

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and City Commissioners **DATE:** May 6, 2016
FROM: Jeffrey P. Sheffel, City Attorney
SUBJECT: Proposed License and Management Services Agreement For Eco Grande Golf Course with McCumber-Wright Venture, LLC

I have discussed the above Agreement with the participating Department/Office, and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Parks, Recreation and Cultural Arts
- 2) Type of Agreement – License and Management Services Agreement
- 3) Method of Procurement (RFP, bid, etc.) – RFP No. 4442-15-IS
- 4) Term of Contract
 - a) initial – 10 years
 - b) renewals (if any) - Yes, one (1) additional ten (10) year term.
 - c) who exercises option to renew – At the sole discretion and option of the City contingent upon MWV agreeing to the terms of the renewal and providing additional capital improvements to the Licensed Premises and facilities in an amount not less than \$400,000.00.
- 5) Contract Amount – MWV will provide \$300,000.00 of capital improvements to the Golf Course as set forth in Exhibit “B”. In addition, for the 1st three (3) year4s of this Agreement, MWV shall remit an annual rent payment in the amount of \$300,000.00 and said payments will be placed in an escrow account. Upon completion of the improvements, said rental funds will be returned to MWV. In the event that said improvements are not completed the City can retain and utilize such funds.
- 6) Termination rights – The City may terminate with **cause** in the event of default by MWV, provided that City notifies MWV in writing and MWV fails to cure the event of default within 45 days of City’s notice in accordance with Paragraph 16.
- 7) Indemnity/Insurance Requirements – Yes.
- 8) Scope of Services – MWV will operate and manage Eco Golf Course in accordance with the Agreement and RFP No. 4442-15-IS, along with and provide \$300,000.00 of capital improvements to the Licensed Premises.

TERM SHEET - Eco Golf Course

- 9) City's prior experience with Contractor (if any) – Yes.
 - 10) Other significant provisions – (a) Section 1.5 of the Agreement provides for Revenue Sharing by MWV; (b) This Agreement provides for a Capital Reserve Program (see Paragraph 5).
- cc: Wazir A. Ishmael, Ph.D., City Manager