

**Columbus Consolidated Government
Council Meeting Agenda Item**

TO:	Mayor and Councilors
AGENDA SUBJECT:	Uptown Columbus – City Chattahoochee River Park Management MOU Renewal and Amendment
AGENDA SUMMARY:	Approval is requested to authorize to renew the MOU with Uptown Columbus, Inc., for management and operation of the Chattahoochee River Park and make amendments to certain provisions.
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. Under the terms of the agreement, Uptown Columbus, Inc. is 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 assess 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.

Analysis: The initial term of the Park Management Lease Agreement was for a 10-Year period beginning February 4th, 2013 with the option to renew for an additional 10 years. This amendment will renew the Lease/ MOU for the second ten-year term, and at Council's request, provisions with additional reporting requirements and a termination for convenience upon 180-days' notice are added to the original MOU.

Financial Considerations: The total revenue received from the first 10 years is \$369,321.22 and the funds will continue to be reserved for Whitewater improvements at the discretion and approval of City Council.

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 MOU with Uptown Columbus, Inc., with the additional amendments, to manage and operate the Chattahoochee River Park.

A RESOLUTION

NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING CHATTAHOOCHEE RIVER PARK MANAGEMENT RENEWING AND AMENDING THE MOU WITH UPTOWN COLUMBUS, INC., A NON-PROFIT CORPORATION (UCI), TO MANAGE AND OPERATE THE CHATTAHOOCHEE RIVER PARK FOR AN ADDITIONAL TEN YEARS.

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 expired February 3, 2023, and the extension to the MOU/Lease Agreement expires April 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 receive a rental fee from 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; and,

WHEREAS, UCI and the City both desire to amend the MOU to exercise the 10-year renewal period and revise certain other terms and conditions set forth in the original MOU/Lease Agreement, all as set forth in the First Amendment to Memorandum of Understanding Chattahoochee River Park Management Amendment (“the Amendment”) which is attached hereto; and,

WHEREAS, the term of the Amendment 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 the attached First Amendment to Memorandum of Understanding Chattahoochee River Park Management which renews the Chattahoochee River Park MOU/Lease Agreement with Uptown Columbus, Inc., for management and operation of the Chattahoochee River Park for an additional ten (10) year renewal term and amends certain provisions of the original MOU.

Introduced at a regular meeting of the Council of Columbus, Georgia held on the _____ day of _____ 2023 and adopted at said meeting by the affirmative vote of ten members of said Council.

Councilor Allen voting _____.

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

Sandra T. Davis, Clerk of Council

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