



**AGENDA ITEM SUMMARY SHEET
CITY COUNCIL REGULAR**

MEETING DATE: January 3, 2022

AGENDA ITEM NO. 7.5

WARD: 4

QUASI-JUDICIAL: No

CITY MANAGER'S ITEMS

MOTION: Approve the License Agreement between the City of Fort Myers and Florida SouthWestern State College for the use of the City of Palms Park.

MANAGEMENT RECOMMENDATION:
Approve License Agreement

FUNDING SOURCE:

General Fund

FISCAL IMPACT (\$):

City will receive \$1,000.00 month rent from the college for the use of 6 offices and \$1,000.00 per month for utilities

One-Time Cost:

No

Budget Year:

FY 2021-22

Budgeted Item:

No

Person Initiating Request: Marty K. Lawing

Department: City Manager's Office

BACKGROUND INFORMATION:

Lee County conveyed ownership of the City of Palms Park to the City of Fort Myers in October of this year. During the time that Lee County owned and operated the stadium, they had an agreement with Florida SouthWestern State College to use the park for their collegiate baseball and softball programs. The College has requested a similar agreement with the City to continue to use the stadium through June 1, 2022. Some of the key components of the agreement include:

- The term would be retroactive from September 1 through June 1, 2022
- This would be a non-exclusive license for the college to use the facility for collegiate baseball and softball practices and games
- The College may use the facility for pre-game and post-game activities and entertainment with post-game activities concluding within 4 hours of completion of the game
- The schedule will include approximately 30 men's baseball and 30 women's softball games
- The City can use the complex on days the college does not have games or practice
- The college has exclusive rights to the use of 6 offices on the third floor on a year round basis
- Students of FSW and City of Fort Myers employees will be admitted to the games free of charge

- The College will pay the City \$1,000 per month for the use of the 6 offices
- The College will have the right to derive revenue from the sale of programs, advertising, television broadcasting rights, concessions and rental of the facility for other college sponsored events.
- The city will be responsible for providing one groundskeeper on site for each game.
- The college will be responsible for attendants and security personnel, traffic control, tarpaulin crew, P.A. personnel, Press Box staff and cleaning staff
- The College will promptly inform the city about an event with expected attendance of over 2500 persons
- The City will provide electricity, water, sewer and solid waste collection for the facility
- The College will provide the City \$1,000 per month to partially offset the utilities costs and an additional \$100.00 per hour that the field lights are operated.
- The College will be responsible for paying for any phone and data services
- The City will maintain the complex facility and fields and provide restroom supplies for the public restrooms
- The College will be responsible for cleaning the seating bowl and provide janitorial services for the umpires room, office space, and visitor and team clubhouse and locker rooms.

ATTACHMENTS:

[License for Use of City of Palms 12-21-21.pdf](#)