



**STAFF REPORT
ACTION REQUIRED**

**Proposed Licence Agreement for the Operation of
Concession Services in Christie Pits Park with Mr. Jack
Dominico, President of the Toronto Maple Leaf Baseball
Club.**

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| Date: | December 11, 2008 |
| To: | Government Management Committee |
| From: | Brenda Patterson, General Manager, Parks, Forestry and Recreation |
| Wards: | Ward 19 – Trinity-Spadina |
| Reference Number: | |

SUMMARY

The purpose of this report is to authorize the City to enter into an agreement with Mr. Jack Dominico, President of the Toronto Maple Leaf Baseball Club (TMLBC), for the right to operate a concession service in Christie Pits Park for one (1) season, during the period from May 1, 2009 to October 31, 2009.

This agreement will provide the City and the public a continued high level of service at the facility for patrons who attend the Toronto Maple Leaf Baseball games in Christie Pits Park until such time as a Request for Proposal is released for the concession services for the 2010 season.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that City Council grant authority to enter into a licence agreement with Mr. Jack Dominico, President of the TMLBC to operate a food and beverage concession at the Concession Facility within Christie Pits Park for one (1) season, during the period from May 1, 2009 to October 31, 2009, at a licence fee of \$1,000.00 for the season.

Financial Impact

The total potential revenue identified in this report is \$1,000.00. There are no costs that the City will incur with the implementation of the proposed agreement. Mr. Jack Dominico,

President of the TMLBC shall be responsible for all operating costs and all other related costs for the operation of the concession facility, including property taxes.

The previous agreement expired on October 31, 2008 in which Mr. Jack Dominico paid to the City \$1,000.00 in annual fees plus property taxes.

The Acting Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

City Council, at its meeting held on February 17, 1971 (Committee on Parks, Recreation and City Property Report No. 2, Executive Committee Report No. 6), authorized the letting of the right to sell refreshments other than spirituous, fermented or intoxicating liquors, in the concession building in Christie Pits Park without open tender to Mr. Jack Dominico, then General Manager of the Maple Leaf Amateur Baseball Association, for the period May 15 to November 1, 1971, for a consideration of \$300.00, subject to the execution of an agreement by Mr. Dominico with the City covering the operation of the said concession. The granting of this concession on the foregoing basis was made in 1971 and subsequent years in order to give encouragement and assure the operation of a high-calibre Senior Inter-County Baseball Team in the City of Toronto.

In 1989, the Commissioner of Parks and Recreation was in receipt of a communication from Mr. Jack Dominico, President of MLBC, requesting that the agreement between the City and the Club for the operation of the refreshment concession in Christie Pits which expired on November 1, 1988, be renewed for a further period of five years from May 15 to November 1 in each of the years 1989 to 1993. Council at its meeting held on February 9 and 10, 1989, by the adoption of Clause 9 of Neighbourhoods Committee Report No. 3, authorized the application by the Toronto Maple Leaf Baseball Club to renew its right to sell refreshments from the concession building in Christie Pits.

Again in 1993, Mr. Dominico requested that the agreement be renewed for a further five years from May 15 to November 1 in each of the years 1993 to 1998. City Council, at its meeting held on August 30th and 31st, 1993 gave consideration to Clause 5, contained in Report No. 10 of the Neighbourhoods Committee, entitled "Operation of the Snack Bar Facility in Christie Pits Park". Council adopted the Clause without amendment, and in so doing:

1. Granted Mr. Jack Dominico, President of the Toronto Maple Leaf Baseball Club the right to operate the refreshment concession in Christie Pits Park for a further five year term, from May 1 to November 1 in each of the years 1994 to 1998, providing the City with an annual rental of \$1,000.00; and
2. Required Mr. Jack Dominico, to execute an agreement with the City with the same term and conditions noted in the previous contract which expired on November 1, 1993, and any other terms and conditions deemed appropriate by the City Solicitor.

In November of 1998, the contract for the operation of the refreshment facility in Christie Pits Park expired. Mr. Dominico had requested to continue to provide refreshment services from the concession facility for an annual rent of \$1,000.00 plus the payment of property taxes which are approximately \$600.00 annually. As Mr. Dominico continued to operate the snack bar since 1999, staff recommended that the City enter into a five year licensed agreement with MLBC for the term May 1, 1999 to October 31, 2003 through the Delegated Approval Process and subject to consent of the City, an option to renew the agreement for an additional term commencing May 1, 2004 and to expire on October 31, 2008.

ISSUE BACKGROUND

The City has had a long-standing agreement with Mr. Jack Dominico for over 37 years to operate the concession facility in Christie Pits Park. The Toronto Maple Leaf Baseball Club began play in 1969, in the Major Intercounty Baseball League, which is a competitive league playing in Southern Ontario. The League has been active since 1919, and its growing popularity is evident as more and more fans come out and support the games at Christie Pits Park.

Jack and Lynne Dominico, owners of the MLBC have been operating for close to 40 years and have a well-established working relationship with the City. The TMLBC pay a seasonal permit fee of \$12,613.00 for the use of the baseball diamond in Christie Pits Park.

COMMENTS

City Council has supported Mr. Jack Dominico, President of the TMLBC the right to sell refreshments in the concession building during the baseball season, without open tender. Mr. Dominico plans to continue to work closely with the community in sponsoring special event activities, including arranging for celebrity baseball players to attend various activities in support of the community. The TMLBC has provided the public with excellent baseball free of charge over these many years. In 2008, the TMLBC celebrated their 40th anniversary season in the Intercounty Baseball League and since their inception into the league, have won eight championships and twenty pennants.

CONTACT

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SIGNATURES

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General Manager, Parks, Forestry & Recreation