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## MEMORANDUM

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**TO:** HONORABLE MAYOR AND CITY COUNCIL  
**CC:** JOSHUA M. TETZLAFF, CITY ADMINISTRATOR  
**FROM:** KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** POPS FACILITY: FIRST AMENDMENT TO DONATION AGREEMENT  
**DATE:** JUNE 6, 2025

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The City Council approved the donation agreement between the City and POPS on April 21<sup>st</sup>, 2025.

Since that time, staff has continued to work with POPS group and it has become apparent that the construction start date of July 1, 2025 that is indicated in the agreement is not attainable due to final plan completion taking a little longer than expected due to soils as the major issue and the structural report was the main reason for the delay. For this reason, the POPS group has asked for the agreement to be amended to start construction by August 15, 2025 with the remainder of the agreement remaining in place as before.

Staff developed the attached "First Amendment" for consideration to provide some additional time for construction to start by August 15<sup>th</sup>, 2025.

### **Recommendation**

I recommend that the City Council consider approval of the attached "First Amendment to Donation Agreement".

### **Attachments:**

1. First Amendment to Donation Agreement