

SPECIAL BUSINESS MEETING MINUTES CITY OF BATAVIA JANUARY 22, 2018

The special business meeting of the City Council was held Monday, January 22, 2018 in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Pro Tem Viele presiding.

Present were Councilpersons Pacino, Briggs, Christian, Canale, Tabelski, Bialkowski, McGinnis and Viele. Council President Jankowski was absent.

Council President Pro Tem Viele called the meeting to order at 7:40 PM immediately following the conference meeting.

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#6-2018

A RESOLUTION AUTHORIZING THE CITY COUNCIL PRESIDENT TO SIGN AN ASSIGNMENT OF THE DWYER STADIUM LEASE AND SUBLEASE EXTENSION AGREEMENT

Motion of Councilperson Viele

WHEREAS, the City of Batavia is the owner of Dwyer Stadium and the Batavia Regional Recreation Corporation (BRRC) operates and manages the Dwyer Stadium facility as outlined in the Dwyer Stadium Lease Agreement; and

WHEREAS, the Genesee County Baseball Club, Inc. (GCBC) owned the Batavia Muckdogs minor league franchise and the BRRC sublets the premises to GCBC so that the Batavia Muckdogs can use the facility to play its home baseball games at Dwyer Stadium; and

WHEREAS, GCBC and Rochester Community Baseball, Inc. (RCBI) are parties to a Management and Operating Agreement by which RCBI managed and operated the day to day business of GCBC including the Batavia Muckdogs, pursuant to and as more particularly provided for by the Management and Operating Agreement.

WHEREAS, the City, BRRC, GCBC and RCBI extended the Lease and Sublease Agreements by Agreement dated January 9, 2017, in accordance with, and as more particularly provided for by an Extension agreement the Lease and Sublease Agreements expire on April 2, 2019.

WHEREAS, since the extension of the Lease and Sublease Agreements the Management and Operating Agreement has expired and not been renewed.

WHEREAS, on December 14, 2017, the New York Penn League, Inc. terminated GCBC's ownership interest in the Batavia Muckdogs franchise and assumed ownership and control of the team.

WHEREAS, the New York Penn League's wholly owned subsidiary, Batavia Muckdogs, Inc., wishes to operate the team at Dwyer Stadium under the Sublease.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the Council President by and is hereby authorized to sign said Assignment of the Dwyer Stadium Lease and Sublease Extension Agreement as stated in "Attachment A" on behalf of the City of Batavia.

Seconded by Councilperson Canale and on roll call approved 8-0.

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Conference meeting adjourned at 7:41.

Respectfully submitted,

Heidi J Parker
Clerk-Treasurer