

ORDINANCE NO. 2025-230

**AUTHORIZING AMENDED & RESTATED
LEASE, LICENSE, AND MANAGEMENT AGREEMENT
WITH BALLCORPS, LLC**

WHEREAS, the City of Madison (“City”) has constructed and leased to BallCorps, LLC, an Arizona limited liability company (“BallCorps”), a multi-purpose venue encompassing a baseball stadium (the “Venue”) for the operation of the Rocket City Trash Pandas baseball team and other BallCorps-sponsored events; and

WHEREAS, the City and BallCorps have undertaken negotiations to amend the agreement due to Major League Baseball (“MLB”) regulations and the parties’ desire to collaborate on current and future capital projects at the Venue; and

WHEREAS, the City and BallCorps propose to enter into an amended and restated Venue License, Lease, and Management Agreement (the “Amended License Agreement”), which will restructure certain revenue and expense provisions, provide for collaboration in the construction of current and future Venue capital projects, provide for construction of new parking to better serve the Venue, incorporate MLB terms into the License Agreement, and provide for other updates to the Agreement; and

WHEREAS, the City expects the public benefits to be derived from the Venue to continue to include, among others, (i) increased tax revenue to the City, (ii) increased employment opportunities for City residents, (iii) increased regional exposure for and tourism into the City, and (iv) increased overall quality of life for City residents, notwithstanding any benefits to be derived by BallCorps from the City’s expenditure of public funds for the Venue; and

WHEREAS, Section 94.01 of the Alabama Constitution of 2022, as amended, authorizes municipalities to (1) lease, on terms approved by the governing body of the municipality, real property and buildings to business entities for the purpose of constructing, developing, equipping, and operating commercial facilities of any kind; and (2) lend its credit to, or grant public funds and things of value in aid of, or to, any individual, firm, corporation, or other business entity, public or private, for the purpose of promoting the economic and industrial development of the municipality, notwithstanding any benefits to such private parties;

BE IT HEREBY ORDAINED AND RESOLVED by the City Council of the City of Madison, Alabama, as follows:

Section 1. Findings of Fact

The City Council (the “Council”) of the City of Madison, Alabama (the “City”), upon evidence duly presented to and considered by it, does hereby find, determine, and declare that:

- (a) BallCorps, LLC, has presented an Amended and Restated Venue Lease, License, and Management Agreement (“Amended License Agreement”) to the City, and a form of the Amended License Agreement has been submitted to the Council.
- (b) It is in the interest of the City that the City enter into the Amended License Agreement in order to provide increased tax revenues for the City, increased employment opportunities within the City, and create additional economic activity both at the Venue site and in the surrounding area.
- (c) Pursuant to Section 94.01 of the Alabama Constitution of 2022, the City is authorized to grant public funds and things of value for the purpose of promoting the economic development of the City. The Project will promote the continued economic development of the City and will serve a valid and sufficient public purpose, notwithstanding any incidental, financial, material, or other benefits accruing to any private person, entity, or entities, as a result of such expenditures, such beneficiaries to include without limitation, BallCorps, Major League Baseball, Mark Holland, High Performance Management Group, LLC, and other BallCorps investors.
- (d) It is in the public and financial interest of the City, pursuant to Section 94.01 to enter into the Amended License Agreement and to undertake such obligations in furtherance of the public benefits described in this Ordinance and the Amended License Agreement.
- (e) Pursuant to Section 94.01, the City held an opportunity for public comment at 6:00 p.m. on October 13, 2025, at Madison City Hall. Notice of the meeting was published in *The Madison Record*, which is a newspaper in circulation in the municipality, on or about October 1, 2025. The notice described in reasonable detail the action proposed to be taken and the public benefits sought to be achieved by the action, and it identified each individual, firm, corporation, or other business entity to whom or for whose benefit the city proposes to lend its credit or grant public funds or things of value.

- (f) The Council adopts the preceding Recitals listed in this ordinance, all of which are incorporated in this Section by this reference.

Section 2. Authorization of Amended Lease, License, and Management Agreement

The execution and delivery of, and the performance by the City under, the Amended License Agreement are hereby authorized and approved. The Mayor is authorized to execute and deliver the Amended License Agreement, said Agreement to be substantially similar in form, purpose, and intent to the form presented to the Council this date and identified as "Amended and Restated Lease, License, and Management Agreement," and the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

Section 3. Further Actions

The Mayor and City Clerk are hereby authorized and directed to execute, seal, attest, and deliver such other agreements, undertakings, documents, and certificates incidental or related to the License Agreement and the actions contemplated within it, to publish a summary of this Ordinance, and to take such other actions as shall be necessary and appropriate to carry out the transactions that this Ordinance contemplates.

Section 4. This Ordinance shall be effective upon its adoption and publication as provided by law.

Section 5. If any clause, phrase, sentence, paragraph, or provision of this ordinance shall be invalidated by a court of competent jurisdiction, it is the intent of the Council that such invalidation shall not affect the validity of any other clause, phrase, sentence, paragraph, or provision thereof.

READ, PASSED, AND ADOPTED at a meeting of the City Council of the City of Madison, Alabama, on this _____ day of _____, 2025.

John D. Seifert, II, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer

APPROVED this ____ day of _____, 2025.

Paul Finley, Mayor
City of Madison, Alabama