THE CITY OF ASHEVILLE

**STAFF REPORT**

**Council Meeting Date**: June 14, 2022

**Subject:** Two year lease with the East Asheville Youth Activities Booster Club

**Staff Resource(s)**: D. Tyrell McGirt , Director, Parks and Recreation
Christy Bass, Focus Area Manager, Parks and Recreation

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute a lease agreement between the East Asheville Youth Activities Booster Club and the City of Asheville for Charlie Bullman Park, located at New Haw Creek Road and Bell Road.

**Background:**

- The recreation area known as the Charlie Bullman Park is owned by the East Asheville Youth Activities Booster Club (East Asheville).
- In 2011, the City of Asheville entered into a lease agreement with East Asheville for property located at New Haw Creek Road and Bell Road.
- The property and existing site improvements have been used exclusively for recreational purposes.
- The park is needed for recreational programming activities serving East Asheville.
- This lease is beneficial to the Parks and Recreation Department because it allows the department to support youth recreation sports, specifically baseball, softball and t-ball.
- The most recent lease expired in August 2021, and the City approached East Asheville expressing interest in renewing the lease for an additional 2 (two) years at the current rate of $1.00 per year.
- East Asheville is agreeable to an extension of the lease for another 2 years.
- Existing terms of the lease will continue, such as the City's commitment to maintain the facilities, make any necessary repairs, and cover all utility costs.

**Council Goal(s)**

- A Well Planned and Livable Community

**Pro(s):**

- City utilizes the facility for nominal rent.
- City is free to make any improvements it deems appropriate.

**Con(s):**

- The City is responsible for maintaining the facility during the term of the lease.

**Fiscal Impact:**

- The lease commits the City to costs to maintain the facility.
- Parks and Recreation staff, however, negotiate with local leagues relative to the provisions of a Memorandum of Understanding (MOU).
- This MOU specifies and limits the City's obligation to issues such as field readiness for play.

**Suggested Motion:**

- Motion to adopt a resolution authorizing the City Manager to execute a lease agreement with East Asheville to continue recreational programming at this site.

**Attachment(s):**

- Resolution
- Site Map

RESOLUTION NO. 22-_____

RESOLUTION AUTHORIZING A LEASE AGREEMENT BETWEEN EAST ASHEVILLE YOUTH ACTIVITIES BOOSTER CLUB, INC., AND THE CITY OF ASHEVILLE FOR CHARLIE BULLMAN PARK AT 719 NEW HAW CREEK ROAD IN ASHEVILLE

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WHEREAS, N.C. Gen. Stat. sec. sec. 160A-19 and N.C. Gen. Stat. sec. 160A-240.1 authorize the City to acquire leases of real property for use by any department of the City; and

WHEREAS, East Asheville Youth Activities Booster Club Inc.is the owner of real property located at 719 New Haw Creek Road, identified as PIN # 9659-92-4876-00000; and

WHEREAS, the City of Asheville would like to extend the existing lease for an additional two year term; and

WHEREAS, the rental beginning June 1, 2022 for the leased premises will be $1.00 per year;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute an amendment to the existing Lease Agreement between East Asheville Youth Activities Booster Club, Inc. and the City of Asheville for Charlie Bullman Park at 719 New Haw Creek Road at PIN 9659-92-4876-00000. In addition, the City Manager is hereby authorized to execute any and all documents necessary to give effect to this resolution, subject to approval by the City Attorney, and compliance with applicable North Carolina law.

Read, approved and adopted this 14th day of June, 2022.

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City Clerk Mayor

Approved as to form:

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City Attorney