



Atascadero City Council

Staff Report – Community Services Department

Property Lease Agreement and Operating Agreement for A BMX Track

RECOMMENDATIONS:

Council:

1. Authorize the City Manager to execute a Lease Agreement between the City of Atascadero and the Atascadero Mutual Water Company to use property at 6575 Sycamore Road as a BMX Track; and,
2. Authorize the City Manager to execute a License Agreement between the City of Atascadero and Atascadero BMX for the Track operations. [Community Services]

DISCUSSION:

Atascadero BMX is a California, not-for-profit corporation formed to construct, operate and maintain a BMX facility in Atascadero. Atascadero BMX has been working with the City to locate land for a BMX track. The City is seeking to obtain a leasehold on land owned by Atascadero Mutual Water Company at 6575 Sycamore Road for the track site. Atascadero BMX is requesting long-term access to this property through an operating agreement for the purpose of building a BMX track and facility. Construction and operation of the facility was approved by the Planning Commission in November of 2007.

The attached operating agreement states that:

- Atascadero BMX shall pay the City \$1.00 per year for use of the land.
- Term is for three years.
- The land may only be utilized for the construction of a bicycle motor-cross sports track and related facilities and the management, supervision, and scheduling of events on same.
- The City shall approve Atascadero BMX's scheduling of the facility and the facility must be open to the general public.
- Atascadero BMX must maintain appropriate insurance.

- Atascadero BMX shall construct at their own expense a fenced-in track with portable restrooms during events.
- Atascadero BMX may operate concessions.

The attached property lease agreement states that:

- The term is for three years, with an automatic one-year extension period.
- The site is approximately 3.06 acres.
- The annual “rent” shall be \$1 per year for use of the land.
- The agreement provides for the City to permit Atascadero BMX to operate the track under a separate license agreement with the City.
- The City and Atascadero BMX shall indemnify the Water Company

FISCAL IMPACT:

BMX is responsible for all maintenance and operating costs of the facility. There will be a minimal expense to the City in staff needed to administer the agreements.

ALTERNATIVES: Do not approve, or modify one or both of the agreements.
Ask Staff for additional information.

ATTACHMENTS:

- A. Property Lease Agreement
- B. License Agreement for Services