

Oakland City Attorney's Office

2006 JUN 29 PM 2:23

OAKLAND CITY COUNCIL

RESOLUTION No. 80088 C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE A CONCESSIONAIRE AGREEMENT BETWEEN THE CITY OF OAKLAND AND METROPOLITAN EQUESTRIAN PRESERVATION SOCIETY TO OPERATE AND MANAGE EQUESTRIAN PROGRAMS AND PROVIDE FACILITY IMPROVEMENTS TO OAKLAND CITY STABLES, LOCATED AT 13560 SKYLINE BOULEVARD, OAKLAND, CALIFORNIA FOR A FIVE YEAR TERM WITH THREE CONSECUTIVE FIVE YEAR OPTIONS TO RENEW

WHEREAS, the City is the fee simple owner and the Office of Parks and Recreation is the custodial agency of the real property located at 13560 Skyline Boulevard, Oakland, California, known as "City Stables"; and

WHEREAS, City Stables offers a unique opportunity to provide specialized programs to underserved youth in Oakland; and

WHEREAS, the City wishes to preserve City Stables' natural beauty and utilize the property as an equestrian center; and

WHEREAS, the City has been engaged in a search for an appropriate concessionaire for City Stables since September 2004; and

WHEREAS, the Metropolitan Equestrian Preservation Society, "MEPS" has as its vision to revitalize City Stables and bring back the joy of horses and the equestrian arts to the people of Oakland; and

WHEREAS, MEPS demonstrated a commitment to the City's goals for the site to offer equestrian and other programs to inner city youth while addressing the need for necessary capital improvements in order to make City Stables a self-sustaining operation; and

WHEREAS, the MEPS youth program plan is extensive and includes programs specially designed to serve youth at-risk, introduce children to animal care and feeding, horse riding techniques, stable operations and nature activities as well as ecology, environmental sustainability and gardening; and

WHEREAS, the MEPS capital improvement plan for City Stables is in keeping with the overall goals of the 1996 Master Plan for the site in that it retains the existing structures, provides for maintaining the site's use as an equestrian facility and enhances the site's assets for better community use; and

WHEREAS, the City acknowledges there are merits to the MEPS capital improvements project and proposal to amend the Master Plan and that MEPS will undergo a thorough public process; and

WHEREAS, pursuant to the concessionaire agreement, MEPS will not be allowed to make or permit to be made any alterations or additions to the property during the term of the agreement without the prior written consent of the City and will further be required to acquire all necessary permits to do any work and comply with the terms of any permits and all applicable rules, regulations and laws; and

WHEREAS, pursuant to the concessionaire agreement the use of the property will be restricted to boarding of horses, operating horse riding programs, program and stable related business activities, horse shows and clinics, horse demonstrations and related equestrian activities, community outreach and educational activities, gardening and horticultural programs, family and community gatherings, housing for a caretaker, and operation of a business office; and

WHEREAS, pursuant to the concessionaire agreement MEPS will, at no cost to the City, operate group youth riding and associated equestrian programs on the property specifically targeting Oakland youth for participation with a goal of 80% of youth participants at the site residing in Oakland; and

WHEREAS, pursuant to the concessionaire agreement MEPS will be required to pay to the City, as concession revenues, an amount equal to five percent (5%) of the monthly gross receipts from all operating activities including boarding operations, program fees, lessons, and arena fees, unless waived by mutual agreement; and

WHEREAS, the City of Oakland Office of Parks and Recreation conducted a competitive process in its search for a concessionaire and has determined that it is appropriate to recommend MEPS as the concessionaire for City Stables; now, therefore, be it

RESOLVED: that the City Council hereby authorizes the City Administrator to negotiate and execute a concessionaire agreement between the City of Oakland and Metropolitan Equestrian Preservation Society to operate and manage equestrian programs and provide facility improvements to Oakland City Stables, located at 13560 Skyline Boulevard, Oakland, California for a five year term with three consecutive five year options to renew; and be it

FUTHER RESOLVED: That the Office of the City Attorney has approved this resolution as to form and legality and a copy will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 25 2006, 20____,
PASSED BY THE FOLLOWING VOTE:

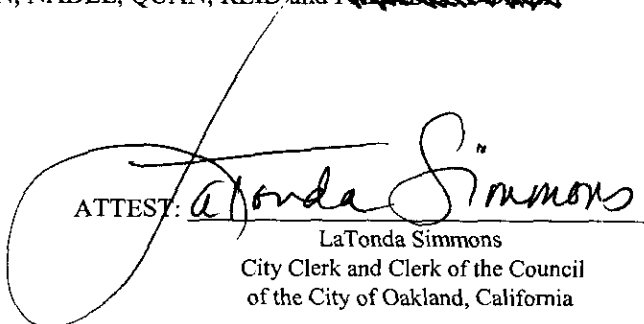
AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and ~~RODRIGUEZ~~
~~RODRIGUEZ~~ - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused - De La Fuente - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California