

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SECOND AMENDMENT TO THE FACILITIES USE AGREEMENT BETWEEN THE CITY OF MESA AND THE CHICAGO CUBS BASEBALL CLUB, LLC AT SLOAN PARK.

WHEREAS, the City of Mesa (the “City”) and the Chicago Cubs Baseball Club, LLC (the “Cubs”) entered into a Facilities Use Agreement on December 6, 2011 and a subsequent First Amendment to the Facilities Use Agreement on January 2, 2014 for the management and operation of the stadium site know as Sloan Park; and

WHEREAS, adjacent to the stadium site is an 18,125 square foot orchard area (the Orchard Area”) on the eastern boundary along Sheffield Drive, which is available for public use during the Spring Training Season; and

WHEREAS, during each Spring Training Season the City installs temporary fencing around the Orchard Area to enclose the area for public use and make the area part of the stadium site; and

WHEREAS, as Sloan Park and the Riverview Park area have continued to evolve the Orchard Area is not utilized by the general public and the Cubs have been maintaining the area at their expense; and

WHEREAS, the City and the Cubs agree that, for ongoing ease of maintenance and to maintain the aesthetics of the stadium site, the Cubs will bear the cost of relocating the fence line from its existing location to the back of the sidewalk along Sheffield Drive to enclose the Orchard Area within the stadium site boundary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the City Manager, Christopher J. Brady, or his designated representative, is authorized and directed to enter into a Second Amendment to the Facilities Use Agreement on behalf of the City of Mesa, together with all other documents necessary to carry out the provisions of such agreement, and the City Clerk, or her designee, is authorized and directed to attest to the signature of the City Manager or his designated representative thereon.

Section 2: That the City Manager, Christopher J. Brady, or his designated representative, is further authorized to approve minor, administrative, technical or procedural modifications to the Second Amendment to the Facilities Use Agreement as needed.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 6th day of February, 2017.

APPROVED:

Mayor

ATTEST:

City Clerk