

COUNCIL COMMUNICATION

From: The City Manager

Subject: Approval of Agreement with Health Delivery

Manager's Recommendation:

I recommend approval of the lease agreement with Health Delivery, Inc. for use of Lions Park. The agreements have been approved by me as to substance and by the City Attorney as to form.

Justification:

On March 25, 1996, the City entered into an agreement with the Saginaw Downtown Lions Club for the maintenance and use of the small park located between the 500 block of Lapeer Avenue and the 500 block of Genesee Avenue. The Lions Club offered to improve and maintain the park at no expense to the City and to keep it open for the public. This has been a successful enterprise, but the Lions Club has notified the City that they will not be able to maintain this effort because of the declining size of their organization.

Health Delivery, Inc. ("HDI") is located near this park, across the now vacated 500 block of Lapeer Avenue. HDI has offered to take over the responsibilities of the Lions Club and maintain and improve this park. It proposes to construct a decorative fence, with gates, around the park as well as plant flowers. The park will remain open to the public during the day, but will be closed during the evening. The vacated portion of Lapeer Avenue will also be fenced and be used by HDI for employee parking and similar uses.

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The Agreement has a term of 99 years, but may be terminated by either party upon six months written notice. The agreement addresses liability, insurance and responsibility for repairs and upkeep.

Council Action:

Council _____ moved that the recommendation from the City Manager be approved.