



# Broward County

## Legislation Details (With Text)

**File #:** 22-1446 **Version:** 1

**Status:** Agenda Ready

**In control:** County Administration - Parks And Recreation Division

**On agenda:** 9/20/2022 **Final action:** 9/20/2022

**Title:** MOTION TO APPROVE change in majority ownership of the parent company of KemperSports All Golf, LLC. (Commission District 1)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 – Letter from Management

Date	Ver.	Action By	Action	Result
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### Broward County Commission Regular Meeting

**Director's Name:** Monica Cepero

**Department:** County Administration

### Information

#### **Requested Action**

**MOTION TO APPROVE** change in majority ownership of the parent company of KemperSports All Golf, LLC. **(Commission District 1)**

#### **Why Action is Necessary**

Board approval is required to approve change in majority ownership of the parent company of the County concessionaire.

#### **What Action Accomplishes**

Approves the change in majority ownership of the parent company in a County concessionaire.

#### **Is this Action Goal Related**

No

#### **Previous Action Taken**

None

#### **Summary Explanation/Background**

THE PARKS AND RECREATION DIVISION RECOMMENDS APPROVAL OF THE ABOVE MOTION.

On December 31, 2015, the Director of Purchasing executed the Renewal and Restatement of Concession Agreement between Broward County and KemperSports All Golf, LLC ("All Golf") for Golf Driving Range and Miniature Golf Facility at C.B. Smith Park ("Agreement"). The Agreement

amended and restated the terms of the original February 6, 1996, 20-year concession agreement, and extended the term for five additional years through February 5, 2021. On October 6, 2020 (Item No. 38), the Board approved the First Amendment to the Agreement, exercising the first of two five-year optional renewal terms, extending the Agreement through February 6, 2026.

All Golf offers a wide variety of recreational opportunities for Broward County residents and visitors. Located at C.B. Smith Park since 1996, the All Golf Family Fun Center offers a popular family-oriented golfing experience. All Golf offers 28 illuminated hitting bays on the ground floor and 22 on the upper deck, a grassy tee box area, a putting green, and an area to practice sand shots. Additionally, eight batting cages for baseball or softball are available, as are two miniature golf courses. The pro shop offers a variety of items for golfers, and professional instruction and clinics are offered on a regular basis.

Pursuant to Section 27.1 of the Agreement, All Golf is required to give the County notice if there is a change in the majority ownership of All Golf, with the Board having the right to approve or reject any new majority owner on any reasonable grounds. If the Board rejects the new majority owner of All Golf, the County's sole recourse is the termination of the Agreement.

The owner of All Golf, Kemper Sports Management LLC ("KSM LLC"), advised the County of a change in the majority ownership (Exhibit 1). KSM LLC's ownership group has been expanded to broaden the company's financial base and support its future growth. As a result of this change in KSM LLC's ownership, the previous majority owner's stake has been reduced to a minority ownership stake. The management of All Golf's operations at C.B. Smith Park has not changed and based on discussions with All Golf and KSM LLC, is not expected to change.

All Golf has been an excellent concessionaire for the County, including continuing to pay all amounts owed during the COVID-19 public health emergency. The Parks and Recreation Division has engaged in detailed discussion with All Golf's management team and expects the mutually beneficial relationship to continue through the remainder of the current term of the Agreement.

If the Board approves the change in ownership of KSM LLC, the Agreement will remain in full force and effect, with no modification to any of the County's rights, including termination rights.

The Office of the County Attorney has conducted a search on the new ownership of KSM LLC and has not found any history of litigation with the County.

#### **Source of Additional Information**

Dan West, Director, Parks and Recreation, 954-357-8106

#### **Fiscal Impact**

##### **Fiscal Impact/Cost Summary**

No fiscal impact.