

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDMENT TO THE MAINTENANCE AND OPERATING AGREEMENT WITH BIG LEAGUE DREAMS, MANSFIELD, LLC

WHEREAS, in 2004 the City of Mansfield and Big League Dreams Mansfield, LLC (BLD Mansfield) entered into a Maintenance and Operating Agreement (MOA) by which BLD Mansfield would maintain and operate the sports park; and

WHEREAS, Addendum No. 1 was approved in December, 2004, which modified the MOA to restrict adult-oriented advertising, the sale of liquor, and the sale of alcohol in a “pod” during youth games provided the youth organization requested in writing that no alcohol be sold during those youth games; and

WHEREAS, City Council approved Addendum No. 2 to the MOA in March, 2005, that required a minimum number of youth games be played at BLD Mansfield and further restricting the sale of alcohol in the entire sports park during those youth games; and

WHEREAS, in February, 2011, the First Amendment to the MOA was approved allowing the City of Mansfield and BLD Mansfield to share the cost of installing artificial turf on the sports fields; and

WHEREAS, BLD Mansfield has proposed a Second Amendment which shall restate both Addendums in their entirety and without modification other than the restrictions on the sale of alcoholic beverages during youth games and to amend Section 5.8 (c) of the MOA to restrict the sale of alcoholic beverages during youth games at the Food and Beverage Facility located within the four-field “pod” or Fieldhouse of the youth game unless the youth organization sponsoring the youth game consents to such sales in writing; and

WHEREAS, the Second Amendment will allow BLD Mansfield more flexibility in scheduling youth games and adult games simultaneously.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS:

Section 1.

The City Manager or his designee is hereby authorized to execute the Second Amendment to the Maintenance and Operating Agreement by and between the City of Mansfield and Big League Dreams, Mansfield, LLC, a Texas limited liability company.

RESOLVED AND PASSED this 23rd day of July, 2012.

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary