



Capital City Golf

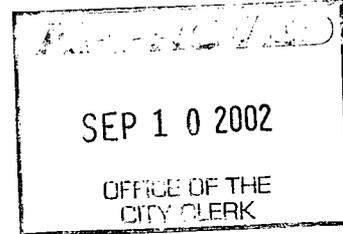
"The Exceptional Public Golf Experience"

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CITY OF SACRAMENTO
8325 RIVER ROAD
SACRAMENTO, CA 95832
TEL 916.433.6307
FAX 916.433.6317
www.capitalcitygolf.com

August 22, 2002

ANN WEAVER
GOLF MANAGER
aweaver@cityofsacramento.org



City Council
Sacramento, California

CG 2002-160

Honorable Members in Session:

SUBJECT: AUTHORIZATION TO EXECUTE LEASE AGREEMENT WITH SACRAMENTO TRAPSHOOTING CLUB, INC.

LOCATION AND COUNCIL DISTRICT: 3701 Fulton Avenue - District 2

RECOMMENDATION:

It is recommended that City Council, by resolution, authorize execution of a lease - with an initial term of two (2) years, with one 2-year extended term, and a second 1-year extended term with the Sacramento Trapshooting Club (STC), Inc. for the trapshooting facility property adjacent to the City's Haggin Oaks Golf Complex. A copy of the proposed lease agreement is on file with the City Clerk's Office.

CONTACT PERSON: Ann Weaver, Golf Manager (916) 433-6315

FOR COUNCIL MEETING OF: September 10, 2002

SUMMARY:

This report recommends that the City Council authorize the City Manager to execute a lease with the Sacramento Trapshooting Club (STC) for the trapshooting facilities owned by the City and located on Fulton Avenue adjacent to the Haggin Oaks Golf Complex. The STC has leased the site since the 1920's and desires to continue leasing the property for trapshooting purposes.

COMMITTEE/COMMISSION ACTION: None.

BACKGROUND INFORMATION:

The Sacramento Trapshooting Club (STC) is a non-profit organization which operates the trapshooting facility adjacent to the Haggin Oaks Golf Complex. The STC has been the steward of the site for over 60 years.

The most recent lease (City Agreement No. 99-098), expired on August 31, 2001, and has since been held over on a month-to-month basis.

The STC was given a notice of default for its failure to: 1) pay rent on time; 2) comply with environmental mitigation requirements; and 3) complete capital improvements under its existing lease with the City. To date, the STC has paid rents due and cured the environmental mitigation requirements of its existing lease. A condition of the proposed lease is that STC is required to resurface 100% of the parking lot within the leased Premises by September 1, 2003 or the agreement is terminated.

The Sacramento Trapshooting Club operates the trap shoot facility, conducts tournaments, maintains open use days to the public, and offers hunter safety programs to the public at no charge. It is the desire of the Sacramento Trapshooting Club to renew the lease with the City and continue to operate the trap shooting facility under these significant lease terms:

- Initial Term is two (2) years, beginning October 1, 2002 and continuing through September 30, 2004. The City and the Lessee also have the option to extend the lease term for up to one 2-year term and a second one (1) year extended term under the same terms and conditions of the lease;
- Lessee shall pay annual rent of six thousand dollars (\$6,000);
- Lessee shall charge users a \$1.00 surcharge that will be deposited in the City established environmental account - estimated annual contributions from the \$1.00 surcharge is up to \$3,500.
- Lessee shall pay an environmental fee of \$5,000 annually that will be deposited in the City controlled and established environmental account;
- The monies deposited in the environmental account shall be used for future environmental remediation of the site. For the years 1999, 2000 and 2001, \$15,329 has been deposited in the City-controlled Environmental Account (\$3,829 from per shoot fees and \$11,500 in annual fees).
- There are past STC insurance certificates that did not contain environmental exclusions, leaving the opportunity for the City to pursue prior insurance carriers for environmental remediation.
- City shall continue to investigate the highest and best use of the trap shoot property during the term of this lease;
- Lessee shall provide, at its sole cost and expense, capital improvements including resurfacing, re-striping and signage for the parking lot and Americans with

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Disabilities Act Guidelines (ADAG) compliance work at Lessee's sole cost and expense;

- Lessee shall perform, at its sole cost and expense, lead mining and removal of clay pigeon shards every two years;
- Lessee shall perform, at its sole cost and expense, soil testing to satisfy environmental concerns; and
- City Utility Department shall perform, at its sole cost and expense, water testing and soil test result analysis to satisfy environmental concerns.

FINANCIAL CONSIDERATIONS:

It is estimated that this lease will generate up to \$14,500 for the fiscal year, of that amount annual rent is \$6,000. Rental revenue generated by this lease agreement is deposited into the General Fund. A separate Environmental Account has been established in the City General Fund. This environmental account shall consist of an estimated up to \$3,500 annually from a \$1.00 surcharge applied to each user's fee, plus an additional \$5,000 deposited annually into this account by the Lessee in two bi-annual payments of \$2,500 each. Monies accumulated in the environmental account to be used for future environmental remediation of the site.

ENVIRONMENTAL CONSIDERATIONS:

The City's Office of Environmental Planning Services has determined that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Sections 15301 ("Operation, Repair, Maintenance or Minor Alteration of Existing Public or Private Structures, Facilities"), 15308 ("Actions by Regulatory Agencies for Protection of the Environment"), and 15323 ("Normal Operations of Facilities for Public Gatherings"). The project involves the operation of an existing facility used for the same purpose as has existed on the site for several decades. The new lease agreement does not involve an expansion of the use on this site, but will involve repair of the existing facility.

The lease requires that soil sampling be conducted annually by the lessee to determine the extent of contamination, if any. The lease also requires that monies in the environmental account from operation of the facility be used for possible environmental remediation of the site. The Water Quality Section of the Utilities Department will monitor the surface water runoff and, based upon results, will, if necessary, review a plan by Lessee to remediate soil contaminants and water runoff contaminants which will be subject to CEQA review.

POLICY CONSIDERATIONS:

The recommended action is consistent with the City's efforts to promote public/private partnerships in providing services to the community. The Sacramento Trap Shooting Club

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has been the steward of the site for over 60 years and operates as a 501C3 non-profit organization providing positive recreational services to Sacramento adults and youth. Further, the City Council proposed action is in accordance with Section 3.68.110F of the Sacramento City Code ("Leasing Without Bids – Negotiation of Terms").

In accordance with the City's Strategic Plan to enhance educational opportunities for the entire community, the Sacramento Trapshooting Club (STC) provides free Hunter Safety Classes. In accordance with the City's Strategic Plan to promote and support economic vitality, the STC will provide capital improvements to the City property by way of resurfacing the entire parking lot by September 1, 2003.

ESBD CONSIDERATIONS:

The Sacramento Trapshooting Club is not ESBD certified, but it is a non-profit organization, which has operated the trap shoot facility at this location for more than 60 years.

Respectfully submitted,



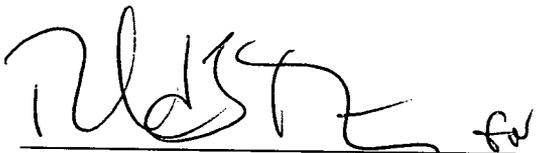
Ann Weaver, Manager
Capital City Golf Division

APPROVED:



Barbara E. Bonebrake, Director
Convention, Culture & Leisure Department

RECOMMENDATION APPROVED:



Robert P. Thomas, City Manager

APPROVED
SEP 10 2002
OFFICE OF THE
CITY CLERK

RESOLUTION NO. 2002-612

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AUTHORIZATION TO EXECUTE LEASE WITH SACRAMENTO
TRAPSHOOTING CLUB FOR THE TRAP SHOOTING FACILITY
LOCATED AT 3701 FULTON AVENUE**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. The City Council hereby authorizes the City Manager to execute without bidding, a lease agreement with the Sacramento Trapshooting Club to operate the trap shoot facility located at 3701 Fulton Avenue, adjacent to the Haggin Oaks Golf Complex, in accordance with the Sacramento City Code Section 3.68.110F.
 - A. This section of the Sacramento City Code states that, "The Council finds and determines that special circumstances make the use of the bid procedure inappropriate"
 - B. The Council finds that the special circumstances which apply under this Section are the interests of the City and the public, which are best served at this time by continuing to operate the trap shoot under the stewardship of the Lessee which has the experience of operating the activity for more than sixty (60) years.

2. All revenue, from the surcharge and the Lessee's contribution, deposited in the environmental account shall be in the complete control of the City for future environmental remediation of the trap shoot site.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO: _____

DATE ADOPTED: _____

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