

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

AN ORDINANCE

**AUTHORIZING A 25 YEAR LEASE WITH ALAMEDA THEATER FOR
THE ALAMEDA THEATER, CASA DE MEXICO BUILDING, AND
BASILA PHARMACY BUILDING LOCATED IN COUNCIL DISTRICT 1
FOR AN ANNUAL RENTAL RATE OF \$1.00.**

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WHEREAS, Alameda Theater, a Texas non-profit corporation, will undertake completion of improvements to the Alameda Theater and Casa de Mexico Office Building located at 310-318 West Houston Street in accordance with the terms of Capital Improvements Funding Agreement No. 3 and a Master Lease for the Alameda Theater, Casa de Mexico Office Building, and the Basila Pharmacy Building at 118 North Laredo Street, as well as a separate Grant and Development Agreement with Bexar County; **NOW THEREFORE:**

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

SECTION 1. A Master Lease Agreement with Alameda Theater, a Texas non-profit corporation, for a term of 25 years with renewal options, for an annual rental rate of \$1.00 is approved. The City Manager or her designee is authorized to execute the Agreement, a copy of which is set out in Attachment I.

SECTION 2: Funds generated by this Ordinance will be deposited into Fund 11001000, General Ledger 4401110 and Internal Order 240000000061.

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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 4. Approval of this Ordinance authorizing the Master Lease Agreement with Alameda Theater is contingent upon and subject to City Council's approval of a separate Ordinance authorizing Capital Improvements Funding Agreement No. 3 with Alameda Theater for the completion of renovations and improvements to the Alameda Theater and Casa de Mexico Office Building, and is also contingent upon and subject to the approval by the Bexar County Commissioners of the Bexar County Grant and Development Agreement with Alameda Theater in an amount not to exceed \$5,780,761.00 for construction of improvements to Alameda Theater.

NHR
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Item No. _____

SECTION 5. This Ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this _____ day of _____, 2011.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Michael D. Bernard, City Attorney

DRAFT