

FIRST AMENDMENT TO MANAGEMENT AGREEMENT BETWEEN
CITY OF SAINT PAUL AND FOURSOME GOLF MANAGEMENT GROUP, LLC

This FIRST AMENDMENT to the February 14, 2018 Agreement between the City of Saint Paul, through its Department of Parks and Recreation (“City”) and Foursome Golf Management Group, LLC (“Manager”) is entered into this ___ day of June 2020.

WHEREAS, the City and Manager entered into an Agreement on February 14, 2018 for the management and operation of the Como Golf Course and Clubhouse and the Phalen Golf Course and Clubhouse which terminates on December 31, 2027; and

WHEREAS, that agreement requires Manager to directly invest \$800,000 (\$400,000 per course) over the term of the ten-year lease. It requires as part of the \$800,000 investment, that Manager make an initial up-front investment of \$400,000 (\$200,000 per course) in course renovations and improvements, by December 31, 2019; and

WHEREAS, unexpected Metropolitan Council sanitary sewer construction at Phalen Golf Course in 2017 resulted in a significant drop (20%) in income at Phalen Golf Course in 2017 and 2018. Additionally, Como Golf Course investments have been delayed because of Ramsey County Capital Regional Watershed project; and

WHEREAS, Minnesota’s Emergency Executive Order 20-01 Declaring a Peacetime Emergency and Coordinating Minnesota’s Strategy to Protect Minnesotans from COVID-19 and subsequent Executive Orders related to COVID-19 have impacted Foursome operations; and

WHEREAS, Manager wishes to amend the Agreement to allow for a two-year extension of the initial up-front capital investments required in its current contract.

Now, therefore, Manager and City agree to amend as follows:

1. Section 3. Payment. D. The initial up-front investment of \$400,000 into course renovation and improvements required completion date is extended until December 31, 2021.
 - a. Golf Course investment of \$400,000 (\$200,000 per course) will be completed by December 31, 2021

Beginning January 1, 2022, Manager will invest an average of \$67,000 into Golf Courses renovations and improvements until the remaining \$400,000 investment obligation has been met.

2. All other terms and conditions of the original Agreement shall remain in full force and effect.

3. COUNTERPARTS: The parties may sign this Amendment in counterparts, each of which constitutes an original, but all of which together constitute one instrument.
4. ELECTRONIC SIGNATURES: The parties agree that the electronic signatures of a party to this Amendment shall be valid as an original signature of such party and shall be effective to bind such party to this Amendment. The parties further agree that any document (including this Amendment and any attachments or exhibits to this Amendment) containing, or to which there is affixed, an electronic signature shall be deemed (i) to be “written” or “in writing,” (ii) to have been signed and (iii) to constitute a record established and maintained in the ordinary course of business and an original written when printed from electronic files. For purposes hereof, “electronic signature” also means a manually signed original signature that is then transmitted by any electronic means, including without limitation a faxed version of an original signature or an electronically scanned and transmitted version (e.g. via PDF) of an original signature. Any party’s failure to produce the original signature of any electronically transmitted signature shall not affect the enforceability of this Amendment.

IN WITNESS WHEREOF, the parties hereto are authorized signatories and have executed this Agreement, the day and year first above written.

For the City of Saint Paul:

For Foursome Management Group

Jaime Rae Tincher
Jaime Rae Tincher (Jun 22, 2020 14:25 CDT)

Mayor’s Office

By *Tim Kuebelbeck*
Tim Kuebelbeck (Jun 17, 2020 16:04 CDT)

Its _____

michael hahm
michael hahm (Jun 22, 2020 11:36 CDT)

Director, Parks and Recreation


John McCarthy (Jun 22, 2020 13:32 CDT)

Director, Finance

Approved as to Form:

Sarah K Sullivan

Assistant City Attorney











First Amendment to Management Agreement for Foursome Golf 2020.04.29

Final Audit Report

2020-06-22


Created:	2020-06-17
By:	Bev Meissner (bev.meissner@ci.stpaul.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAi8zDLNjM2vCS-Z-9EBqNZJ51fco6Ot4E

"First Amendment to Management Agreement for Foursome Golf 2020.04.29" History

-  Document created by Bev Meissner (bev.meissner@ci.stpaul.mn.us)
2020-06-17 - 7:24:28 PM GMT- IP address: 156.99.75.2
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2020-06-17 - 7:49:24 PM GMT
-  Email viewed by Tim Kuebelbeck (tim@phalengolf.com)
2020-06-17 - 9:02:56 PM GMT- IP address: 50.249.107.13
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Signature Date: 2020-06-17 - 9:04:42 PM GMT - Time Source: server- IP address: 50.249.107.13
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2020-06-17 - 9:04:44 PM GMT
-  Email viewed by michael hahm (michael.hahm@ci.stpaul.mn.us)
2020-06-17 - 9:13:28 PM GMT- IP address: 174.219.13.239
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2020-06-20 - 9:21:24 PM GMT- IP address: 75.168.85.193
-  Document e-signed by michael hahm (michael.hahm@ci.stpaul.mn.us)
Signature Date: 2020-06-22 - 4:36:53 PM GMT - Time Source: server- IP address: 156.99.75.2
-  Document emailed to Sarah Sullivan (sarah.sullivan@ci.stpaul.mn.us) for signature
2020-06-22 - 4:36:57 PM GMT
-  Email viewed by Sarah Sullivan (sarah.sullivan@ci.stpaul.mn.us)
2020-06-22 - 4:37:29 PM GMT- IP address: 156.99.75.2

 Document e-signed by Sarah Sullivan (sarah.sullivan@ci.stpaul.mn.us)

Signature Date: 2020-06-22 - 4:38:20 PM GMT - Time Source: server- IP address: 156.99.75.2

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2020-06-22 - 4:38:24 PM GMT

 Email viewed by John McCarthy (john.mccarthy@ci.stpaul.mn.us)

2020-06-22 - 6:31:15 PM GMT- IP address: 156.99.75.2

 Document e-signed by John McCarthy (john.mccarthy@ci.stpaul.mn.us)

Signature Date: 2020-06-22 - 6:32:01 PM GMT - Time Source: server- IP address: 156.99.75.2

 Document emailed to Jaime Rae Tincher (jaime.tincher@ci.stpaul.mn.us) for signature


2020-06-22 - 6:32:03 PM GMT

 Email viewed by Jaime Rae Tincher (jaime.tincher@ci.stpaul.mn.us)

2020-06-22 - 7:24:46 PM GMT- IP address: 156.99.75.2

 Document e-signed by Jaime Rae Tincher (jaime.tincher@ci.stpaul.mn.us)

Signature Date: 2020-06-22 - 7:25:25 PM GMT - Time Source: server- IP address: 156.99.75.2

 Signed document emailed to michael hahm (michael.hahm@ci.stpaul.mn.us), John McCarthy (john.mccarthy@ci.stpaul.mn.us), Tyler McKean (tyler.mckean@ci.stpaul.mn.us), Jaime Rae Tincher (jaime.tincher@ci.stpaul.mn.us), and 3 more

2020-06-22 - 7:25:25 PM GMT