

# Mayor and Council Communication

DATE: 04/07/20

M&C FILE NUMBER: M&C 20-0200

LOG NAME: 25DICKIESARENAACCEPTANCE

## **SUBJECT**

Authorize the Acceptance of Gift Deeds Conveying Fee Simple Interest in Land, Including Improvements, and Identified Artworks from Event Facilities Fort Worth, LLC; Accession the Artworks into the Fort Worth Public Art Community Legacy Collection; Authorize Amendments to the Arena Complex (Now Known as Dickies Arena) Lease Agreement to Revise the Leased Premises, Provide for Traffic Management, and Address Pylon Signs, and Authorize All Necessary Actions Related Thereto (COUNCIL DISTRICT 7)

## **RECOMMENDATION:**

It is recommended that the City Council;

1. Authorize the acceptance of Gift Deeds conveying fee simple interest in land, including improvements, being a portion of Lot 1, Block 6, Will Rogers Memorial Center Addition and portion of Lots 1 and 20, Block 12, Ross Heights Addition, from Events Facilities Fort Worth LLC. to the City of Fort Worth;
2. Authorize Acceptance of Gift Deeds from Events Facilities Fort Worth LLC, for Certain Exterior Artworks, Being Four (4) Mosaic Tile Murals and Two (2) Bronze Bas Reliefs, and Accession the Artworks into the Fort Worth Public Art Community Legacy Collection;
3. Authorize Amendments to the Arena Complex Lease Agreement Between City of Fort Worth and Multipurpose Arena Fort Worth for Dickies Arena to revise the leased premises, provide for traffic management, and address pylon signs; and
4. Authorize the City Manager or his designee to execute all necessary documents and record the appropriate instruments.

## **DISCUSSION:**

The purpose of this Mayor and Council Communication is to finalize actions related to the completion of the Multipurpose Arena Complex (aka Dickies Arena) project.

On November 10, 2015 (M&C C-27527), the City Council authorized the execution of a Master Agreement Regarding Multipurpose Arena and Adjacent Support Facilities (Master Agreement) with Event Facilities Fort Worth, Inc. (EFFW), City Secretary Contract (CSC) No. 47218, relative to the planning, design, development, construction, and financing of a first class multipurpose arena complex. That Master Agreement was subsequently amended on December 6, 2016 with M&C C-28021.

The Master Agreement, as amended, provided that EFFW would retain ownership of a portion of land of the arena complex (including tracts underlying part of the arena and of the garage) during construction but that following City's deposit of its cost contribution and completion of construction, EFFW would take all actions necessary to vest title to the arena complex and the arena and garage land.

Issuance and sale of the bonds for the balance of the City's \$225 million contribution were authorized in June 2017 (G-19020). Following the closing of the bond sale, proceeds were deposited and used for the City's portion of the total \$544,520,409 construction cost of the arena complex.

EFFW has presented the City with Gift Deeds for the arena and garage land and the improvements thereon, and staff recommends the Council accept the Gift Deeds through the approval of this M&C. The Gift Deeds shall be accepted subject to all legal requirements of the Master Agreement, as amended, including a reversionary interest in the land ceases to be used for an arena and garage respectively.

This M&C also authorizes acceptance of four (4) mosaic tile murals and two (2) bronze bas reliefs artworks and the accessioning of these artworks into the Fort Worth Public Art Community Legacy Collection. This action will enable the City to provide for the art's ongoing maintenance through annual budget appropriations to the Fort Worth Public Art program for that purpose. The artworks are as follows:

Title	Artist	Category & Media	Location
<i>Los Caballos</i>	William Matthews	Mosaic mural; glass tile	Arena South Façade
Early Day Cowboy of the American West	William Matthews/Buckeye Blake	Bas-relief sculpture; bronze	Arena South Façade

Comanche: Lord of the Plains	William Matthews/Buckeye Blake	Bas-relief sculpture; bronze	Arena South Façade
Texas Culture and History	Evergreene Architectural Arts	Mosaic mural; glass tile	Arena North Façade
<i>Pioneers of Texas Transportation</i>	Mike Mandel	Mosaic mural; glass, porcelain	Parking Garage East Façade
<i>Stock Show Parades</i>	Mike Mandel	Mosaic mural; glass, porcelain	Parking Garage West Facade

Maintenance and conservation treatments are undertaken by qualified professionals and are estimated at an annual amount of up to \$28,400 for the artworks accessioned into the Fort Worth Public Art Community Legacy Collection. Additional artistic improvements in and around the arena will be maintained by the City's Public Events Department from the Cultural & Tourism Fund.

The M&C also authorizes the necessary amendments to the Arena Complex Lease Agreement between the City and Multipurpose Arena Fort Worth, dba Trail Drive Management Corp., ("Lease") in order to revise the description of the leased premises to include the property received in the Gift Deeds from EFFW.

Additionally, the Lease is being amended to provide for:

- i. Traffic Management: City staff to perform traffic management services as requested by arena personnel to manage traffic signals actively around the arena during events and
- ii. Pylon Signs: MAFW's rights and obligations regarding the pylon sign located at the intersection of University Drive and Trail Drive and the pylon sign to be rebuilt at the intersection of Lancaster Avenue and University Drive, as approved by City Ordinance 23736-08-2019 (ZC-19-099: Revision to PD 896 for Signage).

Dickies Arena is located in COUNCIL DISTRICT 7 and serves as a Citywide arena.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that approval of these recommendations will have no material effect on City funds. Any assets recorded on the City's financial statements associated with this Land and Building will be adjusted upon approval.

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