

***THIS IS A DRAFT ORDINANCE AND SUBJECT TO REVISION UNTIL A FINAL ORDINANCE IS APPROVED BY THE CITY COUNCIL
FOR THE CITY OF SAN ANTONIO***

AN ORDINANCE

**AUTHORIZING AMENDMENT NO. 1 TO THE AMENDED AND
RESTATED GROUND LEASE AND MANAGEMENT AGREEMENT
WITH THE TEXAS GENERAL LAND OFFICE TO FACILITATE THE
IMPLEMENTATION OF THE ALAMO PLAN BY CONVEYANCE OF
PROPERTY TO THE STATE OF TEXAS, EXTENDING THE LEASE
PREMISES AND AUTHORIZING THE NEGOTIATION AND
EXECUTION OF ALL NECESSARY DOCUMENTS RELATED TO THE
IMPLEMENTATION OF THIS ORDINANCE AND AMENDMENT NO. 1
TO THE AMENDED AND RESTATED GROUND LEASE AND
MANAGEMENT AGREEMENT.**

* * * * *

WHEREAS, on October 18, 2018 the CITY OF SAN ANTONIO (“CITY”), pursuant to Ordinance No. 2018-10-18-0820, and the State of Texas, acting by and through the Texas General Land Office, on behalf of the Alamo complex (“GLO”) entered into a Ground Lease and Management Agreement for property located in the historic Alamo mission footprint and property required for the development and management of the proposed Alamo visitor center and museum, for an initial fifty (50) year term commencing on January 1, 2019, and two (2) additional twenty-five (25) year renewal terms; and

WHEREAS, the GLO currently operates on behalf of the State of Texas the Alamo complex consisting of the Alamo Church, the Long Barrack, various other buildings on the Alamo grounds, the Alamo gardens and three buildings on Alamo Plaza known as the Crockett, Old Palace, and Woolworth buildings; and

WHEREAS, the City owns Alamo Plaza, the streets surrounding the Alamo Church and Plaza, the Cenotaph, the areas surrounding the Cenotaph, and the areas where the bandstand and gazebo are located; and

WHEREAS, the City, GLO, and the Alamo Endowment Board executed a Cooperative Agreement in October 2015 regarding the Joint Master Plan for the Alamo and surrounding area. The Agreement outlines the roles and responsibilities of each party as well as the management and oversight structure for the master plan's development and adoption. The Agreement also created an Executive Committee that includes the Commissioner of the General Land Office and the Mayor of San Antonio and a Management Committee that includes two representatives from each entity; and

WHEREAS, in 2021, the City Council approved a revised Alamo Plan based on input from the Executive Committee, the Management Committee, GLO, City Council, and the Alamo Citizens Advisory Commission; and

WHEREAS, with adoption of the revised Alamo Plan the City Council and the GLO authorized an Amended and Restated Ground Lease and Management Agreement for Alamo Plaza which was executed in June 2021; and

WHEREAS, Amendment No. 1 to the Amended and Restated Ground Lease and Management Agreement (Amendment No. 1), includes conveyance to the GLO of the Cenotaph monument, the alley behind the Crockett, Palace, and Woolworth Buildings, and extending the area of the Lease Premises to cover Plaza de Valero and other pedestrian ways in the Alamo Plan; and

WHEREAS, Amendment No. 1 requires that Plaza De Valero will be community gathering space with requirements that mirror those that exist in the current lease for Alamo Plaza. It also requires that the GLO will not charge a fee to enter Plaza de Valero, allow any long-term vending or concessions in Plaza de Valero without approval from the City Manager, or make any permanent improvement or changes inconsistent with the Alamo Plan, the GLO will keep Alamo Plaza Open, accessible, and free of charge except for scheduled special events, closures for routine maintenance or construction, security or public safety concerns, or other special circumstances. It also commits the GLO to allowing specified events to be conducted on Alamo Plaza, including parades and other traditional ceremonies; and

WHEREAS, Amendment No. 1 requires the State to maintain a designated First Amendment Area that will follow the First Amendment of the US Constitution; and

WHEREAS, City Council has determined that Amendment No. 1 will enable the use of state funding on the areas of the Leased Premises; and will provide for cohesive operation, security and management in alignment with the Vision and Guiding Principles and the Alamo Plan; ensuring that the restoration of the Cenotaph and the Alamo; and the redevelopment of the area, can move forward in alignment with the Vision and Guiding Principles and the Alamo Plan; **NOW THEREFORE:**

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

SECTION 1. The City Manager, or designee, is authorized to negotiate and execute Amendment No. 1 to the Amended and Restated Ground Lease and Management Agreement between the City and GLO to allow the parties to continue their collaboration and coordination in the design and implementation of the revised Alamo Plan. A copy of the agreement in substantially final form is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. The City Manager, or designee, is authorized to execute all documents and instruments necessary to effectuate the actions authorized by this ordinance and Amendment No. 1 to the Amended and Restated Ground Lease and Management Agreement.

SECTION 3. Amendment No. 1 to the Amended and Restated Ground Lease and Management Agreement shall be effective upon execution by all parties.

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

SG/
5/02/2024
Item #

PASSED AND APPROVED this ____th day of ____, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Raca-Sitter, City Clerk

Andrew Segovia, City Attorney