

December 20, 2004

TO: John Szerlag, City Manager

FROM: John Lamerato, Assistant City Manager/Finance
Brian Murphy, Assistant City Manager/Services
Doug Smith, Real Estate and Development Director

RE: **Agenda Item** – Amended Minor League Baseball Stadium Resolution

City staff received some questions of clarification from City Council members today regarding the proposed Resolution A for the multi-purpose minor league baseball stadium. The issues of clarification involve ownership, parking and community group use of the facility, which resulted in three clarifications in the resolution. Succinctly, General Sports will not own any space but will pay taxes on space held by them, and the maximum seating capacity is 5,500 not 5,000. The third change is a grammatical clarification.

An amended resolution is attached for your review and consideration. For easier tracking, the changes are shown in underline or overstrike mode.

REVISED

F-2 Proposed Minor League Baseball Multi-Use Facility

Suggested Resolution

Resolution #2004-12-

Move by

Seconded by

RESOLUTION A

WHEREAS, General Sports and Entertainment, L.L.C. approached the City of Troy for reason of locating a multi-use minor league baseball stadium on Civic Center property, and

WHEREAS, The Troy City Council gave direction to the City Manager at the Study Session of November 15, 2004 to identify and address elements that have salience relative to the proposed stadium in terms of benefit to the community, site plan issues, environmental issues, and financing, and

WHEREAS, on November 29, 2004 the Troy City Council directed City staff to continue discussions with General Sports and Entertainment, L.L.C. regarding the placement of a minor league baseball stadium at the southeast portion of the Civic Center site with additional consideration being given to financial arrangements, alcohol use, and additional public input from the City of Troy boards and committees,

NOW, THEREFORE BE IT RESOLVED, That City Administration is authorized to negotiate a contract with General Sports and Entertainment, L.L.C. for placement of a multi-use minor league baseball stadium in the southeast area of the Civic Center site, and this contract will contain the following elements:

1. Financing:

- All construction, maintenance, and construction costs for the facility will be the responsibility of General Sports
- All infrastructure costs are to be the responsibility of General Sports, unless the Downtown Development Authority, City, and General Sports agree upon some cost-sharing of various components
- The stadium will not be collateral for loans
- If General Sports fails in their operations of the minor league baseball team and stadium, the City will be left without debt and will own the facility
- General Sports will pay property taxes on the **exclusively** privately owned **used** real property and all personal property

2. Stadium:

- The property will continue to be owned by the City of Troy
- The stadium will be a gift to the City of Troy from General Sports with the understanding that General Sports will operate a minor league baseball team on the site
- Management of the facility for all events will be provided by General Sports at no cost to the City of Troy
- User costs (clean-up, electricity, etc.) for the City of Troy and community groups will be paid by the event organizer
- General Sports will provide all necessary insurance for the facility and operations as determined by the City of Troy
- The City of Troy reserves the right to approve any transfer of management or ownership of operations of the facility
- In the event General Sports fails in their operations of the facility and minor league baseball team, the City of Troy can order demolition of the stadium with the cost to be borne by General Sports
- Clean-up for all events will be the responsibility of General Sports, including all off-site locations used for parking

3. Parking:

- At least 2,000 parking spaces will be provided for all games and events without a variance, with long-term agreements established from nearby property owners for a minimum of 25 years; the City of Troy will consider a zoning ordinance text amendment to permit off-site parking if required
- Parking attendants will be located at the Community Center, Aquatic Center, Library, and City Hall parking lots to preclude minor league baseball patrons from parking in these lots
- Maximum facility capacity is limited to 5,000 **5,500** patrons per game or event without adding additional off-site parking arranged at the expense of General Sports

4. Environmental Impacts:

- Spill light from the stadium will be nonexistent at 1,200 feet from the stadium
- A fully distributed sound system configuration will be used in lieu of an outfield or centralized speaker system, and the emission of measurable noises from the facility shall not exceed 65 dBA at the southern limits of the residential neighborhood to the north of the stadium
- Traffic control services provided by the City of Troy will be paid for by General Sports
- Various Leadership in Energy and Environmental Design (LEED) certification elements will be considered and incorporated into the design of any storm water and drainage improvements

5. Community Benefit:

- The stadium will be available for at least 260 days per year for City of Troy and resident organization use
- General Sports will not charge the City of Troy or resident groups a rental or users fee, but **the groups** will pay for any direct costs incurred as part of their event

6. Alcohol Sales:

- All sales and advertising of alcoholic beverages will be per the memorandum between the Troy Community Coalition and General Sports, dated November 2004

BE IT FURTHER RESOLVED, That City Administration is authorized to secure the services of outside professionals that have experience in stadium development.

OR

RESOLUTION B

RESOLVED, That the City of Troy is not interested in locating a multi-use minor league baseball stadium on Troy Civic Center property.

Yes:

No: