

AN ORDINANCE 100941

APPROVING THE ASSIGNMENT OF A PROBATIONARY LEASE AGREEMENT FROM JOE AND JOANNE GONZALES D/B/A MARIE'S CREATIONS TO TRINIDAD TRAYLOR D/B/A LITTLE BIT OF TEXAS IN THE CITY OF SAN ANTONIO'S FARMER'S MARKET AT MARKET SQUARE IN COUNCIL DISTRICT 1; AND AMENDING THE AGREEMENT TO REFLECT CURRENT LEASE TERMS AND CONDITIONS.

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WHEREAS, it is the policy of the City of San Antonio to lease public property in Market Square, located at 514 West Commerce Street in City Council District 1, for retail sales or restaurant purposes, as per the policies established in Chapter 32, Article II of the City Code of the City of San Antonio; and

WHEREAS, Ordinance No. 99477, passed and approved on July 22, 2004 authorized a new amended lease agreement with delinquent tenants in which tenants were offered a one time, three-year amended agreement which included stricter agreement requirements including stronger contract delinquency and default procedures; and

WHEREAS, City staff agreed that a Probation Period with additional contract stipulations would be beneficial to El Mercado tenants and Farmers Market tenants and would keep business operating at the Market Square; and

WHEREAS, Joe and Joanne Gonzales d/b/a Marie's Creations for lease of in-line store IL-12 with 1,185 square feet desire to assign their lease to Ms. Trinidad Traylor d/b/a Little Bit of Texas who has applied to take over the probationary lease payments and use of the space; and

WHEREAS, Ms. Trinidad Traylor will continue payments established in the original lease agreement and agrees to abide by the stricter requirements outlined in the probationary lease agreement which has a term of a two (2) year and two (2) month period from June 1, 2005 to July 31, 2007; and

WHEREAS, it is in the best interest of the City of San Antonio to continue to lease said public property in the City's Market Square to the new tenant and amend the lease 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 approve the assignment of a probationary lease agreement from Joe and Joanne Gonzales D/B/A Marie's Creations to Trinidad Traylor D/B/A Little Bit of Texas in the City Of San Antonio's Farmer's Market at Market Square in Council District 1 for lease of in-line store IL-12 with 1,185 square feet for a two (2) year and two (2) month period from June 1, 2005 to July 31, 2007, which is the period remaining on the probationary lease agreement. A copy of said Assignment is affixed hereto and incorporated herein for all purposes as Attachment I.

Section 2. The proceeds of this agreement shall be deposited into Fund 11001000 entitled General Fund, Fund Center 2604020000, Internal Order 226000000016, and the General Ledger Account 4407720 entitled "Lease-Land and Buildings."

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 his 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 June 5, 2005.

PASSED AND APPROVED this 26th day of May, 2005.



M A Y O R
EDWARD D. GARZA

ATTEST: Leticia M. Vaca
City Clerk

APPROVED AS TO FORM: Gloria L. Garcia
City Attorney

Agenda Voting Results

Name: 15.

Date: 05/26/05

Time: 02:42:27 PM

Vote Type: Multiple selection

Description: An Ordinance approving the assignment of a Probationary Lease Agreement from Joe and Joanne Gonzales d/b/a Marie's Creations to Trinidad Traylor d/b/a Little Bit of Texas in the City of San Antonio's Farmer's Market 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		x		
RON H. SEGOVIA	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4			x	
PATTI RADLE	DISTRICT 5		x		
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			