017; however, vertical construction has been delayed due to re-engineering of the foundation; and

WHEREAS, as a result, the original completion date of December 31, 2017 will not be met; therefore, the use of the River Walk patio will not begin January 1, 2018; and

WHEREAS, the proposed amendment will revise the construction completion date to December 31, 2020, and revise the start date for use of the River Walk patio to January 1, 2021; **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 or his designee, is authorized to execute an amendment to the River Walk Lease Agreement with Commerce Hotel LLC. to extend the construction phase of the lease through December 31, 2020 and revise the start date for use of the River Walk patio to January 1, 2021. 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 the River Walk Capital Improvements Fund, OR-00001-01-01-01, GL 4407712.

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