



M E M O R A N D U M
DEPARTMENT OF PUBLIC WORKS
AND FACILITIES
PROPERTY MANAGEMENT DIVISION
County of Placer

TO: Board of Supervisors

FROM: Ken Grehm, Director of Public Works and Facilities
By: Laurie Morse, Property Manager

DATE: March 22, 2016

SUBJECT: Property Management / Ground Lease / Foresthill Swimming and Recreation Corporation / Foresthill Leroy Botts Memorial Park

ACTION REQUESTED

Adopt a Resolution authorizing the Director of Public Works and Facilities, or designee, to execute the Ground Lease with the Foresthill Swimming and Recreation Corporation allowing continued use and operation of the pool facilities located at the Foresthill Leroy Botts Memorial Park for 10 years, renewed annually thereafter, at an annual rent of \$1.00.

BACKGROUND

Foresthill Leroy Botts Memorial Park is an 18-acre County park located at 24601 Harrison Street, Foresthill, California designated as Assessor's Parcel No. 007-190-012-000 (Park). The County maintains several public amenities at this Park, including ball fields, picnic areas, playgrounds, tennis courts, volleyball and basketball courts, and horseshoe pits. The Foresthill Swimming and Recreation Corporation (Corporation) also maintains and operates a public swimming pool in the Park where the Corporation hosts public swimming events and instructional programs. This swimming pool and accessory buildings (Pool Improvements) were constructed by the Corporation on the approximately 12,000 square foot area adjacent to the Park's parking lot and the Foresthill Veterans Memorial Hall (see Premises Map). The Corporation was authorized to construct these Pool Improvements pursuant to a February 11, 1969 Board Resolution that did not include a requirement to obtain a license or lease from the County.

In May 2014, the Corporation approached the Parks and Grounds Division for approval to perform additional improvements to the Premises and County staff determined that the Corporation's continued use of the Pool Improvements should be conditioned on the Corporation entering into a Ground Lease with the County. While the Corporation has historically performed all obligations necessary to maintain and operate the Pool Improvements, this Ground Lease is necessary to memorialize the Corporation's continued responsibility associated with their use and operation of the Premises. The Lease will ensure that the County has no future obligations and costs associated with the Pool Improvements and Premises. Key terms include the Corporation's obligation to have sole responsibility for all utilities, repair, maintenance, and compliance with local, state and federal rules and regulations (e.g., Americans with Disabilities Act, and environmental, health, and safety laws). Property Management has successfully negotiated a Ground Lease that contains these terms and grants the Corporation use of the Premises for ten years following execution the Ground Lease with annual renewals thereafter. In recognition of the benefits associated with the public pool facilities in Foresthill and the Corporation's acceptance of all costs and responsibility associated with the Pool Improvements and Premises, rent will be fixed at \$1.00 per year. The Ground Lease can be terminated early by the Corporation without cause upon written notice to the

County. Upon termination or expiration, the Corporation is required to leave the Premises in a condition that does not violate any laws or regulations.

In order to allow the Corporation's continued use of the Premises for their provision of pool facilities to the Foresthill community, it is requested that your Board adopt the Resolution authorizing the Director of Public Works and Facilities, or designee, to execute the Ground Lease. A copy of the Ground Lease is on file and available for review at the Clerk of the Board's office.

ENVIRONMENTAL IMPACT

Approval of this Ground Lease is Categorical Exempt from review pursuant to Section 15301 of the California Environmental Quality Act. This Section provides for activities, including leasing of existing facilities, when there is no expansion of use beyond that previously existing.

FISCAL IMPACT

The approval of the Ground Lease will result in no additional cost to the County as all costs associated with the operations and maintenance of the Premises will continue to be the Corporation's sole responsibility. The \$1.00 annual rent paid by the Corporation will be applied to the Parks and Grounds budget.

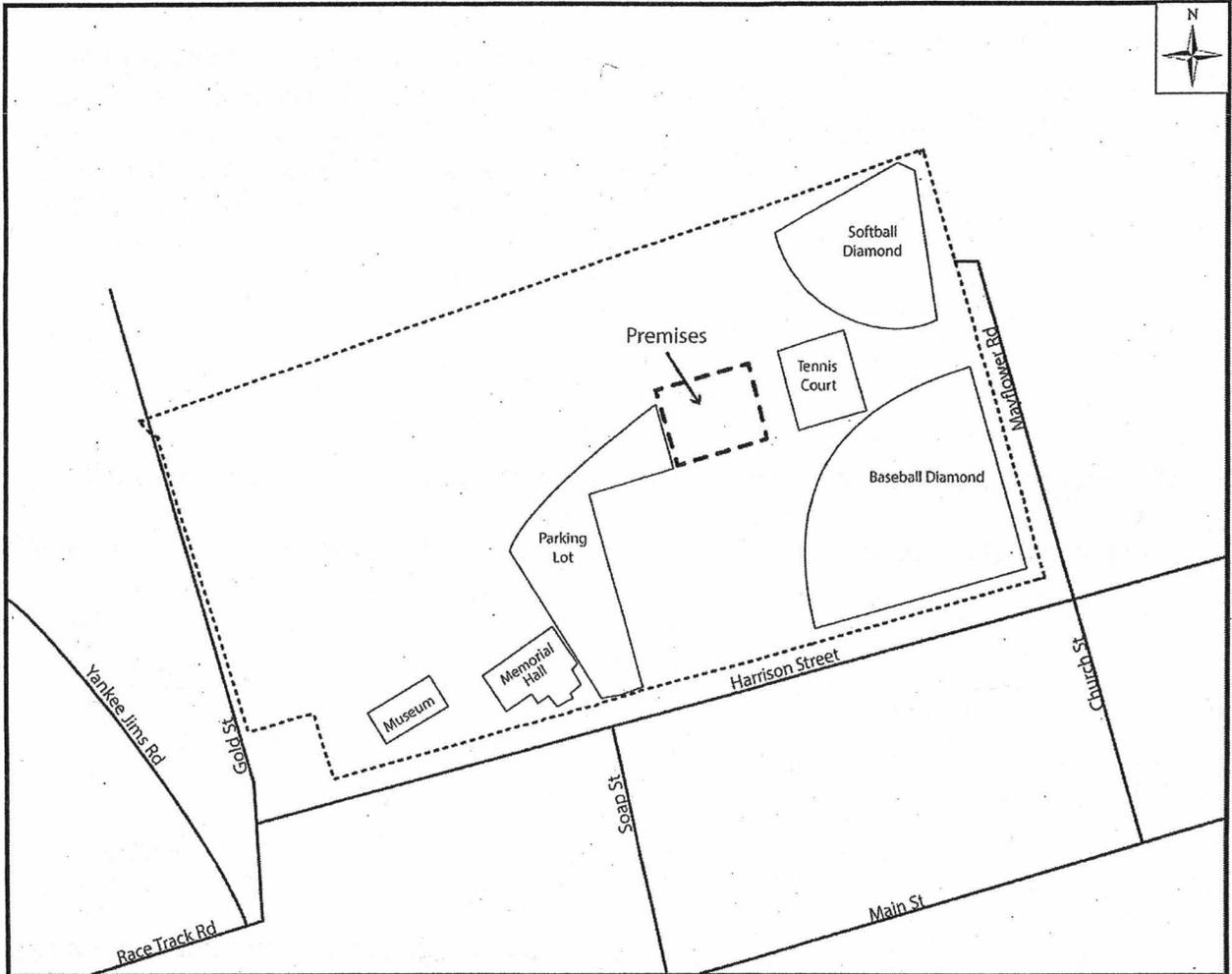
ATTACHMENTS

Premises Map
Resolution

On File with the Clerk of the Board: Ground Lease Agreement

PREMISES MAP

FORESTHILL – LEROY E. BOTTS MEMORIAL PARK



**Before the Board of Supervisors
County of Placer, State of California**

In the matter of: A Resolution authorizing the Director of Public Works and Facilities, or designee, to execute, and administer the ground lease between The County of Placer and The Foresthill Swimming and Recreation Corporation

Resolution No.: _____

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:

Clerk of said Board

WHEREAS, County owns the 18-acre park located at 24601 Harrison Street in Foresthill, located in the County of Placer, State of California, designated as Assessor's Parcel No. 007-190-012-000, and known as the Leroy E. Botts Memorial Park (Park); and

WHEREAS, on February 11, 1969, the County granted permission to the Foresthill Swimming and Recreation Corporation (Corporation) to construct a swimming pool and other accessory buildings on an approximately 12,000 square foot area located at the Park (Premises) without the obligation to enter into a license or lease with the County; and

WHEREAS, the County desires to memorialize the Corporation's rights and obligations associated with its continued occupy and use of the Premises prior to granting funding towards the Corporation's planned improvements; and

WHEREAS, the County and the Corporation have agreed to the key terms associated with a Ground Lease.

BE IT RESOLVED, that the Placer County Board of Supervisors does hereby delegate authority to the Director of Public Works and Facilities, or designee, to execute, and administer said Ground Lease between County of Placer and the Corporation for the continued use and occupancy of the Premises at the Park following approval by County Counsel and Risk Management.

