

★ Roll Call Number

13-1903

Agenda Item Number

31

Date December 9, 2013

APPROVING AMENDMENT TO MANAGEMENT AGREEMENT WITH C CORPORATION FOR BRIGHT GRANDVIEW AND WAVELAND GOLF COURSES

WHEREAS, on December 22, 2008, by Roll Call No. 08-2220, the City Council accepted the proposal from C Corporation for the management of Bright Grandview and Waveland Golf Courses effective January 15, 2010, and on March 2, 2009, the City entered into an a Management Agreement with C Corporation; and

WHEREAS, on December 17, 2012, by Roll Call No. 12-1977, the City Council accepted and approved the Settlement Agreement and Amendment to the Management Agreement; and

WHEREAS, pursuant to the Management Agreement, C Corporation agrees to construct capital improvements described in the Agreement at its expense, which shall be started within the first five (5) years of the Management Agreement; and

WHEREAS, C CORPORATION has completed construction of all of the capital improvements described in the Management Agreement except for Repair of Grandview Maintenance Facility, with an estimated cost of \$140,000 and a Waveland Cart Storage Facility at an estimated cost of \$250,000 (hereinafter referred to as "the Improvements"); and

WHEREAS, in order to lower the costs of financing those improvements, C Corporation and City staff have negotiated a Second Amendment, a copy of which is on file in the City Clerk's Office, to allow C Corporation to defer payment of the consideration to the CITY in the amount of \$390,000 and thereafter to pay back the City at a rate of 1/12<sup>th</sup> per year (1/24<sup>th</sup> biannually) beginning with payments in July 2015 until termination of the Management Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above described Second Amendment to Management Agreement Between C Corporation and the City of Des Moines for Bright Grandview and Waveland Golf Courses, which is on file in the City Clerk's Office, is hereby approved and the Mayor is hereby authorized and directed to sign such amendment on behalf of the City and the City Clerk is hereby directed to attest to said signature.

(Council Communication No. 13-584 )

Moved by Hensley to adopt.

APPROVED AS TO FORM:

Ann DiDonato  
Ann DiDonato, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
VOSS	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

T. M. Franklin  
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Diane Rauh City Clerk