



AGENDA ITEM SUMMARY SHEET CITY COUNCIL REGULAR

MEETING DATE: August 15, 2022
WARD: 2 & 4

AGENDA ITEM NO. 7.2
QUASI-JUDICIAL: No

CITY MANAGER'S ITEMS

MOTION: Approve Agreement between the City of Fort Myers and Phenix Limited LLC for operation of the Eastwood Golf Course and the Fort Myers Country Club.	MANAGEMENT RECOMMENDATION: Approve Agreement between the City of Fort Myers and Phenix Limited LLC for operation of the Eastwood Golf Course and the Fort Myers Country Club.
FUNDING SOURCE:	Fort Myers Country Club and Eastwood Golf Course operating budgets
FISCAL IMPACT (\$):	\$47,000/month for September 1, 2022 through October 31, 2022, \$58,000/month for November 1, 2022 through April 30, 2023 and \$60,000/month beginning May 1, 2023.
One-Time Cost:	No
Budget Year:	FY 2021/22
Budgeted Item:	Yes

Person Initiating Request: John Lege, Assistant City Manager

Department: City Manager's Office

BACKGROUND INFORMATION:

On October 1, 2021, the City and Todd Brown Golf Shop, Inc. entered into an agreement to be the Director of Golf and head golf professional and to operate the city-owned Eastwood Golf Course. The agreement also provided for Phenix Limited, LLC to act as the head golf professional and operate the city-owned Fort Myers Country Club. The contract was for one year with the option for two (2) consecutive term extensions. Some of the relevant terms included:

1. Todd Brown Golf Shop, Inc. would pay the City \$31,655.52 annually for full use and occupancy of the golf pro shops on the premises of the Fort Myers Country Club and Eastwood Golf Course.
2. Todd Brown Golf Shop, Inc. would be entitled to all income from the rental of golf balls on the Eastwood Golf Course Driving Range and be responsible for stocking of range balls and all costs incurred for retrieving golf balls for use on the driving range. Todd Brown Golf Shop, Inc would pay the City \$12,000 annually.
3. The City would pay Todd Brown Golf Shop, Inc. \$648,000 annually to employ all personnel needed to adequately staff the pro shop and outside services.

On June 22, 2022, Mr. Brown provided notice to the City that August 31, 2022 would be his last day as Director of Golf for the City of Fort Myers.

Since Mr. Brown's notification to the City, staff has been working with Kari Phenix (Phenix Limited, LLC) on a contract to replace Mr. Brown as Director of Golf. Some of the relevant terms of the agreement include:

1. Phenix Limited, LLC would pay the City \$31,655.52 annually for full use and occupancy of the golf pro shops on the premises of the Fort Myers Country Club and Eastwood Golf Course.
2. Phenix Limited, LLC would be entitled to all income from the rental of golf balls on the Eastwood Golf Course Driving Range and be responsible for stocking of range balls and all costs incurred for retrieving golf balls for use on the driving range. From inception of the agreement on September 1, 2022 to October 31, 2022 while the Eastwood Golf Course undergoes renovation, there would be no monies due the City. Beginning on November 1, 2022 through April 30, 2023, Phenix Limited, LLC would pay the City \$24,000 annually. Prior to April 30, 2023, the City and Phenix Limited, LLC will evaluate the revenues and expenses for managing the Eastwood Golf Course Driving Range and make any necessary adjustments to include any cost-sharing arrangements.
3. The City would pay Phenix Limited, LLC \$47,000/month for September 1, 2022 through October 31, 2022, \$58,000/month for November 1, 2022 through April 30, 2023 and \$60,000/month beginning on May 1, 2023, to employ all personnel needed to adequately staff the pro shop and outside services at Fort Myers County Club and Eastwood Golf Course.
4. The term of the agreement would be from September 1, 2022 to April 30, 2025 with the option for three (3) consecutive 2-year terms.
5. The City and Phenix Limited, LLC may terminate the agreement at any time by giving a ninety (90) day written notice.

ATTACHMENTS:

[Phenix LLC Contract.pdf](#)