

**60-R-19**

**A RESOLUTION**

**Authorizing the City Manager to Amend the Lease Agreement with the Metropolitan Water Reclamation District of Greater Chicago to Permit Alcohol Sale and Consumption and to Permit Concerts and Festivals on the Golf Course Property, Consent to a Permit for Northwestern Football Parking and Tailgating Events for the 2019 season, and Issue Payment to MWRD for Alleged Unauthorized Uses**

**WHEREAS**, since 1919, the City of Evanston leases certain real property along the North Shore Channel from the Metropolitan Water Reclamation District of Greater Chicago ("MWRD"), for public recreational uses including several public parks, bike paths, a public golf course, and other similar activities (the "Lease"); and

**WHEREAS**, since 1919, the City has sublet a portion of the leased property to an entity to operate a public golf course (the "Subject Property"), of which 11 holes are in Evanston and 7 holes are located in Wilmette, and the current entity operating the course is Evanston Wilmette Golf Course Association d/b/a *Canal Shores* (the "Sublease"); and

**WHEREAS**, for 100 years, the Subject Property is utilized by many members of the North Shore area for a variety of recreational uses that include and not limited to: cross-country skiing, running, bird watching, cycling, and golf; and

**WHEREAS**, Canal Shores is a valuable community partner in the City of Evanston, and a good steward of the open space property enjoyed by many people over the years; and

**WHEREAS**, the operation of a public golf course is difficult with a short season and limited volunteer time and resources, therefore the golf operation revenue was supplemented to include parking and tailgating agreements with Northwestern and Canal Shores hosted two concerts in 2018 called "Out-of-Space", both of these supplemental uses were deemed by MWRD to be unauthorized and MWRD seeks repayment for these uses; and

**WHEREAS**, MWRD states that the Illinois Liquor Control Act, 235 ILCS 5/6-15, prohibits the sale and consumption of alcohol on MWRD property, absent a granted exception by the MWRD Board; and

**WHEREAS**, the City of Evanston finds that it is in the best interests of its residents to address the deficiencies in the Lease and current operations and to seek an amendment to the Lease,

**NOW BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:**

**SECTION 1:** The City Manager is authorized to proceed with the following actions:

- a. Request an amendment to the Lease with MWRD to permit the City to host concerts and festivals on the Subject Property; and
- b. Request an amendment to the Lease for the sale and consumption of alcohol on the Subject Property in connection with golf course operations and associated events, concerts, and festivals; and
- c. Issue a lump sum payment to MWRD of \$77,510.25, upon receipt of a contribution of \$10,000 from Northwestern University; and

- d. Enter into a loan agreement with the Evanston Wilmette Golf Course Association for repayment of half of the funds paid by City of Evanston (\$33,755) over a 7-year period, annual payments to commence on January 1, 2020; and
- e. Work with the Director of Parks, Recreation, and Community Services to formalize terms for a forgivable loan with Canal Shores providing in-kind services for Evanston residents, for a value of at least \$33,755. The services will include: instruction of golf lessons to qualified low-income children who are also residents and employment opportunities with the Mayor's Summer Youth Program for the next 5 years.
- f. Provide consent to the MWRD permit to Northwestern University for the parking and tailgating activities on the Subject Property during the 2019 football season home games.
- g. If the MWRD Board grants the Lease Amendment to permit concerts and festivals, the City Manager or his designee is authorized to host the concert series entitled *Out-of-Space* from August 8 – 11<sup>th</sup> as a City of Evanston event at the Subject Property and promoted by SPACE.

**SECTION 2:** The City Manager is hereby authorized and directed to negotiate any additional conditions as he may determine to be in the best interests of the City and in a form acceptable to the Corporation Counsel.

**SECTION 3:** That this Resolution 60-R-19 shall be in full force and effect from and after its passage and approval in the manner provided by law.

  
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Stephen H. Hagerty, Mayor

Attest:

  
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Devon Reid, City Clerk

Approved as to form:

  
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Michelle L. Masoncup, Corporation Counsel

Adopted: June 10, 2019