



MEMORANDUM

Council Agenda
Item No. VII.AV.
6/2/2015

The City of OKLAHOMA CITY

TO: Mayor and City Council

FROM: James D. Couch, City Manager

Amended and Restated Civic Center Improvement and Support Agreement with the Oklahoma City Public Property Authority and the Civic Center Foundation, to enhance and support the Civic Center Music Hall and Bicentennial Park, 201 North Walker Avenue. Ward 6.

Location 201 North Walker Avenue

Background

The proposed Amended and Restated Civic Center Improvement and Support Agreement (Agreement) provides for the Civic Center Foundation (Foundation) to engage in fundraising activities, including participating in certain facets of event promotion and enhanced food and beverage service at the Civic Center, as described in the Agreement, and assisting The City of Oklahoma City (City) and the Oklahoma City Public Property Authority (OCPPA) in planning and funding improvements and in facilitating activities and utilization of the Civic Center for the benefit of the public. In the event that there is a budget shortfall during the first year of operation, a transfer from general fund contingency to OCPPA is available in an amount not to exceed \$330,194. Funds may be distributed to the Foundation, as needed, to offset startup costs and operating deficits anticipated in the first year of this Agreement until regular cash flow can sustain operations.

The Foundation funds Civic Center improvements, supports resident performing arts tenants, and funds additional cultural, educational, and entertainment events at the Civic Center for the benefit of citizens and an enhanced quality of life. The Foundation is also responsible for marketing Civic Center naming rights, suite leases, and seat name plates.

The relationship with the Foundation has proven successful and has provided \$2,426,000 in donations and support since 2001. Projects completed include: a box office ticket scanner system, Centennial statue lighting, marquee signage on Walker Avenue, way finding installation, facility-wide wireless internet access, enhanced website with view-from-your-seat feature, audio system and equipment upgrades, acoustic testing and recalibration, orchestra level handrails, stage lighting console replacement, improvements in HVAC, presentation of the 75th Anniversary gala and concert, and completion of a utilization study for the facility.

Cost	Not to exceed \$330,194
Term	July 1, 2015 through June 30, 2040
Previous Action	<p>On April 3, 2012 (Item Nos. PPA.B. and VI.AA.), OCPPA and City Council approved an Amended and Restated Agreement which provided for all contributed and earned revenue to go to the Foundation for improvement and support of the Civic Center or Bicentennial Park, adding fundraising to include the civic Center Music Hall 75th Anniversary and a comprehensive utilization plan.</p> <p>On March 7, 2006 (Item Nos. PPA.1. and VI.M.), OCPPA and City Council approved an amendment to the Agreement relating to revenue disbursement. On July 20, 2010 (Item Nos. PPA.F. and VI.CC.), OCPPA and City Council approved an amendment to the Agreement that allowed improvements to be constructed without competitive bidding so long as no public funds are used for the purchase and/or installation of the improvement. Any improvements shall be done as a "Donation" to the City and OCPPA under those terms.</p> <p>January 3, 2001 (Item No. VI.II.), City Council approved a Certificate of Incorporation and By-Laws of the Civic Center Foundation. On January 30, 2001 (Item III.C.), City Council approved appointment of the first three members to the Civic Center Foundation. On March 6, 2001 (Item Nos. PPA.2. and VIII.I.), OCPPA and City Council adopted a joint resolution approving a Civic Center Improvement and Support Agreement.</p>
Source of Funds	Not to exceed \$330,194 OCPPA – General Purpose – Public Events – Equipment Replacement – Civic Center OCPPA (490 – 4540 – 5502201)
Review	Parks and Recreation Department

Recommendation: Amendment be approved.