



# Broward County

## Legislation Details (With Text)

<b>File #:</b>	22-1756	<b>Version:</b>	1
		<b>Status:</b>	Agenda Ready
		<b>In control:</b>	County Administration - Parks And Recreation Division
<b>On agenda:</b>	11/15/2022	<b>Final action:</b>	11/15/2022
<b>Title:</b>	MOTION TO AUTHORIZE County Administrator to approve and execute a Third Amendment to the Concession Agreement between Broward County and Ski Rixen - Quiet Waters, Inc., for Cable Water Ski Facility Operation services at Quiet Waters Park, subject to review for legal sufficiency by the Office of the County Attorney, extending the agreement term for an additional ten years through November 20, 2032, with the same concession rates and general terms as stated in the current Agreement, and requiring the concessionaire to make additional capital improvements at Quiet Waters Park over the term of the extension with a minimum amount of \$500,000; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Amendment. (Commission District 2)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>			

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

**Director's Name:** Monica Cepero

**Department:** County Administration

**Division:** Parks & Recreation

### Information

#### Requested Action

MOTION TO AUTHORIZE County Administrator to approve and execute a Third Amendment to the Concession Agreement between Broward County and Ski Rixen - Quiet Waters, Inc., for Cable Water Ski Facility Operation services at Quiet Waters Park, subject to review for legal sufficiency by the Office of the County Attorney, extending the agreement term for an additional ten years through November 20, 2032, with the same concession rates and general terms as stated in the current Agreement, and requiring the concessionaire to make additional capital improvements at Quiet Waters Park over the term of the extension with a minimum amount of \$500,000; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the Amendment. **(Commission District 2)**

#### Why Action is Necessary

In accordance with the Broward County Procurement Code, Section 21.53(a), no County contract shall exceed five years without the express approval of the Board.

#### What Action Accomplishes

Authorizes the County Administrator to approve and execute a Third Amendment extending the Agreement term for an additional ten years and providing for additional capital improvements by Ski

Rixen.

**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 November 21, 2012, pursuant to RLI No. R11003202R1, Broward County and Ski Rixen - Quiet Waters Park, Inc. ("Ski Rixen") entered into an Agreement for Cable Water Ski Facility Operations at Quiet Waters Park (the "Agreement"). Under the Agreement, Ski Rixen has constructed, operated, and maintained a cable water ski facility and food and beverage concessions at Quiet Waters Park.

On September 10, 2015, the Board approved an amendment to the Agreement extending the term through November 20, 2022. In 2017, the County approved a second amendment to the Agreement, changing the location for certain of Ski Rixen's concessions facilities.

The proposed Third Amendment to the Agreement would extend the term for an additional ten years (the "Extension Term") and provide for additional capital improvements to be completed by Ski Rixen during the Extension Term in an amount of at least \$500,000. During the Extension Term, Ski Rixen will continue to pay the County \$1,000 per month as a Minimum Annual Guarantee, or 8% of Ski Rixen's gross receipts, whichever is greater. It is estimated that the County will receive \$250,000 in concession fees from Ski Rixen during the Extension Term. The proposed amendment would also require Ski Rixen to complete at least \$500,000 in capital improvements during the Extension Term, subject to the approval of the Contract Administrator.

Ski Rixen has been an excellent concessionaire, is a longstanding vendor of the County, and consistently has paid all amounts owed to the County, including during the COVID-19 public health emergency. The Parks and Recreation Division has engaged in detailed discussions with Ski Rixen's management team and anticipates the mutually beneficial relationship to continue.

The Third Amendment will be reviewed and approved as to legal sufficiency by the Office of the County Attorney prior to execution by the County Administrator.

**Source of Additional Information**

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

**Fiscal Impact**

**Fiscal Impact/Cost Summary**

The County is expected to receive \$250,000 in gross receipt revenue from the ten-year extension of the Agreement and is anticipated to receive the benefit of capital improvements with an estimated value of at least \$500,000.