



## Legislation Details (With Text)

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**Type:** CONSENT AGENDA      **Status:** Approved

**File created:** 7/16/2021      **In control:** Office of Arts and Culture

**On agenda:** 8/11/2021      **Final action:**

**Title:** Authorize the Fifth Amendment to the Lease Agreement with the Dallas Theater Center to (1) extend the term of the agreement by one year; (2) defer the implementation of the Equitable Access Plan by one year; (3) and defer the schedule for non-resident rentals by one year - Financing: No cost consideration to the City

**Sponsors:**

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Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Quality of Life

**AGENDA DATE:** August 11, 2021

**COUNCIL DISTRICT(S):** 14

**DEPARTMENT:** Office of Arts and Culture

**EXECUTIVE:** Joey Zapata

### SUBJECT

Authorize the Fifth Amendment to the Lease Agreement with the Dallas Theater Center to **(1)** extend the term of the agreement by one year; **(2)** defer the implementation of the Equitable Access Plan by one year; **(3)** and defer the schedule for non-resident rentals by one year - Financing: No cost consideration to the City

### BACKGROUND

In September 1973, the City entered into a Lease Agreement with the Dallas Theater Center (DTC) relating to the operation of the Kalita Humphreys Theater in William Dean Park. That agreement was first amended on November 17, 1982 (Resolution No. 82-4006) reflecting DTC's option to renew the lease for an additional term of 20 years, thereby, extending the lease to September 26, 2013.

On April 12, 1989, the City passed Ordinance No. 20266, establishing the Office of Cultural Affairs, subsequently renamed the Office of Arts and Culture (OAC) in 2019, and empowering it to perform many of the duties previously performed by the Park and Recreation Board relating to the DTC. The proposed amendment formally transferred administrative responsibility for the DTC lease agreement

from the Park and Recreation Board to the Office of Cultural Affairs and added the City-owned Heldt Office/Rehearsal Building (built with 1982 Bond Funds) to the facilities covered under the lease. Finally, the amendment allowed the City to pay electric utility costs for the facilities covered by the lease.

In 2005, the Kalita Humphreys Theater was designated as a Dallas Landmark. It is the only theater that Frank Lloyd Wright ever designed, and, in Ordinance No. 20266, it states that the primary period of significance was the original 1959-1960 design. The City contracted Booziotis & Company Architects to complete a Master Plan using bond funds. The Master Plan was completed in 2010 but was never formally adopted by City Council.

In June 2019, City Council approved a five-year lease extension with DTC for the Kalita Humphreys Theater, which authorized DTC to hire an independent third-party consultant to update the Master Plan for the site and historic building at DTC expense. The agreement required DTC submit an Updated Master Plan to OAC within one year of the employment of the independent consultant with historic restoration and theater design experience.

Following City Council approval of the lease extension, DTC worked diligently through March 2020, by forming a Steering Committee in line City Council's requirements, conducting an Request For Qualifications and Request For Proposals for the third-party consultant, which culminated in the selection of Diller Scofidio + Renfro and consultants, hosting a community meeting with attendance of over 200 people on March 4, 2020, and securing more than \$1.25 million of the estimated \$2 million budget for the master plan update.

Due to COVID-19, Dallas art institutions, including DTC, closed on March 13, 2020, and DTC had to cancel the remainder of the season. DTC has yet to receive permission to resume in-person work from three critical unions: Actors Equity, United Scenic Artists (designers), and Society of Stage Directors and Choreographers, in part due to COVID-19 rates in Dallas County.

This proposed action authorizes an extension to the term of the agreement by one year and defers implementation of the Equitable Access Plan and non-resident rentals by one year.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 12, 2019, City Council authorized the Third Amendment to the Lease Agreement with the Dallas Theater Center by Resolution No. 19-0889.

The Quality of Life, Arts and Culture Committee was briefed on this item on November 16, 2020.

On January 13, 2021, City Council authorized the Fourth Amendment to the Lease Agreement with the Dallas Theater Center by Resolution No. 21-0136.

### **FISCAL INFORMATION**

No cost consideration to the City.