



## CITY of NOVI CITY COUNCIL

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Agenda Item C  
August 27, 2007

**SUBJECT:** Approval of the Parks and Recreation facilities donation acknowledgement and acceptance of the agreement with Tom Holzer Ford.

**SUBMITTING DEPARTMENT:** Parks, Recreation & Forestry

CITY MANAGER APPROVAL

A handwritten signature in black ink, appearing to be 'M. ...', written over a horizontal line.

### BACKGROUND INFORMATION:

In early 2005, City Council, the Parks, Recreation & Forestry Commission, the Parks Foundation, and City staff identified the opportunity to generate additional funds for the park system through the development of a naming rights program. On April 18, 2005, City Council approved a naming rights policy and conceptually agreed to have the Parks Foundation serve as the agent to market and negotiate the naming rights agreements. On September 26, 2005, City Council and the Parks Foundation completed an agreement enabling the Parks Foundation to pursue donors through the naming rights program.

The Parks Foundation Naming Rights Committee identified prospects and continues to present the benefits of becoming a donor through the naming rights program. Recently, one prospect has agreed to become a donor. Tom Holzer Ford has agreed to donate up to \$8,500 toward a pre-paid Ford Motor Red Carpet Lease on a new, current model year Ford Division Product two-year lease, and further agrees to do so for three separate two-year leases over three (3) years – i.e., \$8,500 toward a two-year lease for the Fall 2007-2008 season, the Fall 2008-2009 season and the Fall 2009-2010 season. Donor and the City acknowledge that this cash-equivalent donation represents a minimum value to the City's parks and recreation facilities of \$25,500 over a three-year period. However, the City acknowledges that the intention of the Novi Parks Foundation is to seek to increase the value of the cash-equivalent donation by using the vehicle lease donation as a raffle item. Depending on the amount raised at such raffle, the value of the donation could be substantially more than the cash-equivalent amount, and will not be less than such cash-equivalent amount. The naming rights granted in this agreement are for the naming of a baseball field, at Power Park, as the "Tom Holzer Field" (see Attachment A), for a three-year period, beginning on December 31, 2007 and ending on December 31, 2010. In accordance with the agreement between the City and the Foundation for the administration of the naming rights, ten (10) percent of the annual donation will be placed in the Foundation Endorsement Fund, and the cost of the sign (\$1,000) will be deducted from the first donation. The Foundation is waiving its ten (10) percent for administration cost on this donation. The following is an overview of the impact of the three-year donation.

	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>TOTAL</b>
Donation	\$8500	\$8500	\$8500	\$25,500
Endowment 10%	850	850	850	2,550
Signage	1000	-	-	1,000
Foundation				
Administration				
Cost	-	-	-	-
Funds available				
for park improve-				
ments	6650	7650	7650	\$21,950

The following items are attached:

- Parks and Recreation facilities donation acknowledgement and acceptance agreement. This document outlines the terms of the donation.
- An aerial view of the ball field.
- A copy of the Naming Rights Policy approved by City Council on April 18, 2005.
- A copy of the agreement between the City and the Park Foundation for the administration of the Naming Rights Program.

**RECOMMENDED ACTION:** Approval of the Parks and Recreation facilities donation acknowledgement and acceptance of the agreement with Tom Holzer Ford.

	<b>1</b>	<b>2</b>	<b>Y</b>	<b>N</b>
<b>Mayor Landry</b>				
<b>Mayor Pro Tem Capello</b>				
<b>Council Member Gatt</b>				
<b>Council Member Margolis</b>				

	<b>1</b>	<b>2</b>	<b>Y</b>	<b>N</b>
<b>Council Member Mutch</b>				
<b>Council Member Nagy</b>				
<b>Council Member Paul</b>				

## CITY OF NOVI

### PARKS AND RECREATION FACILITIES DONATION ACKNOWLEDGMENT AND ACCEPTANCE AGREEMENT

The **City of Novi (“City”)**, a Michigan municipal corporation, whose address is 45175 W. Ten Mile Road, Novi, MI, 48375, and **Tom Holzer Ford (“Donor”)**, whose address is 39300 West Ten Mile Road, Farmington Hills, MI 48335, agree as follows:

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 agrees to donate up to \$8,500 toward a pre-paid Ford Motor Red Carpet Lease on a new, current model year Ford Division Product two-year lease, from Tom Holzer Ford, and further agrees to do so for three separate two-year leases over three years—i.e., \$8,500 toward a two-year lease for the Fall 2007-2008 season, the Fall, 2008-2009 season, and the Fall 2009-2010 season.

Donor and the City acknowledge that this cash-equivalent donation represents a minimum value to the City’s parks and recreation facilities of \$25,500 over a three-year period. However, the City acknowledges that the intention of the Parks Foundation is to seek to increase the value of the cash-equivalent donation by using the vehicle lease donation as a raffle item. Depending on the amount raised at such a raffle, the value of the donation could be substantially more than the cash-equivalent amount, and will not be less than such cash-equivalent amount. The amount of the cash-equivalent donation may be used toward the lease of any vehicle; if the cost of the two-year lease exceeds \$8,500, however, Donor is not responsible for any such additional fees or costs, which shall be the responsibility of the Lessee.

The annual amount shall be payable as a credit on three two-year leases of vehicles, as described above, on or before October 1, 2007 for the first donation year, January 1, 2008 for the second donation year, and January 1, 2009 for the third and final donation year. The City shall receive a copy of documents reflecting the application of the credit to confirm the receipt of the expected minimum cash-equivalent value of the donation.

The naming rights granted in this agreement are for the naming of a baseball field, currently called our “Green Field” in the southwest corner at Power Park, as “Tom Holzer Field” (see Attachment A), for a three-year period, beginning on December 31, 2007 and ending on December 31, 2010.

The funds donated will 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. Upon receipt of the initial installment, the City agrees that it will cause the plaque/sign shown on Attachment A to be ordered and placed in a mutually agreed upon location.

This agreement constitutes the entire agreement between the parties.

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 herein by reference as though fully set forth.

This agreement is not assignable without express approval of the City.

Donor acknowledges that this agreement does not constitute an endorsement of Donor or any products or services of Donor of 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.

**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: Brian Burke

The term of this agreement shall be from October 1, 2007, to May 1, 2010.

DONOR  
TOM HOLZER FORD

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN     )  
                                          )ss.  
COUNTY OF OAKLAND    )

On this \_\_\_ day of \_\_\_\_\_, 2007, before me appeared \_\_\_\_\_, authorized representative of Donor, who states that he/she has signed this document of his/her own free will on behalf of Donor.

\_\_\_\_\_

Notary Public

CITY OF NOVI

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN    )  
                                          )ss.  
COUNTY OF OAKLAND    )

On this \_\_\_ day of \_\_\_\_\_, 2007, before me appeared \_\_\_\_\_  
\_\_\_\_\_, authorized representative of the City of Novi, who states that he/she has  
signed this document of his/her own free will on behalf of the City of Novi.

\_\_\_\_\_  
Notary Public



# ELLA MAE POWER PARK NAMING RIGHTS REFERENCE MAP



City of Novi Parks, Recreation, Forestry Department

Tom Holzer Ford Field  
Sign Location

Tom Holzer Ford Field  
Sign Location on Backstop

Telcom Playground



**CITY OF NOVI**  
DEPARTMENT OF INFORMATION TECHNOLOGY  
GEOGRAPHIC INFORMATION SYSTEMS OFFICE  
NOVI CITY HALL/CIVIC CENTER  
45175 W. TEN MILE ROAD  
NOVI, MI 48375-3024  
(248) 347-3279  
CITYOFNOVI.ORG



Map Publication Date: 8/20/2007  
Map Author: Chris Blough, City GIS Manager