

AN ORDINANCE 2017-09-21-0713

AUTHORIZING AN AMENDMENT TO THE LEASE AGREEMENT WITH THE SAN ANTONIO MUSEUM ASSOCIATION D/B/A THE WITTE MUSEUM TO ALLOW ADMINISTRATIVE APPROVAL FOR ADJUSTING ADMISSION FEE INCREASES BY NO MORE THAN A CUMULATIVE 18% DURING ANY TWO-YEAR PERIOD.

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WHEREAS, the San Antonio Zoo and the Witte Museum are two important cultural and visitor destinations located within Brackenridge Park; and

WHEREAS, both organizations provide a rich visitor experience through their innovative exhibits and diverse educational program offerings; and

WHEREAS, the San Antonio Zoo has a long history in our community dating back to the early 1900's and attracts over one million guests annually; and

WHEREAS, since its opening in 1923, the Witte Museum has grown to welcome an average of 600,000 visitors per year, including 250,000 school age children; and

WHEREAS, within the terms of the current lease agreements, the Parks and Recreation Department has the ability to administratively approve increases in admission fees up to a cumulative 20% over a three-year (3) period; and

WHEREAS, general admission fee increases exceeding this amount require City Council approval; and

WHEREAS, the proposed admission rate structure will allow the Parks and Recreation Department to administratively approve fees up to a cumulative 18% during any two-year (2) period while still requiring approval by City Council for any increases above this amount.

WHEREAS, the proposed amendments allow the San Antonio Zoo and Witte Museum to remain strategic in their business operations by granting a higher threshold in projecting future revenues generated from general admission fees and positions their fee structures to be comparable with other similar venues; and

WHEREAS, with significant investments made at their respective facilities, each of the organizations is committed to remaining a top-tier destination that will meet the educational needs and cultural interests of our city; and

WHEREAS, the Zoo has completed over \$5 million dollars in animal habitat upgrades since 2014 and expanded their operations to include the creation of 100 new jobs and an upgraded ticketing/entry system; and

WHEREAS, with the opening of the new Witte in March 2017, the museum has added 174,000 square feet of renovated and new space to the facility; and

WHEREAS, the opportunity to broaden community access and participation at both venues will be strengthened through a free or low-cost admission fee program; and

WHEREAS, the Zoo is implementing a discount rate program for San Antonio residents and the Witte Museum is continuing with hosting Free Knowledge Free Tuesday during the afternoon and evening; **NOW THEREFORE:**

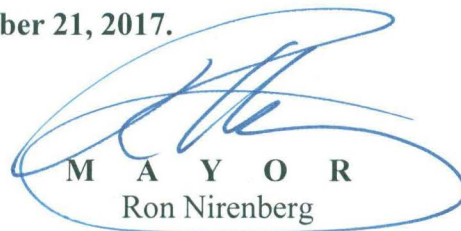
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or her designee, or the Director of the Parks and Recreation Department or his designee is hereby authorized to execute an Amendment to the Lease Agreement with the San Antonio Zoological Society, Inc. to allow administrative approval for adjusting admission fee increases by no more than a cumulative 18% during any two-year period. A copy of said amendment is attached hereto and incorporated herein for all purposes as **Attachment I.**

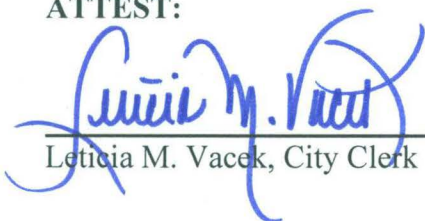
SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 21st day of September 21, 2017.


M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	50B (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 18A, 18B, 18C, 18D, 19, 20, 21, 22, 24A, 24B, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 38, 40, 41, 42, 43, 44, 45, 47, 50A, 50B, 51B, 52A, 52B, 52C, 52D, 52E, 52F, 52G, 52H)						
Date:	09/21/2017						
Time:	09:45:52 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing an Amendment to the Lease Agreement with the San Antonio Museum Association d/b/a The Witte Museum to allow administrative approval for adjusting admission fee increases by no more than a cumulative 18% during any two-year period.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8	x					
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

SW
09/21/17
Item No. 50B

Attachment I

**AMENDMENT No.7 TO THE WITTE MUSEUM LEASE
WITH OPERATING STANDARDS**

This Amendment No. 7 to the Witte Museum Lease With Operating Standards (“Agreement”) is made and entered into as of the _____ day of _____, 20____, by and between the City of San Antonio, a Texas municipal corporation, acting by and through its City Manager or her designee pursuant to Ordinance No. _____ dated _____, 20____ (“City”), and the San Antonio Museum Association d/b/a The Witte Museum, a Texas non-profit corporation (“Witte”), collectively known as the “Parties”;

BACKGROUND

The City of San Antonio owns the property (“Premises”) identified as the Witte Museum which is located within Brackenridge Park at 3801 Broadway.

The City and Witte entered into a Lease With Operating Standards Agreement on September 8, 1997 which expires in September 7, 2072, for the use and operation of the Witte Museum as a vital educational and recreational asset for the benefit of the citizens of San Antonio and provides a rich visitor experience through their innovative exhibits and educational program offerings that contributes to the City’s economic base.

The Witte attracts of average of over 600,000 visitors annually, including 250,000 school age children. With the opening of the New Witte in March 2017, the museum has added 174,000 square feet of renovated and new space to the facility.

As outlined in Article XIV., the Witte is permitted to raise admissions fees up to a cumulative twenty percent (20%) over a three-year (3) period. General admissions fee increases exceeding this amount require City Council approval. The Witte will continue to broaden community access and participation at its facility through various free or low-cost admissions programs.

OPERATING STANDARDS OF WITTE

Article XIV.1.a. Operating Standards of Witte, is hereby deleted and replaced as follows:

“Subject to the approval of the Director of the Parks and Recreation Department (“Director”), the Witte may increase general admission fees by written notification to the Director at least thirty (30) days prior to the proposed increase. Increases in general admission fees are limited to no more than a cumulative eighteen percent (18%) during any two (2) year period during the term of this Lease. Increases exceeding this amount require City Council approval.”

All other terms of the Lease With Operating Standards shall stand as otherwise stated.

[Signatures appear on the next page.]

Signed this _____ day of _____, 20____.

CITY OF SAN ANTONIO

THE WITTE MUSEUM

By: _____
Xavier D. Urrutia, Director
Parks and Recreation Department

By: _____
Marise McDermott, President and CEO

Date: _____

Date: _____

Attest: _____
City Clerk

Approved as to Form:

City Attorney

DRAFT