

**Columbus Consolidated Government
Council Meeting Agenda Item**

TO:	Mayor and Councilors
AGENDA SUBJECT:	Uptown Columbus – City Chattahoochee River Park Management Lease Agreement Renewal
AGENDA SUMMARY:	Approval is requested to authorize the City Manager to renew the lease agreement with Uptown Columbus, Inc., for management and operation of the Chattahoochee River Park.
INITIATED BY:	Community Reinvestment

Recommendation: Approval is requested to renew the MOU/lease agreement with Uptown Columbus Inc., for management and operation of the Chattahoochee River Park.

Background: Council approved Resolution No. 251-12 to enter into a Chattahoochee River Park Management Lease Agreement with Uptown Columbus, Inc., a non-profit corporation (UCI) to manage and operate the Chattahoochee River Park. The initial term was for a 10-Year period with the option to renew for an additional 10 years.

Analysis: Under the terms of the agreement, Uptown Columbus, Inc. will be responsible for the following:

- a. Procurement and oversight of Outfitters at City-designated river access points, as shown on Exhibit “C”. UCI shall insure that all such Outfitters perform their duties in accordance with generally accepted standards for whitewater operations
- b. Access Control
 - a. UCI will manage City-designated river access and take out points from North Highland Dam to the Trade Center landing.
 - b. UCI will receive a fee from any Outfitter for using designated City Access points for whitewater operations.
 - c. The City shall access a rental fee to Uptown Columbus, Inc. for the launching of whitewater rafting trips equal to 3.5% of the prevailing approved Outfitter rafting fee for each individual rafter utilizing the designated City access points.
 - d. UCI and Outfitters will develop a system of accountability to determine all rafting revenue owed to UCI and City for operations at City-designated river access points, subject to approval of the City finance Department.
- c. Coordination with Columbus Police Department on security.
- d. Coordination with Columbus Fire and EMS Department and Department of Natural Resources on safety and rescue.
- e. Maintenance and trash removal at the City-designated river access points.
- f. Maintaining of in-river whitewater features.
- g. UCI will control all City-designated river access points from North Highland Dam to Trade Center Landing.
- h. Event planning and operations, subject to special events sponsored by the City.

UCI shall indemnify and hold City harmless for any and all claims of liability for personal injury, property damage or death which may arise or occur out of performance under this agreement. UCI shall require any Outfitter to purchase and demonstrate general public liability insurance coverage in an amount no less than \$1,000,000.00 and City shall be named as an additional insured in all such policies.

Financial Considerations: The City is projected to generate approximately \$50,000 in revenue from the utilization fee per year of operation.

Legal Considerations: Any lease agreement involving City of Columbus owned property requires Council approval.

Recommendation/Action: Approval is requested to authorize the City Manager to renew the lease agreement with Uptown Columbus, Inc., to manage and operate the Chattahoochee River Park.

A RESOLUTION

NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW, FOR AN ADDITIONAL 10-YEARS, A CHATTAHOOCHEE RIVER PARK MANAGEMENT LEASE AGREEMENT WITH UPTOWN COLUMBUS, INC., A NON-PROFIT CORPORATION (UCI) TO MANAGE AND OPERATE THE CHATTAHOOCHEE RIVER PARK.

WHEREAS, the City entered a Chattahoochee River Park management Lease Agreement /Memorandum of Understanding (the MOU/ Lease Agreement) authorized through resolution 251-12; and

WHEREAS, the initial 10 year period of the MOU/Lease Agreement lease expires February 3, 2023; and

WHEREAS, the MOU/Lease Agreement has an option for a 10 year renewal upon approval of Columbus Council; and

WHEREAS, The City will continue to lease for the sum of \$1 per annum, being a sum of \$10 per lease period to be paid prior to lease commencement; and

WHEREAS, the City will continue to access a rental fee to Uptown Columbus, Inc. for the launching of whitewater rafting trips equal to 3.5% of the prevailing approved Outfitter rafting fee for each individual rafter utilizing the designated City access points; and

WHEREAS, .UCI will continue to have the same responsibilities set out in the original MOU/Lease Agreement;

WHEREAS, the term of Chattahoochee River Park Management Lease Agreement will be February 4, 2023 through February 3, 2033.

NOW, THEREFORE, THE COUNCIL OF COLUMBUS, GEORGIA, HEREBY RESOLVES AS FOLLOWS:

That the City Manager is hereby authorized to renew the MOU/Lease Agreement with Uptown Columbus, Inc., for management and operation of the Chattahoochee River Park for management and operation of the Chattahoochee River Park pursuant to the attached Memorandum of Understanding – Lease Agreement Chattahoochee River Park Management.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the _____ day of _____ 2022 and adopted at said meeting by the affirmative vote of ten members of said Council.

- Councilor Allen voting _____.
- Councilor Barnes voting _____.
- Councilor Crabb voting _____.
- Councilor Davis voting _____.
- Councilor Garrett voting _____.
- Councilor House voting _____.
- Councilor Huff voting _____.
- Councilor Thomas voting _____.
- Councilor Tucker voting _____.
- Councilor Cogle voting _____.

Sandra T. Davis, Clerk of Council

B.H. "Skip" Henderson, III, Mayor