

RESOLUTION APPROVING AMENDMENTS TO THE CIVITAN PARK LEASE AND USE AGREEMENTS WITH WINSTON-SALEM STATE UNIVERSITY

WHEREAS, in October 2004, former Winston-Salem State University (WSSU) Chancellor Harold Martin made presentations to the City Council's Finance and Community Development/Housing/General Government Committees regarding the University's interest in acquiring Civitan Park for the construction of their new athletic fields as part of their move to NCAA Division I; and

WHEREAS, in April 2006, the City Council approved a resolution approving the lease of Civitan Park to Winston-Salem for a term of 33 years; and

WHEREAS, under the provisions of the lease, WSSU invested in improvements to Civitan Park, including a practice football field, a half football practice field, an NCAA eight-lane regulation track, softball field, a storage/restroom building, parking, and a practice baseball field. The University did not construct the softball and baseball fields; and

WHEREAS, WSSU paid the City an initial amount of \$15,000 to develop recreation open space on the east side of Martin Luther King, Jr. Drive, as well as an annual rent of \$5,200, with the amount to be adjusted 3% each year. WSSU is scheduled to pay the City \$8,344 in annual rent in April; and

WHEREAS, during construction of Research Parkway, WSSU allowed the use of the Anderson Center parking lot for overflow parking for events at Bowman Gray Stadium, including Bowman Gray Racing events; and

WHEREAS, prior to the 2022 Bowman Gray Racing season, University officials communicated to City staff that the Anderson Center lot would not be available for overflow parking; and

WHEREAS, over the past year, University officials have shared concerns about the condition of their athletic facilities, including damage resulting from public use of the facilities and major maintenance needs for the track, football fields, and restroom building; and

WHEREAS, City officials recently have received concerns from the racing community about the availability of parking for the upcoming season; and

WHEREAS, to address these concerns, City staff have approached WSSU officials to discuss (1) amendments to the Civitan Park lease and use agreements that would assist the University with addressing the maintenance issues with their athletic facilities and (2) a new agreement regarding overflow parking at the Anderson Center lot.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Winston-Salem hereby authorize the City to execute amendments to the Civitan Park lease and use agreements with Winston-Salem State University to include the provisions listed in Exhibit A.

BE IT FURTHER RESOLVED that the Mayor and City Council of the City of Winston-Salem hereby authorize the City to enter into a separate agreement with Winston-Salem State University regarding the Anderson Center parking lot, consistent with the provisions listed in Exhibit A.

BE IT FURTHER RESOLVED that the Mayor and City Council authorize the City Attorney to approve these amendments as to form and legality.