



# City of San Antonio

## Agenda Memorandum

**File Number: 15-1273**

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**Agenda Item Number:** 13.

**Agenda Date:** 2/19/2015

**In Control:** City Council A Session

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**DEPARTMENT:** Culture and Creative Development

**DEPARTMENT HEAD:** Felix Padron

**COUNCIL DISTRICTS IMPACTED:** 1

**SUBJECT:**

Market Square Agreement

**SUMMARY:**

Consideration of an ordinance related to leases at Farmers Market in Market Square, authorizing the following action:

- A. Execution of a lease amendment with Fresh Concepts in Farmers Market to assign lease agreement to Bertha Mayte De La Rosa dba Shainy Designs

**BACKGROUND INFORMATION:**

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. 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. There are 56 businesses in the Farmers Market, 33 in El Mercado and 10 in Market Square Plaza, ranging from cafes to shops specializing in local, regional and Latin American products.

Aurora Lomas Sandoval dba Fresh Concepts holds a lease agreement with the City of San Antonio. On June 23, 2011, City Council passed Ordinance No. 2011-06-23-0571, which authorized extensions to all Farmers Market leases until June 30, 2014. The ordinance also provided the City the option to renew all the Farmers Market leases, including the aforementioned lease, for an additional three-year period and subsequently a two-year

period. The City has subsequently extended the Farmers Market agreements until June 30, 2017.

Ms. Lomas Sandoval has operated Fresh Concepts, a Mexican Imports shop in Farmers Market since March 2009. Ms. Lomas Sandoval is requesting to assign her store to Bertha Mayte De La Rosa. The Municipal Code provides authority for the City to assign lease when businesses are sold and establish an assignment fee of \$1,500.00.

This proposed ordinance will authorize an amendment to the lease agreement with Aurora Lomas Sandoval dba Fresh Concepts, effectively assigning the lease agreement to Bertha Mayte De La Rosa dba Shainy Designs.

**ISSUE:**

Approval of this ordinance is consistent with City of San Antonio policy to lease public property in Market Square for retail purposes under regulations established in Chapter 32, Article II of the City's Municipal Code. Amending the lease agreements and executing the patio license agreement require passage by City Council.

**ALTERNATIVES:**

City Council could choose not to allow for the lease assignment of Fresh Concepts, thus jeopardizing the continued operation of established imports shop in Farmers Market.

**FISCAL IMPACT:**

The fiscal impact to FY 2015 would be an increase of \$1,500, which is the stated lease assignment fee. Revenue from this lease assignment will be deposited in the City's Market Square Improvement Fund.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing the lease assignment of Fresh Concepts