

Item Title: FY 2019 Capital Project Amended Budget for Five County Stadium

Specific Action Requested:

That the Board of Commissioners accepts and appropriates \$74,613 of rental funds in accordance to the Five County Stadium Lease in the Five County Stadium - Capital Improvements, Repairs and Rent project within the Major Facilities Capital Improvement Plan Fund.

Item Summary:

Purpose: The Board of Commissioners appropriates all funds.

Background: The Five County Stadium lease requires the Carolina Mudcats pay the Lessor an annual rent amount. The Five County Stadium Lessor is both Wake County (85%) and the Town of Zebulon (15%). The Five County Stadium Lease requires that rent payments must be held by the Lessor in an interest-bearing account and only used for capital improvements to the stadium. Wake County receives the entire rental amount annually and conveys 15% of the rental funds to the Town of Zebulon. Each Government manages their respective rental account.

Rent funds were previously used to complete the left field cabana at Five County Stadium in 2013 under the previous ownership. The current team owners, the Milwaukee Brewers, and County staff have mutually agreed to use the funds to improve the home team clubhouse and batting cage. The home team clubhouse will be expanded and reorganized to improve the weight and locker rooms. New lighting and storage will be added to the batting cage.

Board Goal: This action supports routine County business.

Fiscal Impact: This action appropriates lease revenues retained by Wake County to-date. Future lease revenues will be budgeted within the Major Facilities Capital Fund for future capital improvement projects. This action has no impact on the County's General Fund.

Additional Information:

For additional background, the relevant language from the Five County lease is below.

9.7 Capital Improvements and Capital Repairs Fund.

Lessor shall establish a Capital Improvements and Capital Repairs Fund. This fund shall be funded by depositing in an interest-bearing account all amounts paid by Lessee as rental during the term of the Lease, including any extensions. Amounts in the Capital Improvements and Capital Repairs Fund shall be spent for purposes of capital improvements to the Stadium and shall not be spent for ordinary maintenance or any other purpose other than capital improvements. Any disputes regarding whether a

proposed expenditure of the Capital Improvements Fund is for capital improvements which cannot be resolved informally shall be submitted to arbitration according to the terms of the Lease.

The table below summarizes the additional appropriation for the Five County Stadium account.

CIP Appropriation – Increase Appropriation of 016M					
Element	Project Name	Unit	Current Budget	Increased Appropriation	Revised Budget
Major Facilities CIP	Five County Stadium - Capital Improvements, Repairs & Rent	016M	\$67,266	\$ 74,613	\$141,879

Attachments:

1. Major Facilities Capital – Budget Memo