

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

ORDINANCE

AUTHORIZING THE EXECUTION OF AMENDMENT #1 TO EXERCISE THE FIRST RENEWAL OPTION OF THE LEASE AGREEMENT WITH THE PUBLIC THEATER OF SAN ANTONIO FOR MANAGEMENT AND OPERATIONS OF THE SAN PEDRO PLAYHOUSE WITHIN SAN PEDRO SPRINGS PARK FOR A TERM OF 10 YEARS BEGINNING ON MAY 31, 2019, AND EXPIRING ON MAY 31, 2029.

* * * * *

WHEREAS, the Public Theater of San Antonio (Theater) was established in 1912 as the San Antonio Dramatic Club and became incorporated in 1927 as the San Antonio Little Theater; and

WHEREAS, the Theater has undergone many name changes, it remains the most historic theater in South Texas; and

WHEREAS, in 1958, a formal lease agreement for management and operations of the San Pedro Playhouse located in San Pedro Springs Park was established between the City and the Theater; and

WHEREAS, on May 19, 1994, the City and the Theater entered into the current lease agreement for management and operations of the San Pedro Playhouse (Lease Agreement); and

WHEREAS, the initial term of the Lease Agreement was 25 years, expiring May 30, 2019, with two (2) ten-year renewal periods; and

WHEREAS, the Theater has met the requirements in the Lease Agreement that the Theater be compliant with the terms and conditions and request to exercise the 10-year renewal; and

WHEREAS, the Theater is planning capital improvements located on the lease premises; and

WHEREAS, the improvements are consistent with the contract terms that require the Theater to maintain and improve the premises at the Theater's cost; and

WHEREAS, in lieu of rent, the Theater shall be responsible for management and operations of the San Pedro Playhouse, including interior maintenance and preventative maintenance of the building and utility usage; and

WHEREAS, all other terms and conditions of the current Lease Agreement will remain in effect. **NOW THEREFORE:**

SW/ah
xx/xx/xx
Item No. _____

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 Parks and Recreation Department or designee, is hereby authorized to execute Amendment #1 to exercise the first renewal option of the Lease Agreement with The Public Theater of San Antonio for management and operations of the San Pedro Playhouse within San Pedro Springs Park for a term of 10 years beginning on May 31, 2019 and expiring on May 31, 2029. A copy of the Amendment #1 of The Public Theater Lease is attached hereto and incorporated herein for all purposes as **Exhibit A**.

SECTION 2. There is no fiscal impact associated with this Ordinance.

SECTION 3. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 13th day of June , 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

SW/ah
xx/xx/xx
Item No. _____

EXHIBIT A