

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL,
SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

**APPROVING A LEASE ASSIGNMENT OF BUENDIA IMPORTS,
LOCATED IN FARMERS MARKET, TO NITZA TRUQUE
HOVERMALE AND KAYLA TRUQUE DOING BUSINESS AS
EARTH TO ART FOR AN ASSIGNMENT FEE OF \$3,000.00 AND AN
INCREASE IN FY 2024 LEASE REVENUE OF \$1,386.24 TO BE
DEPOSITED INTO THE MARKET SQUARE IMPROVEMENT
FUND.**

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WHEREAS, the City has leased 228 square feet of space in Farmers Market to Mr. Buenida for over five years, and he now wishes to assign his lease agreement to Nitza Truque Hovermale and Kayla Truque; and

WHEREAS, per the lease agreements with all Farmers Market and El Mercado tenants, when a tenant has operated a leased space for less than twenty years (non-legacy status) or is requesting to assign a lease to a non-family member, the proposed assignee will be required to pay the market lease rate and a \$3,000.00 assignment fee; and

WHEREAS, accordingly, upon execution of the lease assignment, the lease rate will increase from the current rate of \$3.20 per square foot to the market rate of \$3.80 per square foot; and

WHEREAS, 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; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, or the Director of the Center City Development and Operations Department or designee is authorized to approve a lease assignment of Buendia Imports, located in Farmers Market, to Nitza Truque Hovermale and Kayla Truque doing business as Earth to Art for an assignment fee of \$3,000.00 and an increase in FY 2024 lease revenue of \$1,386.24 to be deposited into the Market Square Improvement Fund.

SECTION 2. Funds received for this ordinance for assignment fee will be deposited in Fund 29604001, Internal Order 219000000147 and General Ledger 4406845.

SECTION 3. Funds received for this ordinance for rent will be deposited in Fund 29604001, Internal Order 219000000147 and General Ledger 4407720.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations 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 5. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 2nd day of November, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney