

FIRST AMENDMENT TO MANAGEMENT AGREEMENT BETWEEN  
CITY OF SAINT PAUL AND SAINT PAUL URBAN TENNIS

This FIRST AMENDMENT to the March 31, 2017 Agreement between the City of Saint Paul, through its Department of Parks and Recreation (“City”) and Saint Paul Urban Tennis (“SPUT”) is entered into this \_\_\_ day of May 2020.

WHEREAS, the City and SPUT entered into an Agreement on March 31, 2017 for the management and operation of the Eastview Recreation Center which terminates on March 31, 2022; and

WHEREAS, that agreement allows SPUT to raise funds for the addition of new tennis courts and extend the agreement for an additional five (5) years, contingent on the City and SPUT’s agreement on responsibilities with respect to the design, construction and maintenance of the additional tennis courts; and

WHEREAS, SPUT has secured funding for the design, construction, and maintenance of five additional tennis courts; and

WHEREAS, the Parks and Recreation Department has reviewed the design and construction plans provided by SPUT and finds them satisfactory; and

WHEREAS, SPUT wishes to amend the Agreement to construct five new tennis courts and extend the management agreement.

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

1. **Term.** The term of this Agreement shall be for an additional period of (5) years, beginning upon the date of original expiration under the March 31, 2017 Agreement, and ending on the date five (5) years thereafter (March 31, 2027).

7. **Alterations.**

D. Additional Tennis Courts.

a. SPUT will secure design and construction documents for five new tennis courts at Eastview Park and submit to the City through the Design and Construction Division of the Department of Parks and Recreation for written approval to commence work. All work will be done by licensed and bonded contractors adhering to all laws and regulations. Proper permits will be secured. Work must be completed to the full extent of the plans as approved by the City.

- b. SPUT will install a rain garden to capture run-off from the tennis courts and must adhere to all the standards of the City of Saint Paul and the Ramsey-Washington Metro Watershed District.
  - c. Ramsey-Washington Metro Watershed District will provide maintenance of the rain garden for the first two years, after which SPUT will be responsible for ongoing maintenance and upkeep of the rain garden.
  - d. SPUT will provide necessary upkeep of courts to keep them clean and safe for use by SPUT participants and the general public.
  - e. City will integrate new tennis courts into the maintenance plan and schedule of all other tennis courts in the City. City will maintain the courts to the same standard as all others in the City and will charge SPUT for the maintenance of the five new courts. City will continue to cover the maintenance costs of the two existing tennis courts onsite.
  - f. Generally, when not in use by SPUT the new courts should be available for use by the general public. SPUT may reserve and secure the new courts for (and in advance of) special events, programming, and holidays. SPUT must request the written approval from the City to close the courts to public use for more than three consecutive days.
1. All other terms and conditions of the original Agreement shall remain in full force and effect.
  2. COUNTERPARTS: The parties may sign this Amendment in counterparts, each of which constitutes an original, but all of which together constitute one instrument.
  3. 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.

[SIGNATURE PAGE TO FOLLOW]

For the City of Saint Paul:

*Jaime Rae Tincher*  
Jaime Rae Tincher (Jul 17, 2020 13:17 CDT)  
\_\_\_\_\_  
Mayor's Office


*michael hahm*  
michael hahm (Jul 15, 2020 12:48 CDT)  
\_\_\_\_\_  
Director, Parks and Recreation

  
John McCarthy (Jul 15, 2020 17:09 CDT)  
\_\_\_\_\_  
Director, Finance

Approved as to Form:

*Sarah K Sullivan*  
Sarah K Sullivan (Jul 15, 2020 13:16 CDT)  
\_\_\_\_\_  
Assistant City Attorney

For Saint Paul Urban Tennis

By 

Its \_\_\_\_\_










# First Amendment to St. Paul Urban Tennis Agreement at Eastview 2017.03.31 to 2027.03.31


Final Audit Report


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