



# City of San Antonio

## Agenda Memorandum

**File Number:**20-2688

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**Agenda Item Number:** 10.

**Agenda Date:** 4/16/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Parks and Recreation

**DEPARTMENT HEAD:** Homer Garcia, III

**COUNCIL DISTRICTS IMPACTED:** Council District 2

### **SUBJECT:**

Amendment No. 8 to the Lease Agreement with The Witte Museum

### **SUMMARY:**

This ordinance authorizes 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.

### **BACKGROUND INFORMATION:**

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. 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.

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. 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. 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.

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. All other terms of the agreement remain the same.

**ISSUE:**

This Ordinance authorizes the Parks and Recreation Department to execute Amendment No. 8 to the Lease Agreement with The Witte Museum in Brackenridge Park to transfer ownership interest of the parking lot adjacent to the Mays Family Center, the Feik Pavilion, and the Admissions Building to allow for the Witte to refinance an existing construction loan. This action is consistent with previous action authorized under Amendment No. 6 related to the New Witte Expansion and does not diminish the City's landlord interest.

**ALTERNATIVES:**

City Council could elect not to approve and require the Witte to seek other refinancing options.

**FISCAL IMPACT:**

There is no fiscal impact associated with this ordinance.

**RECOMMENDATION:**

Staff recommends approval to execute Amendment No. 8 to the Lease Agreement with Operating Standards with The Witte Museum