

AN ORDINANCE

100625

AUTHORIZING THE ASSIGNMENT OF AN EIGHT (8) YEAR STANDARD FORM EL MERCADO LEASE AGREEMENT FROM LYDIA SMITH D/B/A LYDIA'S TO PERLA AND MARIANO GARCIA D/B/A LA PERLA IN THE CITY OF SAN ANTONIO'S EL MERCADO AT MARKET SQUARE IN COUNCIL DISTRICT 1; AND AMENDING THE AGREEMENT TO REFLECT CURRENT LEASE TERMS AND CONDITIONS.

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WHEREAS, on May 18, 2000 City Council approved an a eight (8) year standard form El Mercado Lease Agreement with Lydia Smith d/b/a Lydia's for retail space in El Mercado at Market Square; and

WHEREAS, Ms. Smith has requested that the City allow an assignment of the lease to Perla and Mariano Garcia d/b/a La Perla; and

WHEREAS, City staff recommends approving this assignment along with amending the agreement to reflect current lease terms and conditions; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The Interim City Manager, or his designee, is hereby authorized to execute an assignment of an eight (8) year standard form El Mercado Lease Agreement from Lydia Smith d/b/a Lydia's to Perla and Mariano Garcia d/b/a La Perla in the City of San Antonio's El Mercado at Market Square. The assignment shall contain amendments to the agreement to reflect current lease terms and conditions. The City Attorney or his designee shall review and approve of the assignment prior to its execution.

Section 2. The proceeds of this agreement shall be deposited in material numbers 9001602, 9000271 and 9001276 entitled "Utility Collection, El Mercado Specialty Shop Revenue and Waste Collection" respectively, internal order 226000000015 entitled Administration-Office of the Director."

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 Interim City Manager, or the Interim City Manager's designee, correct allocation 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 shall become effective on and after April 10, 2005.

PASSED AND APPROVED this 31st day of March, 2005



M A Y O R

ATTEST: *Leticia M. Vacl*
City Clerk

EDWARD D. GARZA

APPROVED AS TO FORM: *Gloria A. Lewis*
City Attorney

Agenda Voting Results

Name: 25.

Date: 03/31/05

Time: 02:47:00 PM

Vote Type: Multiple selection

Description: An Ordinance authorizing the assignment of an eight (8) year standard form El Mercado Lease Agreement from Lydia Smith d/b/a Lydia's to Perla and Mariano Garcia d/b/a La Perla in the City of San Antonio's El Mercado at Market Square in Council District 1; and amending the agreement to reflect current lease terms and conditions. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

| Voter | Group | Status | Yes | No | Abstain |
|--------------------|-------------|-------------|-----|----|---------|
| ROGER O. FLORES | DISTRICT 1 | | x | | |
| JOEL WILLIAMS | DISTRICT 2 | Not present | | | |
| RON H. SEGOVIA | DISTRICT 3 | | x | | |
| RICHARD PEREZ | DISTRICT 4 | | | x | |
| PATTI RADLE | DISTRICT 5 | Not present | | | |
| ENRIQUE M. BARRERA | DISTRICT 6 | | x | | |
| JULIAN CASTRO | DISTRICT 7 | | x | | |
| ART A. HALL | DISTRICT 8 | | x | | |
| CARROLL SCHUBERT | DISTRICT 9 | | x | | |
| CHIP HAASS | DISTRICT_10 | | x | | |
| MAYOR ED GARZA | MAYOR | Not present | | | |