

Agenda Item: 2.h

Meeting Date: February 4, 2020

MEMORANDUM

To: City Commission

Date: 2020-01-29

From: Vince Gizzi, Director of Parks and Recreation

Subject: Addendum #1 to the Second Amended and Restated License Agreement dated December 18, 2018 between the City of Dunedin Florida and Rogers Blue Jays Baseball Partnership

Presenter(s): Vince Gizzi, Director of Parks & Recreation, Robert Eschenfelder, Assistant City Attorney

Recommend: Staff recommends to approve Addendum #1 to the Second Amended and Restated License Agreement.

Epic Goal(s): Goal #1 Create a vibrant, cultural experience that touches the lives of our community and visitors.

Boards & Committees: Stadium Advisory Committee

Budget Impact: N/A

Past Action: City Commission approved the new License Agreement between the City of Dunedin and the Toronto Blue Jays November 2, 2017.

City Commission approved the First Amended and Restated License Agreement on June 21, 2018 and Second Amended and Restated License Agreement on December 18, 2018.

Next Action: N/A

Attachments: [A. Addendum #1 to Second Amended & Restated License Agmt TBJ.](#)

Background:

On December 18, 2018, the City of Dunedin and the Toronto Blue Jays entered into a Second Amended and Restated License Agreement to provide for the use by the Blue Jays of the City's Spring Training Facilities, consisting of Grant Field/Stadium and the Englebert/Vanech Complex. Under the terms of the Second Amended and Restated License Agreement, the Blue Jays would continue to use the City's Spring Training Facilities under the terms and conditions of the prior License Agreement until the Threshold Date was achieved. The Threshold Date is the trigger for the terms and conditions of the new License Agreement to take effect with respect to both the Grant Field/Stadium Facility and the Englebert/Vanech Complex, and in general, is triggered by the delivery on the final Certificate of Occupancy for the entire facility.

The Guaranteed Maximum Price (GMP) Construction Contract contemplates the Grant Field/Stadium Facility improvements will be completed by approximately February 12, 2020, with the improvements to the Englebert/Vanech Complex projected to be completed on or about August 1, 2020. Assuming that at least a temporary Certificate of Occupancy can be delivered prior to the start of Spring Training Games, the Blue Jays will be able to play Spring Training Games this year at the Grant Field/Stadium Facility. The Blue Jays have offered to operate under the terms of the new License Agreement with respect to the Grant Field/Stadium Facility in 2020 assuming the required Certificate of Occupancy is delivered in time.

The Addendum #1 does not change or amend the terms of the new License Agreement that is embodied in the Second Amended and Restated License Agreement. Rather, it provides temporary authority for the Blue Jays to use the Grant Field/Stadium Facility during the 2020 Spring Training period under the terms of the new License Agreement rather than the terms of the prior License Agreement. The Threshold Date and related conditions for the Second Amended and Restated License Agreement to become fully operational do not change, so that when the improvements to the Englebert/Vanech Complex are completed this summer, the Addendum #1 will no longer be of any force and effect, and the new 25 year agreement will be fully in place.

Robert Eschenfelder, Assistant City Attorney, has reviewed this agreement and has approved as to form. City staff is recommending the City Commission approval of Addendum #1 to the Second Amended and Restated License Agreement.