



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-6395  
**Type:** Real Property Lease  
**In control:** City Council A Session  
**On agenda:** 12/14/2017  
**Title:** An Ordinance approving the Market Square lease agreement with Jose Hernandez dba Joseph Fine Artist Gallery. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations Department]  
**Sponsors:**  
**Indexes:** Market Square Leases  
**Code sections:**  
**Attachments:** 1. DCD - Joseph Fine Artist, 2. Texas Ethic Form 1295, 3. Lease Agreement - Jose Hernandez Jr., 4. Draft Ordinance, 5. Ordinance 2017-12-14-1003

Date	Ver.	Action By	Action	Result
12/14/2017	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Center City Operations & Development Department

**DEPARTMENT HEAD:** John Jacks

**COUNCIL DISTRICTS IMPACTED:** 1

### SUBJECT:

Market Square Agreement

### SUMMARY:

Consideration of an ordinance related to leases in Market Square, authorizing the execution of a lease agreement with Jose Hernandez Jr. to operate in the Farmers Market.

### 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 and subsequently, authorized its second option to extend leases until June 30, 2019.

Jose Hernandez Jr. is a local artist, who specializes in painting scenes depicting local venues. Mr. Hernandez has operated a successful gallery in Market Square plaza and now wishes to have a more permanent gallery location inside Farmers Market.

This proposed ordinance will authorize a lease agreement with Jose Hernandez Jr. dba Joseph Fine Artist Gallery.

#### **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. Approving lease agreements require passage by City Council.

#### **ALTERNATIVES:**

City Council could choose not to allow for the lease agreement with Jose Hernandez dba Joseph Fine Artist Gallery thus allowing for a continued vacancy in Farmers Market, while denying a popular, local artist a space inside Farmers Market.

#### **FISCAL IMPACT:**

The fiscal impact to FY 2018 would be an increase of \$4,463.39 and an increase of \$4,264.02 in FY 2019. 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 execution of a lease agreement with Jose Hernandez Jr. dba Joseph Fine Artist.