

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

**AN ORDINANCE**

**AUTHORIZING THE AMENDMENT OF A RIVERWALK LEASE AGREEMENT WITH JCS, ACQUISITION, INC. D/B/A JOE'S CRAB SHACK TO EXTEND THE TERM THROUGH NOVEMBER 30, 2022 FOR CONTINUED USE OF 98.87 SQUARE FEET OF RIVER WALK PATIO SPACE.**

\* \* \* \*

**WHEREAS**, ordinance 2012-08-02-0549 authorized an Agreement with Joe's Crab Shack-Texas, Inc. (a subsidiary of the Ignite Restaurant Group) for use of 98.87 square feet of River Walk Patio Space; and

**WHEREAS**, on July 23, 2013, Ignite Restaurant Group notified the City that Joe's Crab Shack-Texas, Inc. had merged with Crab Addison, Inc. and on January 10, 2017, Ignite Restaurant Group notified the City that Crab Addison, Inc. was converted to Joe's Crab Shack, LLC; and

**WHEREAS**, Joe's Crab Shack LLC's Agreement was to expire on December 31, 2017 so in May 2017, staff began negotiations with Joe's Crab Shack, LLC to amend and extend their Agreement through November 30, 2022 to be in-line with the expiration of their interior lease space; and

**WHEREAS**, this amendment was to be brought forward for City Council Consideration in October 2017; however, on June 6, 2017 the Ignite Restaurant Group filed for Chapter 11 bankruptcy; and

**WHEREAS**, on August 17, 2017, Landry's Inc. acquired all of Ignite Restaurant Groups assets; and

**WHEREAS**, shortly thereafter Landry's, Inc. contacted the City expressing interest in finalizing the amendment to extend the Joe's Crab Shack Agreement as initially planned; and

**WHEREAS**, this ordinance will authorize an Amendment to the Agreement with JCS Acquisitions, Inc. (a subsidiary of Landry's Inc.) d/b/a Joe's Crab Shack to extend the Agreement's term through November 30, 2022; **NOW THEREFORE:**

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

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**SECTION 1.** The City Manager or her designee, or the Director of the Center City Development and Operations Department or her designee, is authorized to execute the Amendment to the Agreement with JCS Acquisition, Inc. (a subsidiary of Landry's Inc.) d/b/a Joes's Crab Shack to extend the Agreement's term through November 30, 2022. The First Amendment of Riverwalk Lease Agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** 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 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 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 \_\_\_\_\_ day of \_\_\_\_\_.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

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# **ATTACHMENT I**

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