



Legislation Details (With Text)

**File #:** 17-616      **Version:** 1      **Name:**

**Type:** Contract      **Status:** Passed

**File created:** 7/5/2017      **In control:** City Commission

**On agenda:** 7/18/2017      **Final action:** 7/18/2017

**Title:** SECOND ASSIGNMENT OF LEASE AGREEMENT WITH ELEV8 SPORTS INSTITUTE AND QUOGUE SPORTS, LLC (MILLER PARK)

**Sponsors:** Parks & Recreation Department

**Indexes:**

**Code sections:**

**Attachments:** 1. consent to assignment Lease Agreement from Elev8 to assignor, 2. BBDS agreement for miller park 2003, 3. Consent to assignment to Elev8 2013, 4. Miller Park lease Amendment Dec 12 2013

Date	Ver.	Action By	Action	Result
7/18/2017	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Suzanne Fisher, Parks & Recreation Department  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** July 18, 2017

SECOND ASSIGNMENT OF LEASE AGREEMENT WITH ELEV8 SPORTS INSTITUTE AND QUOGUE SPORTS, LLC (MILLER PARK)

**Recommended Action:**

Motion to Approve the second assignment of the existing lease between Elev8 Sports Institute, Inc. (as successor to BDBBS, Inc.) and the City of Delray Beach to Quogue Sports.

**Background:**

On February 12, 2003, the City entered into a lease with BDBBS, Inc for use of the Miller Field Complex. Upon the City’s written consent, BDBBS, Inc. assigned this lease to Elev8 Sports in 2013. Under the lease, as amended, Elev8 Sports pays for the maintenance of the fields. Elev8 has entered into an agreement to sell the land it owns that is adjacent to the Miller Field Complex to Quogue Sports (a separate sports school). Quogue Sports wants to continue running a baseball school at Miller Park and will continue to perform the maintenance obligations under the lease. The sale of the adjacent property is contingent on Elev8 assigning the lease to Quogue Sports. Under the terms of the lease, Elev8 can assign the lease upon the City’s written consent.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval.

**Funding Source:**

No direct expense to City of Delray Beach to reassign lease from Elev8 to Quoque Sports, LLC.

**Timing of Request:**

This matter is time sensitive as sale of ELEV8 Sports Institute property to Quoque Sports, LLC is contingent on re-assignment.