

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING THE FINAL ONE YEAR EXTENSION OF THE SUBLEASE AGREEMENT BETWEEN JCD GOLF OF FLORIDA, INC., AND NIKKI'S ON THE GREEN, INC., FOR THE OPERATION OF FOOD AND BEVERAGE SERVICES AT ORANGEBROOK GOLF AND COUNTRY CLUB.

WHEREAS, JCD Golf of Florida, Inc., ("JCD") is the Management Company currently operating Orangebrook Golf and Country club ("Orangebrook") under a Management Agreement with the City of Hollywood ("City"); and

WHEREAS, Section 21 of said Management Agreement permits JCD to sublease its food and beverage operation to a third party, upon the approval of the City Commission; and

WHEREAS, on September 7, 2011, the City Commission passed and adopted Resolution No. R-2011-215 which approved an agreement between JCD and Nikki's on the Green, Inc. ("Nikki's") for the operation of food and beverage services at Orangebrook; and

WHEREAS, the term of the agreement was for a period of two years with three additional one year extensions; and

WHEREAS, on June 20, 2012, the City Commission passed and adopted Resolution No. R-2012-192 which approved an amendment to the agreement between JCD and Nikki's wherein the contract payments were changed due to the actual revenue numbers that have been produced from December through February and the lack of revenue and customers in the "off season" months; and

WHEREAS, on November 20, 2013, the City Commission passed and adopted Resolution No. R-2013-335 which approved the first of three additional one year extensions of the sublease agreement between JCD and Nikki's; and

WHEREAS, on October 1, 2014, the City Commission passed and adopted Resolution No. R-2014-286 which approved a second amendment to the terms of the agreement between JCD and Nikki's to reduce the contract payments and renewed the agreement for the second one year extension; and

WHEREAS, JCD and Nikki's desire to exercise the final extension from October 1, 2015 through September 30, 2016 under the same terms and conditions as set forth in the August 10, 2011 agreement and as amended in 2014 with the contract payments to be \$4,000.00 for October, 2015 and November, 2015, and \$5,000.00 per month from December 1, 2015 through April 30, 2016, and \$4,000.00 per month from May 1, 2016 through September 30, 2016;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That it hereby approves the final extension (through September 30, 2016) of the Sublease Agreement between JCD Golf of Florida, Inc., and Nikki's on the Green, Inc., for the operation of food and beverage services at Orangebrook Golf and Country Club.

Section 2: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2015.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM & LEGALITY
for the use and reliance of the
City of Hollywood, Florida only:

JEFFREY P. SHEFFEL, CITY ATTORNEY