

RESOLUTION NO. 2011-198

Adopted by the Sacramento City Council

April 5, 2011

TERMINATION OF THE LEASE BETWEEN THE CITY OF SACRAMENTO AND NATOMAS YOUTH BASEBALL, INC. (CITY AGREEMENT NO. 2007-0321) FOR OPUS FIELDS AT THE NATOMAS BASEBALL COMPLEX (L19180000)

BACKGROUND:

- A. On April 3, 2007, City Council adopted Resolution No. 2007-194 approving agreements for the OPUS Fields at the Natomas Baseball Complex, including approval of the facility name, certifying the EIR Addendum, approving the Master Plan, and approving the Memorandum of Understanding and Lease Agreement between the City of Sacramento and Natomas Youth Baseball.
- B. On October 26, 2007, the 1st Amendment to the Lease Agreement was approved as City Agreement No. 2007-0321-1, and on September 9, 2008, the 2nd Amendment to the Lease Agreement was approved in City Resolution No. 2008-616.
- C. The improvements at the OPUS Fields at the Natomas Baseball Complex were to include development of a 20.03-acre regional baseball complex adjacent to a 3.8-acre neighborhood park located in South Natomas.
- D. The Lease Agreement and subsequent amendments required the improvements to be completed and accepted by September 15, 2010; however, the required improvements were not developed due to funding limitations. Natomas Youth Baseball is willing to terminate the Lease.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Manager, or City Manager's designee, is authorized to terminate the Lease Agreement (City Agreement No. 2007-0321) between the City of Sacramento and Natomas Youth Baseball for the OPUS Fields at the Natomas Baseball Complex.
- Section 2. The South Natomas Sports Complex CIP (L19180000) is hereby closed and the remaining fund balance of \$1,117,456.24 is to be transferred back to the South Natomas Capital Improvement Fund (SNCIF) contingency.

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Exhibit A: Lease Termination Form

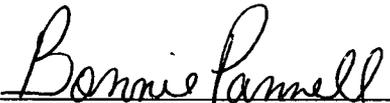
Adopted by the City of Sacramento City Council on April 5, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy.

Noes: None.

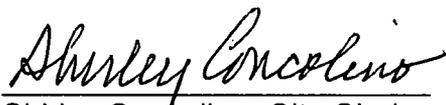
Abstain: None.

Absent: Mayor Johnson.



Bonnie Pannell, Vice-Mayor

Attest:



Shirley Concolino, City Clerk

**MUTUAL TERMINATION OF THE LEASE BETWEEN THE CITY OF SACRAMENTO
AND NATOMAS YOUTH BASEBALL, INC. (City Agreement No. 2007-0321)**

The City of Sacramento, a municipal corporation ("City"), and Natomas Youth Baseball, Inc., a California nonprofit corporation ("NYB"), are the parties to a lease of real property designated as City Agreement No. 2007-0321 (City Agreement No. 2007-0321 and all its amendments are collectively referred to as the "Lease"). The City and NYB agree that the Lease is hereby terminated.

CITY OF SACRAMENTO,
a municipal corporation

By: _____
Gus Vina, Interim City Manager

Attest:

CITY CLERK

Approved As To Form:



Michael T. Sparks, Senior Deputy City Attorney

NATOMAS YOUTH BASEBALL,
a California nonprofit corporation

By: 

Signature


Title

By: _____
Signature

Title