

101302

AN ORDINANCE

**CONSENTING TO A SUBLEASE OF APPROXIMATELY 1409 SQUARE FEET OF CITY OWNED PROPERTY ON THE RIVER WALK IN CITY COUNCIL DISTRICT 1 FROM AZTEC ON THE RIVER, LTD. TO IRON CACTUS SAN ANTONIO RIVERWALK LIMITED PARTNERSHIP, INC.**

\* \* \* \* \*

**WHEREAS**, on December 9, 1999, through Ordinance 90983, City Council approved a lease agreement (the "Lease") with Aztec on the River, Ltd., a Texas Limited Partnership, whose general partner is Euro-Alamo Management, Inc. for public space on the River Walk in City Council District 1 to be developed for outdoor dining; and

**WHEREAS**, the Lease permits the lessee to operate and assign, sublease or license the Leased Premises, subject to City Council approval.

**WHEREAS**, the City Staff has evaluated this proposal and has found that it is in the best interest of the City of San Antonio to consent to the sublease; **NOW THEREFORE**:

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

**Section 1.** The City of San Antonio hereby consents to the sublease of 1409 square feet of space from Aztec on the River, Ltd. to Iron Cactus San Antonio Riverwalk Limited Partnership, Inc., for the balance of the Lease term and/or extensions provided in the Lease. The City Manager or his designee is hereby authorized to execute a consent agreement and an estoppel certificate for purposes of the sublease after review and approval by the Acting City Attorney or her designee.

**Section 2.** Revenue collected from this Lease and sublease shall be deposited into the Riverwalk Capital Improvement Fund, SAP GL account 29093000, Internal Order No. OR-00001-01-01-01.

**Section 3.** The financial allocations in this Ordinance are subject to approval by the Director of San Antonio, City of San Antonio. The Director of Finance may, subject to concurrence by the 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

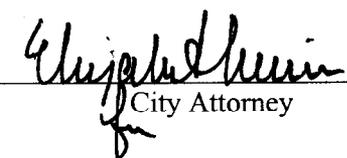
**Section 4.** This ordinance shall become effective on September 4, 2005.

PASSED AND APPROVED this 25<sup>th</sup> day of August, 2005.



PHIL HARDBERGER

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney

# Agenda Voting Results

**Name:** 23.

**Date:** 08/25/05

**Time:** 11:44:31 AM

**Vote Type:** Multiple selection

**Description:** An Ordinance consenting to a sublease of approximately 1409 square feet of City owned property on the River Walk in City Council District 1 from Aztec on the River, Ltd. to Iron Cactus San Antonio Riverwalk Limited Partnership, Inc. [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		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6	Not present			
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9	Not present			
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR	Not present			