

January 13, 2021

WHEREAS, the City owns the Kalita Humphreys Theater located at 3636 Turtle Creek Boulevard in Dallas, as well as the land and improvements comprising approximately 9.87 acres of land and appurtenances thereto; and

WHEREAS, the City executed a lease agreement with the Dallas Theater Center (DTC) dated September 26, 1973 for the Kalita Humphreys Theater; and

WHEREAS, the lease agreement was amended by the City and DTC by the First Amendment on November 17, 1982 for the leased premises; and

WHEREAS, the City, then acting by and through its Park and Recreation Board and now acting by and through its Office of Arts and Culture ("OAC"), formerly known as Office of Cultural Affairs, subsequently executed the Second Amendment on March 27, 1991; and

WHEREAS, the City, acting by and through its Office of Arts and Culture, subsequently executed the Third Amendment to the original Lease Agreement to be effective June 12, 2019; and

WHEREAS, as regards the Updated Master Plan requirements set forth in the Third Amendment, the City and DTC acknowledge and agree that DTC's performance thereunder has become interrupted and delayed due to the unforeseen impact of the worldwide COVID-19 pandemic on the theater industry; and

WHEREAS, in response to the unforeseen impact of the worldwide COVID-19 pandemic on the theater industry, it is desirable to amend the Lease to enable DTC to complete performance of the Updated Master Plan by extending the delivery requirements of the Updated Master Plan.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute Fourth Amendment to the Lease Agreement with the Dallas Theater Center, approved as to form by the City Attorney, to extend the delivery requirements for the Updated Master Plan, due to the COVID-19 pandemic impact on the theater industry, to the earlier of eighteen months after the DTC has been fully operational or January 1, 2023.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.