

**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 CAPITAL IMPROVEMENTS FUNDING AGREEMENT NO. THREE WITH ALAMEDA THEATER IN AN AMOUNT NOT TO EXCEED \$2,118,973.61 FOR PLANNED IMPROVEMENTS TO THE ALAMEDA THEATER AND CASA DE MEXICO BUILDING LOCATED IN COUNCIL DISTRICT 1.**

\* \* \* \* \*

**WHEREAS**, the City of San Antonio (“City”) previously authorized \$5,632,000.00 for the payment of construction-related costs and expenses incurred for the renovation of the Alameda Theater and the Casa de Mexico Office Building at 320-318 West Houston Street (Alameda Complex) of which \$2,118,973.61 remains unspent; and

**WHEREAS**, Alameda Theater, a Texas non-profit corporation, will undertake completion of improvements to the Alameda Complex in accordance with the terms of Capital Improvements Funding Agreement No. 3 and a Master Lease for the Alameda Complex, 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.** Capital Improvements Funding Agreement No. 3 with Alameda Theater, a Texas non-profit corporation, for the completion of improvements to the Alameda Complex 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.** Funding in an amount not to exceed \$2,118,973.61 for this Ordinance is authorized from the 2012-2017 Capital Improvement Budget with funds available from Certificates of Obligation.

**SECTION 3.** Payment in the amount not to exceed \$2,118,973.61 in SAP Fund 43099000, Certificates of Obligation Capital Projects, SAP Project Definition 40-00166, Casa de Mexico and Alameda Theater Complex, is authorized to be encumbered and made payable to Alameda Theater for repair and restoration costs related to the Alameda Theater and Casa de Mexico project.

**SECTION 4.** 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

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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 5.** Approval of this Ordinance authorizing Capital Improvements Funding Agreement No. 3 with Alameda Theater is contingent upon and subject to City Council's approval of a separate Ordinance authorizing the Master Lease Agreement with Alameda Theater for the lease of the Alameda Complex and the Basila Pharmacy Building located at 118 North Laredo Street, 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.

**SECTION 6.** 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:**

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Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

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Michael D. Bernard, City Attorney