



City of San Antonio

Legislation Details (With Text)

File #: 16-5190

Type: Real Property Lease

In control: City Council A Session

On agenda: 10/20/2016

Title: 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. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development and Operations Department]

Sponsors:

Indexes: Leases, Market Square Leases

Code sections:

Attachments: 1. Assignment Agreement - Foto Memories by Zubair, 2. Assignment Agreement - Siew Pang International, 3. Siew Pang International and Foto Memories by Zubair Assignmnets 9 26 2016, 4. Draft Ordinance, 5. Ordinance 2016-10-20-0814

Date	Ver.	Action By	Action	Result
10/20/2016	1	City Council A Session	adopted	Pass

DEPARTMENT: Center City Operations & Development Department

DEPARTMENT HEAD: John Jacks

COUNCIL DISTRICTS IMPACTED: 1

SUBJECT:

Market Square Amendments

SUMMARY:

Consideration of an ordinance related to leases at El Mercado in Market Square, authorizing the following actions:

- A. Execution of a lease amendment with Foto Memories by Zubair - Personalized Photos and Gifts to assign lease agreement to Tainy Delgado Garnica dba TAE Souvenirs.
- B. Execution of a lease amendment with Siew Pang International to assign lease agreement to Carlos Sandoval and Caton Sandoval dba Fiesta Mercado.

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 14 in Market Square Plaza, ranging from cafes to shops specializing in local, regional and Latin American products.

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. The ordinance also provided the City the option to renew all the Farmers Market and El Mercado leases for an additional three-year period until June 30, 2017 and a subsequent two-year period until June 30, 2019. The City has exercised its first option to extend the Farmers Market and El Mercado agreements until June 30, 2017.

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. Ms. Delgado's family has operated Mexican imports stores in El Mercado and Farmers Market since 2010. Siew Pang dba Siew Pang International has operated a Mexican Imports store in Farmers Market since 2001. The Sandoval family has operated Mexican imports shops in Farmers Market for over twenty years. The Municipal Code provides authority for the City to assign leases when businesses are sold and establish an assignment fee of \$1,500.00.

This proposed ordinance will authorize amendments to the lease agreements with Foto Memories by Zubair - Personalized Photos and Gifts and Siew Pang International, effectively assigning the lease agreements.

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 require passage by City Council.

ALTERNATIVES:

City Council could choose not to allow for the lease assignment of Foto Memories by Zubair - Personalized Photos and Gifts and Siew Pang International, thus jeopardizing the continued operation of an established personalized gifts shop and a Mexican imports shop in Farmers Market.

FISCAL IMPACT:

The fiscal impact to FY 2016 would be an increase of \$3,000. The stated lease assignment fee is \$1,500 per assignment. 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 amendment to the lease agreements with Foto Memories by Zubair - Personalized Photos and Gifts and Siew Pang International.