

**RESOLUTION NO. \_\_\_\_\_ - 16**

A Resolution Approving an Agreement Between the City Of Colorado Springs and Life Time Fitness Regarding the Construction and Operation of the John Venezia Community Park Tennis And Pickleball Facility

WHEREAS, the City, by and through its Department of Parks, Recreation and Cultural Services, is responsible for the development and management of facilities and programs at the John Venezia Community Park ("Venezia Park"); and

WHEREAS, the City wishes to partner with a willing organization to establish a Tennis and Pickleball Facility ("Facility") at Venezia Park and City desires to develop, construct, and offer the Facility to the public; and

WHEREAS, Life Time Fitness has expressed a willingness to assist in the establishment of the Facility, contribute funds for the construction of the Facility and operate programs at the Facility for public use regardless of Life Time membership status; and

WHEREAS, up to \$1 million to be used for construction of the Facility will construct improvements that are permanent in nature and will be wholly owned by the City of Colorado Springs, thereby increasing the Park's overall value and functionality to the City and the community as a whole; and

WHEREAS, the City recognizes the public benefit provided by this partnership which makes it possible for the City to develop and operate the Facility for public use on a timeline that is earlier than would have been previously possible with available City funds and staffing; and

WHEREAS, Section 1.5.402 of the City Code of the City of Colorado Springs provides that any organization may make gifts to the City upon the terms, conditions or provisions as the donor desires. City Council may decline to accept any gifts, the terms of which it believes may not be feasibly accomplished or are onerous to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Pursuant to City Code Section 1.5.402, City Council approves the donation of up to \$1 million and the terms of the John Venezia Park Tennis and Pickleball Facility Agreement ("Facility Agreement") as presented for the construction and operation of a tennis and pickleball facility located in John Venezia Community Park.

Section 2. The Mayor is hereby authorized to execute, deliver and administer the Facility Agreement, and all addendums and exhibits thereto, on behalf of the City, and the City Clerk is directed to attest the Mayor's signature and affix the seal of the City.

DATED at Colorado Springs, Colorado, this \_\_ day of April, 2016.

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Council President

ATTEST:

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Sarah B. Johnson, City Clerk