

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

Macanlay
City Attorney

2015 APR 16 **ORDINANCE NO. 13309 C.M.S.**

ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A LICENSE AGREEMENT WITH METROPOLITAN HORSEMEN'S ASSOCIATION TO MANAGE SEQUOIA ARENA AND CLUBHOUSE AND PROVIDE EQUESTRIAN AND RELATED ACTIVITIES FOR A FIVE-YEAR TERM WITH TWO FIVE-YEAR OPTIONS TO RENEW

WHEREAS, Metropolitan Horsemen's Association ("MHA") is a public non-profit organization founded in 1938 and dedicated to providing equestrian recreation and related activities; and

WHEREAS, MHA provides a valuable community program that teaches volunteerism, camaraderie and responsibility while keeping the legacy of equestrian activities alive and well in Oakland and the East Bay Area for Oakland youth and the community at large; and

WHEREAS, the current agreement between MHA and the City has expired and a proposed five year agreement with two five-year options to renew without returning to Council has been prepared; and

WHEREAS, MHA shall use Sequoia Arena and the Clubhouse building year round; and

WHEREAS, MHA will be responsible for organization, management and maintenance at the Sequoia Horse Arena and Clubhouse building; and

WHEREAS, the proposed agreement provides that MHA agrees to pay the City two hundred dollars (\$200.00) per month for the first year, and the rental rate for each successive year will increase by a percentage equal to the percentage change in the Consumer Price Index; and

WHEREAS, MHA shall not make any improvements or adjustments at the property without written approval by the City Administrator or designee; and

WHEREAS, the agreement shall include a requirement for MHA to submit an annual calendar showing the availability of Sequoia Arena; and

WHEREAS, MHA shall comply with the City's Special Event Access for People with Disabilities as stated in the Declaration of ADA Compliance for Facility Use Agreements and Other Special Events Agreements; and

WHEREAS, the City Administrator has determined that the value of the in-kind services provided by MHA results in a net benefit to the City that is equal to or exceeds 75% of the fair market rent for the Sequoia Arena and Clubhouse; and

WHEREAS, Oakland Parks & Recreation shall be responsible for scheduling the use of the Sequoia Arena by other groups;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The Oakland City Council authorizes the City Administrator to execute a license agreement with Metropolitan Horsemen's Association to manage the Sequoia Arena and Clubhouse and provide equestrian and related activities for a five-year term with two five-year options to renew without returning to Council.

SECTION 2. That pursuant to Oakland Municipal Code 2.42.110 and based on the value of the in-kind services provided by MHA as discussed above and in the City Administrator's report accompanying this Ordinance, the City Council hereby finds that this license agreement is in the best interest of the City.

SECTION 3. The City Council hereby waives any requirement for competitive bidding of this license.

SECTION 4. The proposed license agreement shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 02, 2015

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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

Introduction Date
MAY 19 2015

Date of Attestation: June 3, 2015

NOTICE AND DIGEST

ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A LICENSE AGREEMENT WITH METROPOLITAN HORSEMEN'S ASSOCIATION TO MANAGE SEQUOIA ARENA AND CLUBHOUSE AND PROVIDE EQUESTRIAN AND RELATED ACTIVITIES FOR A FIVE-YEAR TERM WITH TWO FIVE-YEAR OPTIONS TO RENEW

This Ordinance would authorize a license agreement with Metropolitan Horsemen's Association to use and manage the Sequoia Arena and Clubhouse and provide Equestrian related activities for a five year term, with two options to renew the license for five years each, in return for in kind services provided by MHA and a license rental rate of \$200 a month for the first year, adjusted each year thereafter by a percentage equal to the percentage change in the consumer price index.