



CITY of NOVI CITY COUNCIL

**Agenda Item J
July 13, 2015**

SUBJECT: Approval of the Parks, Recreation & Cultural Services Department donation acknowledgment and acceptance of the naming rights agreement with Tom Holzer Ford for a three (3) year period in the amount of \$10,000 payable in two (2) equal installments of \$5,000 per year on or before October 31, 2015 and October 31, 2016.

SUBMITTING DEPARTMENT: Parks, Recreation & Cultural Services

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The City of Novi and the Novi Parks Foundation entered into an agreement in 2005 regarding administration of the City's Parks and Recreation Facilities "Naming Rights" Program. The City adopted the Parks and Recreation's "Naming Rights Policy" as a means to raise additional funds for use in connection with its parkland and recreation facilities. Both the City and the Foundation believe that the Foundation can assist the administration of the policy by virtue of its separate expertise and resources. The Foundation is willing to assist the City in connection with its naming rights program as part of the Foundation's overall function as a fundraising and caretaking body on behalf of the City parks and recreation facilities.

Tom Holzer Ford has been involved with the Novi Parks Foundation Naming Rights program in various capacities since 2007. The current agreement describes the Northwest baseball field in the City's Ella Mae Power Park to continue to be named as "Tom Holzer Field" for and in consideration of the donation of \$10,000. The current signage will continue to be displayed with the name at the location established under a prior donation agreement between the parties.

RECOMMENDED ACTION: Approval of the Parks, Recreation & Cultural Services Department donation acknowledgment and acceptance of the naming rights agreement with Tom Holzer Ford for a three (3) year period in the amount of \$10,000 payable in two (2) equal installments of \$5,000 per year on or before October 31, 2015 and October 31, 2016.

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Markham				

	1	2	Y	N
Council Member Mutch				
Council Member Poupard				
Council Member Wrobel				

CITY OF NOVI

PARKS AND RECREATION FACILITIES DONATION ACKNOWLEDGMENT AND ACCEPTANCE AGREEMENT

This Agreement between the **City of Novi ("City")**, a Michigan municipal corporation, whose address is 45175 Ten Mile Road, Novi, MI, 48375, and **Tom Holzer Ford ("Donor")**, whose address is 39300 West Ten Mile Road, Farmington Hills, MI 48335, shall be effective as of the date it has been fully signed ("Effective Date").

Recitals:

The City has adopted a Parks and Recreation Facilities Naming Rights Policy that encourages individuals and entities to donate funds to benefit City parks and recreation facilities and that recognizes and acknowledges the spirit and generosity of such donations through an appropriate, City-approved public placement of the name or other message of the donor in connection with designated parks and recreation facilities to which the donation is directed by the donor.

The City's naming rights program is administered by and through the Novi Parks Foundation, a Michigan non-profit and charitable organization.

Donor desires to continue its participation in the City's naming rights program as provided in this Agreement.

Agreements:

1. For and in consideration of the naming rights described in this Agreement, Donor agrees to donate the cash sum of \$10,000.00 to the Novi Parks Foundation, payable in two (2) installments of \$5,000.00 each on or before October 31, 2015 and October 31, 2016, with the City to be notified when each installment is received.

2. For and in consideration of the donations described in Section 1, for a three (3) year period beginning on the Effective Date, the Northwest baseball field in the City's Power Park, continue to be named as "Tom Holzer Field". The Donor and City agree that the sign will continue to be displayed with the name at the location established under a prior donation agreement between the parties.

3. The funds donated shall be used in accordance with the September 26, 2005 Agreement between the City of Novi and the Novi Parks Foundation and the City's

Parks and Recreation Naming Rights Policy, and all terms and conditions of the "Regulations Regarding Naming Rights of Parks or Facilities" adopted by the City of Novi as part of the Parks and Recreation Facilities Naming Rights Policy (receipt of which Donor acknowledges) are incorporated in and part of this Agreement by reference.

4. Donor acknowledges that this agreement does not constitute an endorsement of Donor or any products or services of Donor by the City or the Novi Parks Foundation, nor does it entitle Donor to use the City's or the Foundation's name, logo, or trademark in any form or manner or for any purpose without prior approval.

5. The sign that is currently displayed is owned by the City and Donor shall have no authority, responsibility, or liability for its placement, maintenance, condition, or safety, or for any conditions or activities within the City owned property where the sign is located. To the extent of: donations actually made by Donor under this Agreement and allowed by law at the time a claim arises, the City shall indemnify and defend Donor and its owners, officers, employees, and agents from loss, damage, liability, costs, and expenses (including reasonable attorney and expert witness fees and costs), for claims arising from the directly attributable to the placement, maintenance, condition, or safety of the sign described in and during the term of this Agreement.

6. This Agreement is not assignable without express approval of the City and constitutes the entire agreement between the parties.

Donor Information

Name: Tom Holzer Ford
Address: 39300 West Ten Mile Road, Farmington Hills, MI 48335
Telephone: (248) 474-1234
Facsimile: (248) 474-6121
Contact: Dennis Rekuc

The term of this agreement shall be from October 31, 2015, to October 31, 2018.

DONOR, TOM HOLZER FORD

By: _____

Its: _____

This Agreement was acknowledged before me on _____, 2015, by _____, the authorized representative of Donor, who states that he/she signed this document of his/her own free will on behalf of Donor.

Notary Public

CITY OF NOVI

By: _____

Its: _____

This Agreement was acknowledged before me on _____, 2015, by _____, the authorized representative of Donor, who states that he/she signed this document of his/her own free will on behalf of Donor.

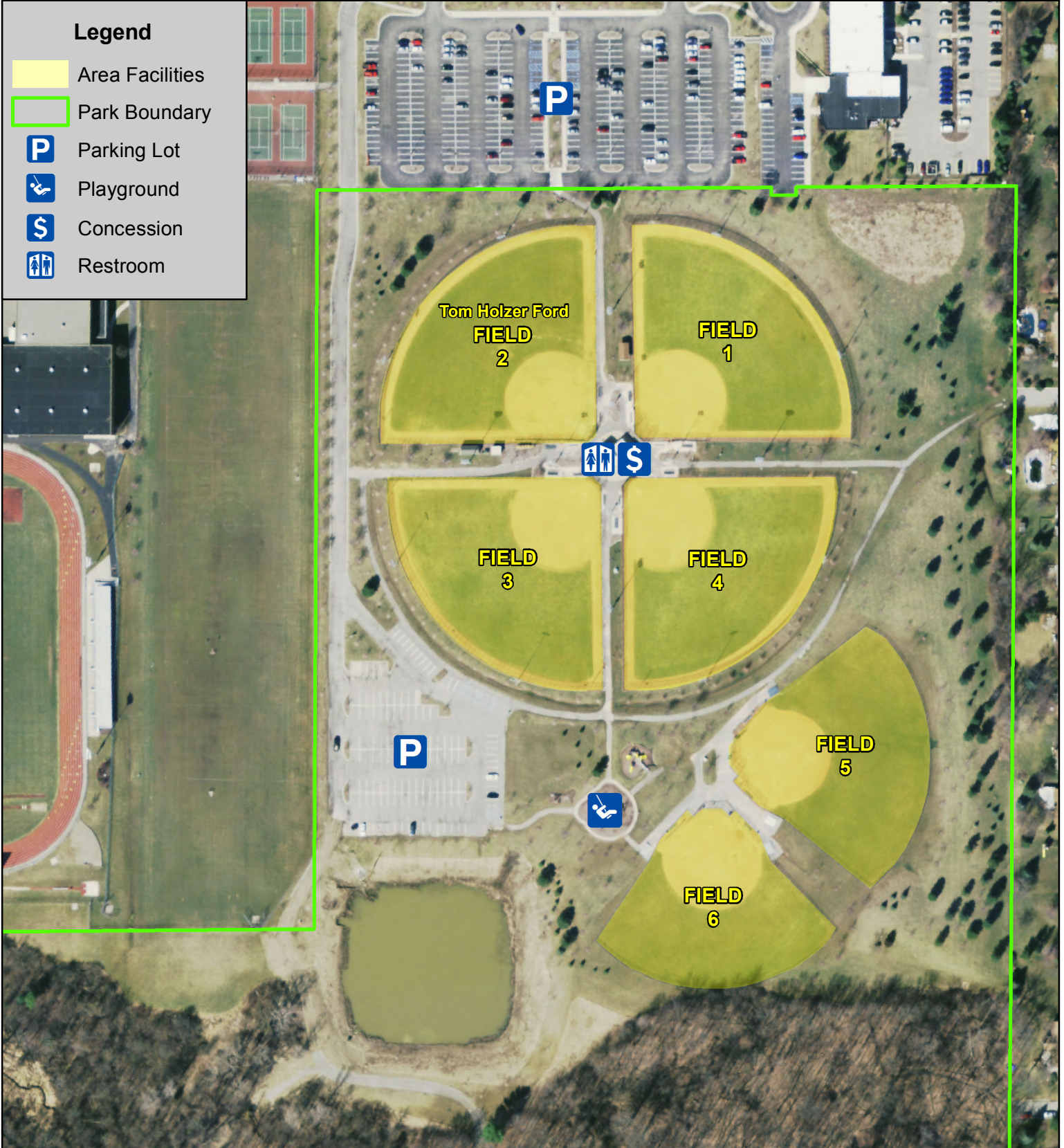
Notary Public

ELLA MAE POWER PARK RECREATION FACILITIES

45175 W 10 Mile Rd, Novi, MI 48375

Legend

-  Area Facilities
-  Park Boundary
-  Parking Lot
-  Playground
-  Concession
-  Restroom



CITY OF NOVI

DEPARTMENT OF INFORMATION TECHNOLOGY
NOVI CITY HALL/CIVIC CENTER
45175 W. TEN MILE ROAD
NOVI, MI 48375-3024
(248) 347-0400
CITYOFNOVI.ORG
MAP AUTHOR: MATTHEW PETERSON,
GIS SUPPORT TECHNICIAN



0 90 180 360

1 INCH = 188 FEET

FEET

MAP PRINT DATE: 05/30/2014

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.