

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
PARKS AND RECREATION DEPARTMENT**

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

THROUGH: Terry M. Brechtel, City Manager

COPIES: Melissa B. Vossmer; Finance; Management and Budget; Legal; File

SUBJECT: Ordinance Authorizing a Three Year La Villita Retail Lease Agreement with Alice Knight for Lease of Building 17 at La Villita

DATE: December 19, 2002

SUMMARY AND RECOMMENDATIONS

This ordinance approves a three (3) year La Villita Retail Lease Agreement with Jack and Alice Knight d/b/a Alice Knight, portrait studio, for lease of approximately 326 square feet identified as Building 17, 305 ½ South Alamo, at La Villita in City Council District 1 for the period December 14, 2002 through December 31, 2005.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

It is the long-standing policy of the City of San Antonio to lease public property in the City's La Villita, located at 418 Villita Street in City Council District 1, for art, cultural and retail sales purposes. This ordinance authorizes a standard form La Villita Retail Lease Agreement with Jack and Alice Knight, a Sole Proprietor, d/b/a Alice Knight for their use of approximately 326 square feet of retail space, identified as Building 17. This space became vacant in April, 2002 when the prior tenant vacated and moved to Building 16.

An open public Request for Proposals (RFP) for lease of Building 17 was issued on June 1, 2002 and proposals were due on July 2, 2002. Six (6) proposals were submitted and accepted by City staff. A five member review committee reviewed and scored the proposals based on evaluation criteria contained in the RFP, including retail proposal, management plan, experience, a personal interview and SBEDA compliance. The evaluation committee rated the proposal submitted by Alice Knight highest. The evaluation committee and the City staff feel that Alice Knight will provide an excellent service to the patrons of La Villita.

Ms. Alice Knight has 30 years experience providing portrait services, including the successful operation of various retail arts, crafts, and portrait establishments since 1982. Ms. Knight has

provided the Parks and Recreation Department with all required documents, which included financial information.

Term of the lease will be from December 14, 2002 through December 31, 2005. Tenant will be required to:

- Pay utility costs, a promotional fee and exterior building maintenance fee
- Abide by use clauses and minimum hours of operation
- Provide for all improvements and maintenance of the leased space
- Provide insurance levels specified by the City's Risk Manager

POLICY ANALYSIS

It is the long-standing policy of the City of San Antonio to lease public property in La Villita for retail sales purposes, under regulations established in Chapter 32, Article II of the City Code of the City of San Antonio. The approval of a lease agreement requires passage of a City ordinance.

FISCAL IMPACT

Ms. Knight will make payments as established in the lease agreement. The rental rate is based upon an established seven-year schedule. We are presently in the third year of the lease schedule. The current 2002 rate is \$336.80 per month or \$3,933.48 per year. This will increase gradually to a rental rate of \$354.76 per month or \$4,143.27 in the last year of the lease agreement (2005). The annual lease rates include a reduction for the month of April, during which time La Villita is the location of the annual Night In Old San Antonio Fiesta event.

Anticipated Fiscal Year revenues, which start January 1, 2003, are:


- FY02/03 - \$2,919.51 (9 months)
- FY03/04 - \$4,012.71
- FY04/05 - \$4,086.20
- FY05/06 - \$1,064.28 (3 months)

COORDINATION

This Retail Lease Agreement was coordinated with the City Attorney's Office and the Department of Asset Management.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure Form is attached.



Malcolm Matthews,
Director of Parks and Recreation



Melissa B. Vossmer
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

City of San Antonio
Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2
Attach additional sheets if space provided is not sufficient.
State Not Applicable for questions that do not apply.

* This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the city in the enforcement of provisions contained in the City Charter and the code of ethics, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any **individual** who would be a party to the discretionary contract;

N/A

(2) the identity of any **business entity** that would be a party to the discretionary contract:

and the name of:

(A) any individual or business entity that would be a *subcontractor* on the discretionary contract;

N/A

(B) any individual or business entity that is known to be a *partner*, or a *parent* or *subsidiary business* entity, of any individual or business entity who would be a party to the discretionary contract;

N/A

(3) the identity of any **lobbyist** or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

N/A

Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made: N/A	Amount:	Date of Contribution:
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Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question¹ as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature: Alice Knight	Title: owner Company:	Date: 12-3-02

¹ For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.