



## Legislation Text

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File #: 20-0215, Version: 1

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Resolution Authorizing the Execution of a License Agreement between the City of Hampton and the Hampton BMX Athletic LLC to use approximately 2.6 Acres of Gosnold's Hope Park

### **PURPOSE/BACKGROUND:**

Hampton BMX Athletic LLC, a successor of Hampton BMX LLC, is a group organized to promote, operate, and support the recreational activities of Bicycle Motocross (BMX) racing. In 1978, pursuant to a license agreement with the City of Hampton, the Hampton BMX track was constructed in Gosnold's Hope Park. The City of Hampton has supported the use of the approximately 2.6 acres for Hampton BMX continuously for over 35 years. Earlier this year, the prior license agreement was found to have expired; however, due to the pandemic a temporary agreement was put in place for three months to allow time to come before Council. The temporary license agreement will expire on September 3, 2020. Hampton BMX Athletic LLC desires to continue the use of Gosnold's Hope Park for bicycle motocross racing.

### **Discussion:**

The City of Hampton has a longstanding arrangement for use of the Hampton BMX track in Gosnold's Hope Park through the issuance of license agreements. While this revocable license agreement does not involve a financial exchange, Hampton BMX Athletic LLC, as the licensee, is solely responsible for all applicable taxes and fees including but not limited to real property taxes, stormwater fees, and personal property taxes.

In addition, Hampton BMX Athletic LLC is required to maintain liability insurance covering all structures, improvements, and activities, and is responsible for the overall maintenance of the licensed premises.

The attached License Agreement is for a term of three years (from September 3, 2020 to September 3, 2023) with the option to renew for one additional, two year term.

The license agreement is revocable at any time, for any reason or no reason, upon giving sixty (60) days written notice to Hampton BMX Athletic LLC.

### **Impact:**

Hampton BMX Athletic LLC provides a service to the community of BMX riders and can increase revenue through events hosted. Its goal is to provide riders, their families, and friends with a safe place to come together to share their passion of the sport of BMX racing. By executing this license agreement, the City of Hampton will continue the longstanding use of these approximately 2.6 acres for bicycle motocross racing.

### **Recommendation:**

Conduct a public hearing and approve the Resolution.

**WHEREAS**, Hampton BMX Athletic LLC is organized to support bicycle motocross racing within the City of Hampton;

**WHEREAS**, the City owns a parcel of land commonly known as Gosnold's Hope Park;

**WHEREAS**, Hampton BMX Athletic, LLC and its predecessors have utilized a portion of Gosnold's Hope Park consisting of approximately 2.6 acres for its bicycle motocross racing activities for the past 35 years pursuant to a license agreement;

**WHEREAS**, the term of the temporary license agreement expires on September 3, 2020 and Hampton BMX Athletic, LLC desires to continue to utilize the aforesaid portion of Gosnold's Hope Park for its bicycle motocross racing on the terms and conditions set forth in the proposed license agreement; and

**WHEREAS**, the Council has determined that the terms and conditions of the license agreement are acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Hampton, Virginia, that it approves the license agreement to use approximately 2.6 acres of real property at Gosnold's Hope Park to Hampton BMX Athletic LLC and, accordingly, the City Manager, or her designee, is hereby authorized to execute and deliver to Hampton BMX Athletic LLC the license agreement in substantially the same form as attached hereto.