

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

ORDINANCE

**APPROVING THE PARKS AND RECREATION DEPARTMENT
TO EXECUTE AMENDMENT NO. 8 TO THE LEASE
AGREEMENT WITH THE WITTE MUSEUM IN
BRACKENRIDGE PARK. THERE IS NO FISCAL IMPACT
ASSOCIATED WITH THIS ORDINANCE.**

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WHEREAS, the Witte is a non-profit organization whose mission is to promote lifelong learning through innovative exhibitions, programs and collections in natural history, science and South Texas heritage; and

WHEREAS, the museum, which first opened in 1923, has grown to welcome an average of 600,000 visitors per year, including 250,000 school age children; and

WHEREAS, on September 8, 1997, the City and the Witte entered into a Lease with Operating Standards Agreement for use and operation of the Witte Museum as a vital educational and recreational asset for the benefit of the citizens of San Antonio; and

WHEREAS, on December 15, 2016, Amendment No. 6 transferred ownership interest of the Mays Family Center, the Feik Pavilion, and the Admissions Building, excluding the parking lot, which were funded by the Witte thus allowing the Witte to secure financing to cover increased construction costs; and

WHEREAS, on November 15, 2017, Amendment No. 7 allowed administrative approval for adjusting admission fee increases in accordance with the terms of the lease which is capped at 18% over a rolling 2-year period; and

WHEREAS, the Witte desires to refinance an existing loan with Frost Bank which requires collateral. Amendment No. 6 authorized the use of Mays Family Center, the Feik Pavilion, and the Admissions Building as collateral, but the parking lot was not included. Under the proposed Amendment No. 8, the parking lot adjacent to the Mays Family Center, the Feik Pavilion, and the Admissions Building will be included in the list of amenities authorized for the use of collateral.

WHEREAS, all other terms of the agreement remain the same; **NOW THEREFORE:**

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 authorized to execute Amendment No. 8 to the Lease Agreement with The Witte Museum in Brackenridge Park.

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 April, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina Flores, Acting City Clerk

Andrew Segovia, City Attorney