

AGENDA REPORT

DATE January 18, 2005

ITEM Approve Lease

INITIATED BY American Legion Baseball Programs

ACTION REQUESTED Conduct Public Hearing and Approve Lease

PREPARED AND PRESENTED BY Patty Gumenberg, Interim Park & Recreation Director

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RECOMMENDATION:

Staff recommends that the City Commission conduct a public hearing and barring sufficient protest approve the lease of City park land to the American Legion baseball programs.

MOTION:

"I move the City Commission approve the lease of City park land to the American Legion baseball programs."

SYNOPSIS:

The proposed lease with the two American Legion baseball programs, the Electrics and the Stallions, would be for three (3) years with a two (2) year renewable option. The leased park land would be Lot 3, Block 1, Missouri River Manor Addition, which is home of Don Olson baseball field.

The rental would be five hundred dollars (\$500) per year. The Legion programs would be responsible for improvements, upkeep and groundskeeping, with the exception of mowing. The City would be responsible for water costs for irrigation, up to a maximum of one thousand dollars (\$1,000) per year. This has been accepted policy with other baseball programs and is recommended in the Park and Recreation Master Plan.

BACKGROUND:

The Park and Recreation Master Plan recommended that the City's responsibility should be to provide land for youth sport organizations. The American Legion programs have a baseball field located at 17th Avenue and 13th Street South on property formerly owned by Peak Medical Corporation (aka Missouri River Manor). Peak Medical planned to build a seventy (70) unit assisted living care facility on this property. Loss of a playing field would have been detrimental to the American Legion baseball programs.

In an effort to facilitate the continued use by the baseball programs, the City Commission, on June 15, 1999, approved the trade of a portion of Highland Park (Lot 1, Block 1, Missouri River Manor Addition) to Peak Medical for Lot 3, Block 1, Missouri River Manor Addition. With this property now in City ownership, a lease agreement is necessary to allow American Legion baseball use.

As required by Title 3, Chapter 12, OCCGF, before final consideration of a lease of City property, the City Commission shall hold a public hearing. Bids were not solicited for this lease since City ordinance provides an exception "where the use is to continue for a public purpose and the same is subject to a revision to the City should use ever be changed to any other purpose". In addition, the City acquired this property for the expressed use by American Legion baseball.

The Park and Recreation Board, at its January 10, 2005 meeting approved /disapproved the lease with the American Legion Baseball program.