



Legislation Text

File #: 24-5903, **Version:** 1

Resolution - A Resolution to Consider Amendment Number Six to the Water Park Ground Lease and Operating Agreement Between STORE Master Funding VIII, LLC, and the City of Mansfield to Allow for New Capital Improvements and Expenditures of the Hawaiian Falls Water Park Mansfield; Finding that the Meeting at which this Resolution is Passed is Open to the Public as Required by Law; and Declaring an Effective Date

Consider Approving Amendment Number Six to the Water Park Ground Lease and Operating Agreement for Hawaiian Falls.

Staff recommends approval of the Resolution.

On April 24, 2007, the City Council of Mansfield, Texas authorized the entry into a Ground Lease and Operating Agreement (Agreement) between the City of Mansfield and Mansfield Family Entertainment (MFE) for the operation of the property known as Hawaiian Falls. The Agreement was executed on November 20, 2007. Additionally, Amendment Number One to accommodate a loan in the amount of \$2,000,000 was completed on or about November 20, 2007. In November of 2011, Amendment Number Two was executed to allow for \$3,000,000 in the addition of capital improvements. The Agreement was later amended in April of 2012 to allow for MFE to acquire a new loan from MFE's parent company, Horizon Family Holdings, LLC (HFH) to pay off the original loan (Amendment Number One) and provide other financial accommodations to HFH.

On December 14, 2015, the City Council approved: MFE's assignment of its lease interest to STORE Master Funding VIII, LLC (STORE). On April 23, 2018, the City Council approved STORE's request to sublease to PPW Mansfield, LLC (ProParks) to operate the water park, performing all obligations required of STORE under the Agreement. On October 14, 2019 the City Council approved Amendment Number Four to allow for the expansion of the waterpark and on September 27, 2021 the City Council approved Amendment Number Five to allow for the sale of alcoholic beverages on the premises.

The competitive landscape for water parks in the North Texas area has continued to grow. In order to continue to make the water park successful, STORE is requesting to construct capital improvements in the form of a new pavilion in an aggregate amount of up to \$200,000. This amendment would approve the City funding 80% of the cost for the new pavilion not to exceed \$160,000.00. Additional clean up items are provided for in the amendment including clarification of the applicability of late fees.

N/A

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