

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
DECEMBER 3, 2024 AGENDA**

| Subject: | Type: | Submitted By: |
|--|---|---------------------------------------|
| APPROVAL OF AGREEMENT – SPORTS FACILITY USE | ◆ RESOLUTION ORDINANCE RECEIVE/FILE | HEATHER BULLER RECREATION DIRECTOR |

SYNOPSIS

A resolution has been prepared authorizing the execution of an agreement with Triple Crown Sports Inc. (TCS) of Fort Collins, Colorado for the usage of City Sports Facilities in La Vista for five years as identified in the Triple Crown Sports Facility Use Agreement.

FISCAL IMPACT

Triple Crown Sports Inc. (TSC) agrees to pay the City of La Vista as identified in the Triple Crown Sports Facility Use Agreement under Appendix A.

RECOMMENDATION

Approval.

BACKGROUND

Triple Crown Sports has been renting the City of La Vista Fields for the last several years to conduct the Slump Buster, youth baseball tournament held in conjunction with the College World Series. This will be the 4th five (5) year agreement with Triple Crown Sports Inc. (TCS) for the usage of City Sports Facilities in La Vista.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A FIVE YEAR AGREEMENT WITH TRIPLE CROWN SPORTS INC, FORT COLLINS, COLORADO FOR THE USAGE OF THE CITY SPORTS FACILITIES.

WHEREAS, the City has determined that it is desirable to continue a long term agreement with Triple Crown Sports Inc.; and

WHEREAS, Triple Crown Sports have has had an agreement with the City for use of the Sports Facilities for the last five years; and

WHEREAS, Triple Crown Sports Inc agrees to pay the City of La Vista as identified in the Facility Use Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a 5 year agreement with Triple Crown Sports, Inc., Fort Collins, Colorado for the usage of the City Sports Facilities

PASSED AND APPROVED THIS 3RD DAY OF DECEMBER 2024.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk



TRIPLE CROWN SPORTS FACILITY USE AGREEMENT

THIS AGREEMENT BETWEEN TRIPLE CROWN SPORTS INC. (TCS) OF FT. COLLINS, CO AND THE CITY OF LA VISTA IS ENTERED INTO ON _____ FOR THE PURPOSE OF PROVIDING A QUALITY BASEBALL TOURNAMENT IN LA VISTA, NE FOR FIVE YEARS. THE AGREEMENT WILL BEGIN IN 2025 AND THE LAST YEAR WILL BE 2029. EXACT DATES OF FIELD USAGE WILL ROTATE ANNUALLY WITH THE NCAA® COLLEGE WORLD SERIES (CWS). FACILITY USAGE NORMALLY TOTALS 12 DAYS, INCLUDING THREE DAYS BEFORE THE CWS AND THREE DAYS AFTER THE CWS.

THIS AGREEMENT IS HEREBY EFFECTIVE FOR A TERM COMMENCING ON THE DATE SIGNED AND WILL EXPIRE ONCE THE FOLLOWING STIPULATIONS HAVE BEEN SATISFIED BY BOTH PARTIES.

TERMS OF AGREEMENT

A. THE CITY OF LA VISTA AGREES TO:

1. PROVIDE TRIPLE CROWN SPORTS THE EXCLUSIVE USE OF THE FOLLOWING FACILITIES ON THE DATES LISTED BELOW AND IN SECTION A2: FROM 8:00 AM – 4:00 PM
 - LA VISTA SPORTS COMPLEX (BASEBALL AND SOFTBALL FIELDS ONLY)
 - CITY PARK FIELDS
2. THE TOURNAMENT DATES LISTED BELOW ARE FIRM AND NOT TO BE CHANGED BY EITHER PARTY WITHOUT WRITTEN CONSENT BY BOTH PARTIES. FUTURE DATES OF FIELD USAGE ARE ESTIMATED FOR JUNE 11- JUNE 22: 2025, JUNE 10-21: 2026, JUNE 16-27: 2027, JUNE 14-25: 2028 AND JUNE 13-24, 2029. THESE DATES ARE SUBJECT TO CHANGE AND ARE NOT FIRM UNTIL THE CWS SCHEDULE IS OFFICIALLY ANNOUNCED.
3. DRAG AND LINE FIELDS IN PREPARATION FOR THE FIRST GAMES ON EACH DAY OF THE TOURNAMENT. ADDITIONAL DRAGS MUST BE SCHEDULED AND WILL BE CHARGED THE GOING RATE. (SEE APPENDIX A) DETAILS OF FIELD PREPARATION WILL BE DISCUSSED AND FINALIZED 30 DAYS IN ADVANCE OF FIELD USAGE DATES.
4. PROVIDE THE TRIPLE CROWN TOURNAMENT DIRECTOR WITH A KEY TO STORE-ROOM WHERE BASES, ETC. ARE KEPT **OR** HAVE SOMEONE AT THE SITE WITH THIS KEY IN CASE OF EMERGENCY.
5. ALLOW GAMES TO START AS EARLY AS 8 AM AND LAST UNTIL 4 PM EACH DAY OF THE TOURNAMENT.
EXCEPTIONS:

- IF THERE ARE MULTIPLE DAYS OF BAD WEATHER, TRIPLE CROWN MAY REQUEST FIELD USAGE PAST 4 PM. FACILITY RETAINS RIGHT TO REFUSE USAGE AFTER 4 PM. TCS WILL NEVER INITIALLY SCHEDULE GAMES TO FINISH LATER THAN 4 PM.

6. PROVIDE A SPACE IN THE PARKS FOR A NOVELTY STAND. THE LOCATION OF THE NOVELTY STAND MUST BE APPROVED BY THE CITY.

7. ALLOW TRIPLE CROWN TO DISPLAY BANNERS IN A PROFESSIONAL MANNER AT THE FACILITIES. THE MANNER OF THE DISPLAY WILL NOT DAMAGE THE PROPERTY.

8. ASSIST TRIPLE CROWN IN SECURING TEAMS FOR TOURNAMENT THROUGH NEWS RELEASES AND ANY OTHER TYPES OF PROMOTION THAT THE ORGANIZATION CAN PROVIDE (WORD OF MOUTH).

9. PROVIDE THE NAMES AND PHONE NUMBERS OF LOCAL UMPIRE ASSOCIATION CONTACTS USED BY THE FACILITY.

10. FACILITY MAY OPERATE CONCESSIONS STAND AND RETAIN ALL PROFITS.

11. CITY OF LA VISTA WILL COLLECT 10% OF GROSS GATE/ADMISSION FEES IF CHARGED.

12. TRIPLE CROWN TOURNAMENTS MAY BE PLAYED IN ADVERSE WEATHER OR MUDDY CONDITIONS (EXCLUDING LIGHTNING). HOWEVER, THE FINAL DECISION ON THE PLAYABILITY OF THE FIELDS WILL BE LEFT TO THE FACILITY SUPERVISOR.

B. TRIPLE CROWN BASEBALL AGREES TO:

1. PROVIDE A TOURNAMENT DIRECTOR AND ALL EVENT STAFF.
2. PRODUCE ALL BRACKETING FOR THE TOURNAMENT AND HANDLE DISTRIBUTION OF BRACKETS AT THE TOURNAMENT.
3. BRACKETS WILL BE FAXED OR EMAILED TO THE CITY OF LA VISTA NO LATER THAN TWO WEEKS PRIOR TO THE EVENT.
4. PAY FOR ALL UMPIRES USED DURING THE TOURNAMENT.
5. SUPPLY ALL AWARDS.
6. PUBLISH THE TRIPLE CROWN PRE-TOURNAMENT REGISTRATION FORM AND DISTRIBUTE WITHIN THE DRAWING AREA FOR THE TOURNAMENT.
7. FURNISH COPY OF LIABILITY INSURANCE. (**CERTIFICATE REQUEST FORM MUST BE COMPLETED IF ADDITIONAL INSURED ARE TO BE LISTED FOR THIS EVENT**)

8. MAINTAIN MONTHLY CONTACT TO REPORT ON PROGRESS OF TEAM ENTRIES AND TO FINALIZE ALL DETAILS.

9. USE TELEMARKETING, NEWSPAPERS, INTERNET, RADIO AND DIRECT MAILINGS TO ACTIVELY PROMOTE THIS TOURNAMENT.

ANY MENTION OF LA VISTA IN PROMOTIONAL INFORMATION MUST BE APPROVED BY CITY OF LA VISTA PRIOR TO RELEASING.

10. PROVIDE ALL SUPPLIES FOR NOVELTY STAND, INCLUDING BUT NOT LIMITED TO TABLES, EXTENSION CORDS, ETC.

C. TRIPLE CROWN SPORTS AGREES TO PAY THE FOLLOWING OVER THE FIVE-YEAR CONTRACT:

- TRIPLE CROWN WILL PAY ALL FIELD COSTS ASSOCIATED TO USE THE FACILITY. THIS INCLUDES, BUT IS NOT LIMITED TO: FIELD RENTAL, LIGHT USAGE, SURFACE MATERIALS DUE TO RAIN (DIAMOND DRY, RAPID DRY, ETC.), FESTIVAL COSTS, ADDITIONAL DRAGS, PERMITS AND 10% OF GROSS IF GATE/ADMISSION FEE IS COLLECTED.

D. TERMINATION:

- THIS CONTRACT IS BINDING ONCE SIGNED BY BOTH PARTIES. HOWEVER, IF EITHER PARTY BREACHES THIS AGREEMENT, THE NONBREACHING PARTY MAY TERMINATE THIS AGREEMENT UPON (30) DAYS ADVANCE WRITTEN NOTICE. FURTHER, EITHER PARTY MAY TERMINATE THIS AGREEMENT AT ANY TIME AND FOR ANY REASON UPON PROVIDING WRITTEN NOTICE AT LEAST 270 DAYS BEFORE THE EFFECTIVE DATE OF SAID TERMINATION.

E. OTHER:

- DUE TO THE NATURE OF THE LONG-TERM AGREEMENT, THERE COULD BE CHANGES DESIRED BY EITHER PARTY. BOTH PARTIES UNDERSTAND THIS AND WILL REMAIN OPEN TO POTENTIAL MODIFICATIONS. THESE MODIFICATIONS NEED TO BE MUTUALLY AGREED UPON AND IN WRITING.
- TRIPLE CROWN SPORTS WILL PURCHASE NINE TWO-PIECE MOUNDS FROM PORTOLITE AT A 20% DISCOUNT. THESE ARE THE 6-FOOT TWO-PIECE GAME MOUNDS, TYPICALLY PRICED AT \$2,099.00 EACH, BRINGING THE DISCOUNTED PRICE TO \$1,679.00 PER MOUND. FOR NINE MOUNDS, THE TOTAL COST WILL BE \$15,111.00. SHIPPING AND HANDLING ARE ESTIMATED AT \$900.00, RESULTING IN A TOTAL OF \$16,011.00. THE ESTIMATED TAX RATE IN LA VISTA IS 7.5%, ADDING \$1,200.83 FOR A GRAND TOTAL OF \$17,211.83.
- TO SUPPORT THIS INITIATIVE, THE CITY OF LA VISTA WILL DISCOUNT FIELD RENTAL RATES BY HALF OF THIS AMOUNT OVER A THREE-YEAR PERIOD STARTING IN 2025. THIS MEANS A DISCOUNT OF \$8,605.92, WHICH WILL BE DIVIDED INTO THREE ANNUAL REDUCTIONS OF \$2,868.64 OFF THE TRIPLE CROWN FACILITY BILL FOR 2025, 2026, AND 2027.

- DURING THESE THREE YEARS, THE CITY OF LA VISTA CAN USE THE MOUNDS FOR LOCAL LEAGUES AND TOURNAMENTS, WHILE TRIPLE CROWN SPORTS WILL HAVE ACCESS FOR ALL FUTURE EVENTS, INCLUDING THE SLUMPBUSTER. AFTER THE THREE-YEAR PERIOD, THE CITY OF LA VISTA WILL OWN THE MOUNDS BUT WILL CONTINUE TO ALLOW TRIPLE CROWN TO USE THEM DURING EVENTS, BASED ON THEIR CONDITION.
- IT IS ESSENTIAL FOR THE CITY OF LA VISTA TO STORE THE MOUNDS INDOORS TO PROTECT THEM FROM INCLEMENT WEATHER AND TO PROHIBIT METAL CLEATS AT ALL LOCAL EVENTS AND TOURNAMENTS, INCLUDING THE SLUMPBUSTER, TO ENSURE THE MOUNDS' LONGEVITY.

APPENDIX A

THE CITY OF LA VISTA REVIEWS FEES ON AN ANNUAL BASIS DURING THE BUDGET PERIOD. ANY FEE CHANGES WILL TAKE EFFECT BY OCTOBER 1ST OF THAT YEAR.

AS OF OCTOBER 1, 2024

| DESCRIPTION | FEE |
|---------------------------|-----------------|
| TOURNAMENT FEES | \$ 30/GAME |
| TOURNAMENT FIELD FEES | \$ 50/FIELD/DAY |
| GATE/ADMISSION FEE | 10% OF GROSS |
| ADDITIONAL DRAG OF FIELDS | \$30/FIELD/DAY |

SIGNATURE PAGE

(Facility Director Print Name) (Date)

(Signature)

(Address)

(City, State, Zip)

(Work Phone)

(Cell Phone)

(Email Address)

(Triple Crown Representative Print Name) (Date)

(Signature)

TRIPLE CROWN SPORTS
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