



BATAVIA CITY COUNCIL SPECIAL BUSINESS MEETING

**City Hall - Council Board Room
One Batavia City Centre
Monday, January 22, 2018 following Conference Meeting**

AGENDA

- I. Call to Order
- II. #6-2018 A Resolution Authorizing the City Council President to Sign an Assignment of the Dwyer Stadium Lease and Sublease Extension Agreement
- III. Adjournment

#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

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
and on roll call**