

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

ORDINANCE

**AUTHORIZING A SECOND AMENDMENT TO THE RIVER WALK
LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND
JCS ACQUISITION, INC. D/B/A JOE'S CRAB SHACK TO CONTINUE
UTILIZING THE CURRENT RIVER WALK PATIO SPACE FOR AN
ADDITIONAL TERM OF FIVE (5) YEARS, COMMENCING ON
DECEMBER 1, 2022, AND EXPIRING ON NOVEMBER 31, 2027**

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WHEREAS, Ordinance 2012-08-02-0549 authorized a five (5) year Agreement with Joe's Crab Shack-Texas, Inc. (a subsidiary of the Ignite Restaurant Group) for use of 98.87 square feet of River Walk Patio Space. The term of the agreement began on January 1, 2013.; and

WHEREAS On March 29, 2018, through Ordinance 2018-03-29-0198, the City approved Amendment # 1 to the Lease Agreement with JCS Acquisitions, Inc. (a subsidiary of Landry's Inc.) d/b/a Joe's Crab Shack to extend the Agreement's term from January 1, 2018 through November 30, 2022.; and

WHEREAS, this ordinance authorizes the second amendment of the lease agreement; and

WHEREAS, during the renewal term, the monthly rental rate is \$3.08 per square foot generating annual revenue beginning at \$3,653.88 and increasing 3% annually; and

WHEREAS, the lease extension expires on November 30, 2027; **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 Center City Development and Operations Department or designee, is authorized to execute the Second Amendment to the River Walk patio lease agreement with JCS Acquisitions, Inc. (a subsidiary of Landry's Inc.) d/b/a Joe's Crab Shack for outdoor dining alongside the San Antonio River Walk. A copy of the Second Amendment, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Funds received for this ordinance Walk Lease Agreement will be deposited in Fund 29093000, WBS Element OR-00001-01-01-01 and General Ledger 4407711.

SW/CH
10/20/2022
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SECTION 3. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer 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. 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 October, 2022.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney