

Resolution #21-0132
2021 Resolution Book, Page 49

**RESOLUTION APPROVING A NEW LEASE AGREEMENT WITH WINSTON-SALEM
SPEEDWAY, INC. FOR BOWMAN GRAY STADIUM**

WHEREAS, in December 2011, the City entered into a lease agreement with Winston-Salem Speedway Inc. for use of Bowman Gray Stadium for racing events and other racing-related activities; and

WHEREAS, the current term of the lease is 20 years and is scheduled to expire in August 2031. Under the agreement, Winston-Salem Speedway Inc. is granted use of the stadium from March 1 of each calendar year through August 31; and

WHEREAS, at a joint announcement by the University and the City on November 14, 2018, Chancellor Elwood Robinson announced that Winston-Salem State University no longer would pursue purchase of Bowman Gray Stadium; and

WHEREAS, in November 2018, Mayor Joines and City staff presented a proposed plan in which the City would invest \$9 million in improvements to the stadium site and facilities including replacement of concession stands and restrooms, re-grading the football field, resurfacing the race track, utilities upgrades, facility repairs, and aesthetic improvements that would better identify the stadium as the home of Rams Football; and

WHEREAS, in April 2019, the Mayor and City Council approved the appropriation of resources to meet \$33.09 million in emerging capital needs, including improvements to Bowman Gray Stadium; and

WHEREAS, the Mayor and City Council recently awarded the construction contract for the Bowman Gray Stadium improvements project, and work commenced in November 2020; and

WHEREAS, as a result of the planned improvements to the stadium, in particular on the concourse, race track, and field, City staff have worked with Winston-Salem Speedway Inc. management on updating the lease agreement to reflect the impact of the project and address other changes that have occurred since the agreement went into effect in 2011, including the recent impact of the novel coronavirus pandemic on the cancellation of the 2020 racing season. The proposed new terms are itemized in Exhibit A; and

WHEREAS, certain conditions of the lease are itemized in Exhibit B; and

WHEREAS, the City has received an offer to lease such property, and since the term is for more than ten years, must use the procedures for the sale of real property and advertise it for upset bids, all in accordance with N.C.G.S. 160A-209; and

WHEREAS, said first year's annual lease offer in the amount of \$85,500 has been submitted by Winston-Salem Speedway Inc., and the required five percent deposit has been paid.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Winston-Salem, upon the recommendation of the Finance Committee, hereby authorize the execution of a long-term lease of Bowman Gray Stadium for motor sports racing to Winston-Salem Speedway, Inc., in a form approved by the City Attorney under the provisions of N.C.G.S. 160A-269; that the City Clerk shall cause a notice of proposed lease, containing a general description of the property, amount and terms of the lease offer, and a notice that within ten days any person may raise the bid by not less than ten percent of the first \$1,000 and five percent of the remainder, be published, without further authorization of the City Council; shall re-advertise the offer at the increased bid; and this procedure shall be repeated until no further qualifying bids are received, at which time the Mayor and City Council may accept the offer and lease the property to the highest bidder or reject any and all offers.

**Winston-Salem City Council
APPROVED
March 22, 2021**

BE IT FURTHER RESOLVED, in the event that no raised bid is received, the lease offer set forth above is hereby accepted, and the appropriate City officials are hereby authorized to execute instruments required to lease the property to Winston-Salem Speedway, Inc., as stated herein.