


REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

Subject: Ordinance approving and authorizing an agreement between the City, Friends of Levitt Pavilion Houston, and the Mortimer and Mimi Levitt Foundation regarding the Levitt Pavilion at Willow Waterhole	Category #	Page 1 of 1	Agenda Item
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FROM (Department or other point of origin): Chief Development Office Office of the Mayor	Origination Date: December 5, 2016	Agenda Date
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DIRECTOR'S SIGNATURE:  Andrew F. Icken, Chief Development Officer	Council District(s) affected: K
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For additional information contact: Andy Icken 832-393-1064	Date and Identification of prior authorizing Council Action: Ord. No. No. 2011-390 (June 1, 2011)
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RECOMMENDATION:
Approve an ordinance authorizing an agreement between the City, Friends of Levitt Pavilion Houston, and the Mortimer and Mimi Levitt Foundation regarding the Levitt Pavilion at Willow Waterhole

Amount and Source of Funding: No funding required	Finance Budget:
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SPECIFIC EXPLANATION:
Willow Waterhole (Property), which is located near the intersection of South Post Oak Road and South Main Street, is owned by the Harris County Flood Control District (District) and is designed to reduce flooding and bring much needed greenspace to area residents and businesses in southwest Houston. The City maintains the Property for recreational purposes via an interlocal agreement between the City and the District.

The Mortimer & Mimi Levitt Foundation (Levitt Foundation) supports access to the performing arts for the benefit of the public through various programs, including the development and support of outdoor performance venues. The Levitt Foundation believes that the Property is an ideal location for the development and operation of such a venue. Under this agreement with the City for the construction, operation, and maintenance of Levitt Pavilion at the Property, the Levitt Foundation will provide funding to Friends of Levitt Houston (Levitt Houston) for the design, construction, and operation of the Levitt Pavilion to provide free performances and professional concerts for the benefit of the public. Levitt Houston will raise the remaining funds necessary to fund the design and construction of the Levitt Pavilion and will be responsible for operating and managing the Levitt Pavilion, including the booking, coordination and scheduling of events. The Levitt Pavilion will be available to third parties as a performance venue and event space. It will also be available to the City for a minimum of 25 potential City events per year. The agreement has a term of 30 years and will expire on December 31, 2046.

Levitt Houston will be responsible for the bulk of the operating and maintenance costs of the Levitt Pavilion. During the first fifteen years of operation of the Levitt Pavilion, Houston First Corporation (HFC) will fund certain capital repair costs on the City's behalf, up to a maximum amount of \$500,000.00 per calendar year and \$1,000,000.00 total.

The Administration recommends that City Council approve this ordinance authorizing an agreement between the City, Friends of Levitt Pavilion Houston, and the Mortimer and Mimi Levitt Foundation for constructing, maintaining and operating Levitt Pavilion.

Finance Director:	General Services Director:	Other Authorization:
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