Legislation Details (With Text)

File #:	20096	**Version:**	1	**Name:**	Authorizing the Mayor and City Clerk to execute a ten (10) year Use Agreement with the Northwoods League, Inc. and the Madison Mallards LLC for nonexclusive use of Warner Park Stadium.
Type:	Resolution			**Status:**	Passed
File created:	9/29/2010			**In control:**	BOARD OF ESTIMATES (ended 4/2017)
On agenda:	10/19/2010			**Final action:**	10/19/2010
Enactment date:	10/20/2010			**Enactment #:**	RES-10-00849

Title: Authorizing the Mayor and City Clerk to execute a ten (10) year Use Agreement with the Northwoods League, Inc. and the Madison Mallards LLC for nonexclusive use of Warner Park Stadium. (AD#12)

Sponsors: Satya V. Rhodes-Conway, Michael Schumacher, Joseph R. Clausius, Paul E. Skidmore

Indexes:

Code sections:

Attachments: 1. Mallards Use Agreement for Warner Park Ballpark .pdf

Date	Ver.	Action By	Action	Result
10/19/2010	1	COMMON COUNCIL	Adopt	Pass
10/13/2010	1	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval	
10/11/2010	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
10/5/2010	1	BOARD OF ESTIMATES (ended 4/2017)	Refer	
10/5/2010	1	COMMON COUNCIL	Referred	
9/29/2010	1	Parks Division	Referred for Introduction	

Fiscal Note

This Use Agreement establishes annual game rental fees payable by the Mallards. Rental fees would be $50,000 for 2011, with a 3% increase per year through the life of the agreement. The revenue from these fees was anticipated in the 2011 Parks Division Requested Operating Budget. Additionally, this agreement acknowledges the Improvements Agreement between the City and the Mallards, which includes the Mallards' commitment to providing $500,000 in funding for improvements to the stadium bleachers, as well as a minimum of $500,000 in additional capital improvements over the term of that agreement. No additional appropriation is required by this Use Agreement.

Title

Authorizing the Mayor and City Clerk to execute a ten (10) year Use Agreement with the Northwoods League, Inc. and the Madison Mallards LLC for nonexclusive use of Warner Park Stadium. (AD#12)

Body

WHEREAS, the Madison Mallards LLC (“Mallards”) have participated in the Northwoods League Inc. (League) summer collegiate baseball league since 2001, playing its home games at the City of Madison’s (“City”) Warner Park Stadium (the “Ballpark”), pursuant to the terms and conditions of the March 23, 2006 Use Agreement between the City, the Mallards, and the League (the “Parties”). The current Use Agreement between the Parties expires on December 31, 2010; and

WHEREAS, Mallards desires to continue operating a baseball team in Madison, Wisconsin, and for that

purpose desires to enter into a new Use Agreement for nonexclusive use of the Ballpark; and

WHEREAS, City believes it is in the public's interest to afford the citizens of the City an opportunity to attend and view baseball games; and

WHEREAS, the Parties wish to formalize the terms and conditions under which the Mallards and the League is authorized to use the Ballpark; and

WHEREAS, concurrently with the execution of this Use Agreement, the City and Mallards are executing and delivering the Agreement to Undertake Improvements to Warner Park Stadium (the "Improvement Agreement"); and

WHEREAS, the Improvement Agreement sets forth the rights and obligations of the City and Mallards with respect to the funding and construction of improvements to the Ballpark over the course of this Use Agreement's duration; and

WHEREAS, because of the anticipated improvements to Ballpark, the Parties wish to enter into a new Use Agreement superseding the existing Agreement; and

WHEREAS, the League is entering into this Agreement to undertake the same obligations and have the same duties as those undertaken and assumed by the Mallards.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Clerk are authorized to execute a ten (10) year Use Agreement with the Northwoods League, Inc. and the Madison Mallards, LLC for nonexclusive use of Warner Park Stadium.

BE IT FURTHER RESOLVED that all such agreements shall be in a form approved by the Risk Manager and the City Attorney.

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