



Legislation Details (With Text)

File #: O-003-19 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 12/4/2018 **In control:** Public Service Department
On agenda: 1/8/2019 **Final action:** 1/22/2019
Title: Authorizing the Mayor to enter into a golf course management agreement with Davey Golf, a division of the Davey Tree Expert Company, for the operation of the Ottawa Park, Detwiler, and Collins Park municipal golf courses; authorizing the deposit of net golf course revenue into the golf course improvement fund; authorizing the Mayor to execute a settlement and release agreement with Master Golf Management Group with respect to the termination of the current golf course lease agreement; authorizing the appropriation and expenditure of \$150,000 from the golf course improvement fund the purchase of golf course equipment and inventory; authorizing the appropriation and expenditure of \$195,000 from the golf course improvement fund for future golf course operations; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: O-531-18 Council Meeting 12/18/2018, 2. Audio: Agenda Review 1/2/2019, 3. Audio: Council Meeting 1/8/19, 4. Audio: Agenda Review Meeting 1/15/2019, 5. Audio: Council Meeting 1/22/19

Date	Ver.	Action By	Action	Result
1/22/2019	1	City Council	amend	Pass
1/22/2019	1	City Council	declare emergency	Pass
1/22/2019	1	City Council	passage	Pass
1/8/2019	1	City Council	held	Pass
12/18/2018	1	City Council	First Reading	Pass

DPS Golf Course Management Agreement
Parks, Recreation & Forestry
Karen Ranney Wolkins (x2326)/Paul M. Rasmusson (x7868)
Revised

Authorizing the Mayor to enter into a golf course management agreement with Davey Golf, a division of the Davey Tree Expert Company, for the operation of the Ottawa Park, Detwiler, and Collins Park municipal golf courses; authorizing the deposit of net golf course revenue into the golf course improvement fund; authorizing the Mayor to execute a settlement and release agreement with Master Golf Management Group with respect to the termination of the current golf course lease agreement; authorizing the appropriation and expenditure of \$150,000 from the golf course improvement fund the purchase of golf course equipment and inventory; authorizing the appropriation and expenditure of \$195,000 from the golf course improvement fund for future golf course operations; and declaring an emergency.

SUMMARY & BACKGROUND:

In the summer of 2018, the City of Toledo's Department of Public Service notified Master Golf Management Group, the city's current golf course tenant, of the city's intent to terminate the current golf course lease

effective March 31, 2019. The golf course lease agreement authorized by Council Ordinance 116-10 was in its ninth year of a 10 year term. The city recently published a request for proposals (RFP) for those interested in entering into a management agreement for the operation of the city's three municipal golf courses. The RFP was successful in soliciting three entities expressing an interest in managing the city's municipal golf courses. Each entity was interviewed by a panel of five city staff and two local residents active in the local golf community. The proposed management agreement requires the management company to submit a proposed annual course management budget to the Director of Public Service for approval with the annual net operating revenue deposited in the Golf Course Improvement Fund established by Toledo Municipal Code Section 953.03. This Ordinance further authorizes the Director of Public Service and the Director of Law to negotiate a settlement and release agreement with Master Golf Management Group with respect to the termination of the existing golf course lease and the associated accrued delinquent rent.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor is authorized to enter into a golf course management agreement for the management and operation of the city's three municipal golf courses located at Ottawa Park, Detwiler, and Collins Park. Said management agreement shall contain terms and conditions as deemed proper and requisite according to the Mayor, Director of Public Service, and Director of Law.

SECTION 2. That the Director of Public Service and the Director of Law are authorized to enter into a settlement and release agreement with the current golf course tenant, Master Golf Management Group, with respect to the termination of the existing golf course lease and the associated delinquent rent and the purchase of needed equipment and inventory upon terms and conditions deemed proper and requisite and in the best interest of the city.

SECTION 3. That the net revenues from the golf course management agreement are authorized to be deposited into the Golf Course Improvement Fund, Account Code 2005-60300-5C13804STDSTD, 2005-60300-5C13805STDSTD, or 2005-60300-5C13806STDSTD.

SECTION 4. That the appropriation and expenditure in the amount of \$150,000 is authorized from the Golf Course Improvement Fund Account Code 2005-60300-5C13803STDSTD for the purchase of golf course equipment and inventory; and the amount of \$195,000 is authorized for appropriation and expenditure from the Golf Course Improvement Fund Account Code 2005-60300-5C13804STDSTD, 2005-60300-5C13805STDSTD, or 2005-60300-5C13806STDSTD for future golf course operations.

SECTION 5. That the competitive procurement requirements of T.M.C. 187 are waived as Council finds and determines that it is in the best interests of the City that the purchase of the golf course equipment and inventory currently located at the courses as part of the lease termination is the lowest and best way to preserve and enhance the golf course operations.

SECTION 6. That the mayor is authorized to accept bids and enter into contracts as necessary for golf course operations not covered under the management agreement authorized in Section 1.

SECTION 7. That this Ordinance be an emergency measure and shall take and be in force and effect after its passage. The reason for the emergency lies in the fact that this Ordinance is necessary for the immediate preservation of the public property and further reason that this Ordinance must be immediately effective in order to timely enable implementation of the new golf course management agreement so as to avoid any interruption in the 2019 golf season.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council