

**ORDINANCE**

**AUTHORIZING A LEASE AGREEMENT WITH THE  
MAGIK THEATER, A TEXAS NON-PROFIT  
CORPORATION, FOR ITS CONTINUED USE OF THE  
THEATER LOCATED AT 418 S. ALAMO ST (BUILDING  
#225) WITHIN HEMISFAIR, FOR A TWENTY YEAR  
TERM WITH TWO ADDITIONAL 10 YEAR RENEWAL  
TERMS.**

\* \* \* \* \*

**WHEREAS**, the Magik Theater Lease Agreement was originally authorized by Ordinance 86014, dated May 8, 1997 and subsequently amended on three occasions resulting in a lease term of twenty years; and

**WHEREAS**, since this time, the Magik Theatre has operated at Beethoven Hall in Hemisfair Park and has offered year-round performances for school children and the general public; and

**WHEREAS**, since the 20 year term of the lease expired in June of 2017 and The Magik Theater has been operating on a month to month basis with the City without a rental payment requirement; and

**WHEREAS**, being responsible for the maintenance of the facility The Magik Theater has been seeking philanthropic donations to improve operations, maintenance, and capital needs of Beethoven Hall;

**WHEREAS**, in order to attract substantial donations to improve the Beethoven Hall, donors are requiring The Magic Theater have a long term lease in place; **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 Center City Development and Operations Department or his designee, is authorized to execute a new lease agreement between the City of San Antonio and The Magik Theater a Texas non-profit corporation for the continued use of the real property located at 418 S. Alamo St (Bldg #225) within Hemisfair. Copies of the Lease Agreement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** Funds generated by this ordinance will be deposited into Fund 29006000, Internal Order 242000000001 and General Ledger 4407952.

**SECTION 3.** 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 4.** This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** this \_\_\_\_\_th day of \_\_\_\_\_, 2018.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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

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

SW/ah  
x x/xx/xx  
Item 18-4851

# ATTACHMENT I