



NO. 5
3-20-07

CITY COUNCIL AGENDA

MEETING DATE: MARCH 20, 2007

TO: CITY COUNCIL/ CITY MANAGER

1200

FROM: PARKS AND RECREATION DEPARTMENT

R=4/09

SUBJECT: AGREEMENT WITH AMERICAN GOLF CORPORATION
(SAFETY NETTING)

Approved for Agenda:

A handwritten signature in black ink, appearing to be "C. Lee", is written over a horizontal line. Below the line, the text "City Manager's Office" is printed.

SUMMARY

Fairway Village residents spoke during the public comments section of the October 17, 2006 City Council meeting. The residents complained about the number of golf balls from the Fullerton Municipal Golf Course driving range hitting their homes and yards. City staff contracted a firm to conduct a trajectory study to determine what the required height of the netting behind the driving range should be to eliminate the golf balls entering the residents' property. American Golf will be contracting a firm to install the netting. The cost to install the netting is approximately \$180,000, which staff is proposing to give American Golf as a credit to their lease payments.

RECOMMENDATION

That the City Council approve a credit to the lease payments made by American Golf for the installation of the netting at the driving range, which is approximately \$180,000.

PROPOSED COSTS

The project will cost approximately \$180,000 in reduced revenue in the Brea Dam Fund.

DISCUSSION

Last summer, residents behind the Fullerton Golf Course driving range began voicing their concerns about the number of golf balls that were hitting their homes. American Golf implemented a plan to reduce the number of golf balls that were entering the residents' properties. Their plan included repairing the netting, monitoring the driving

range, replacing their range balls with limited flight yellow balls, and repainting the lines at the tee boxes and signs. This did not eliminate the balls from entering the residents' properties.

During the public comment section of the October 17, 2006 City Council meeting, residents behind the driving range complained about the number of golf balls from the driving range entering their homes and damaging their property. Staff met the following week with American Golf to discuss what should be done to resolve the golf ball issue at the driving range. It was determined that the best way to eliminate the golf balls from entering into the residential property would be to increase the height of the netting at the end of the driving range. To determine the height of the netting, a trajectory study would need to be completed.

The City Manager and staff agreed that the costs of the study and netting should be the City's responsibility and that American Golf would contract for the installation and receive a rent credit from the City. West Coast Netting conducted the trajectory study and cost estimates. The study indicated that the current 50' netting was too short. The height suggested by the study is 100' to catch the average golfer's golf balls (see Attachment A). American Golf has suggested an additional increase of 20' to 120' to catch above-average golfers and to accommodate future developments in golf technology.

American Golf received two quotes to install the netting. Both were approximately \$170,000. In addition, the netting along the City's trail, which runs through the golf course, also needs to be replaced. The cost for the trail netting is approximately \$10,000 (see Attachments B and C).

American Golf provides the City with approximately \$380,000 to \$430,000 in annual revenue while having spent approximately \$2.2 million in improvements to the golf course over the last four years. The golf course sustained a large amount of damage during the heavy rains in 2004 and 2005. The City has not participated financially in infrastructure repairs since American Golf began operating the golf course for the City in 1979. Although the current lease allows American Golf to terminate the lease if damage for one occurrence exceeds \$200,000, American Golf has never invoked this option.

for Grace Miranda-Lowe
Ron Molendyk
Parks and Recreation Director

Alice Loya
Alice Loya
Administrative Manager

Attachments: A: Trajectory Study
B: Quote from West Coast Netting
C: Quote from Judge Netting

City of Fullerton
Golf Trajectory Study

Prepared by

West Coast Netting
5075 Flightline Dr.
Kingman, Az 86401
Ph # 928-692-1144
Fax # 928-692-1501

On

December 5, 2006

SCOPE

West Coast Netting was commissioned by the City of Fullerton Park and Recreation to review the existing golf driving range at the City of Fullerton Municipal Golf Course and determine the height of the back netting fence that would be needed to protect the existing houses.

West Coast Netting's qualifications

West Coast Netting was started in 1955 in the City of Industry, as a volleyball sports netting supplier to Los Angeles Unified School District. In 1974, the company moved to a 25,000 sq ft, 6 acre building in Rancho Cucamonga, Ca. WCN purchased it's first knotted netting machine in 1976 and became a domestic manufacturer of netting. In 1994, the company made it's move to the current location in Kingman, AZ, growing to a 100,000 sq ft manufacturing facility on 13 acres. In the last 10 years, the company has purchased another knotted machine and two knotless machines, becoming the only domestic manufacturer of both knotted and knotless netting. Other notable milestones:

- Designed and manufactured Nomex safety netting for the Space Shuttle.
- 1996, started designing , engineering and fabrication of steel poles for golf and baseball fencing.
- Only domestic company to manufacturer its own netting, design and fabricate its own poles and install with its own crews.
- Manufactures netting using cutting edge material like Spectra, Vectran, and Nomex.

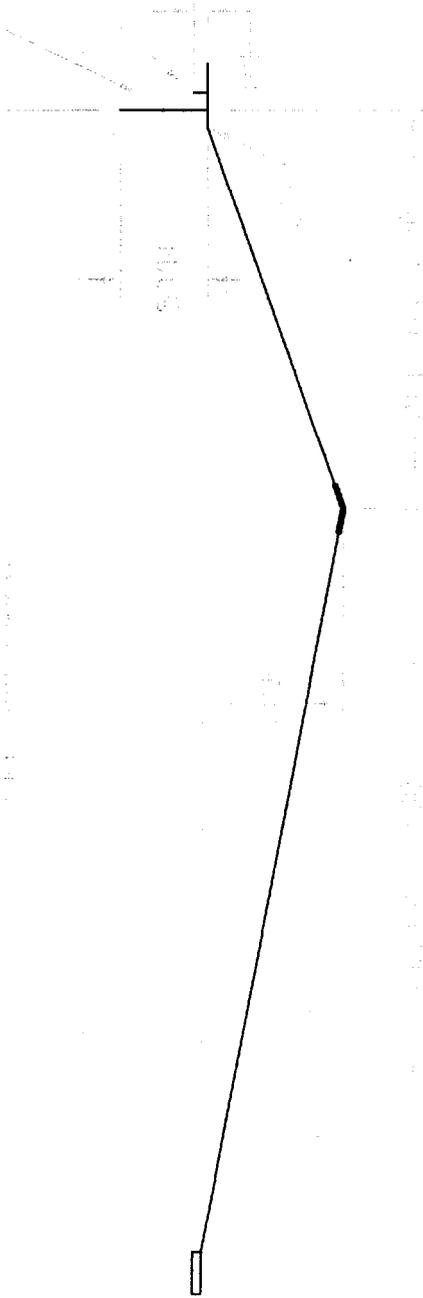
- Design, built and installed baseball backstops for Los Angeles Dodgers, Los Angeles Angels of Anaheim, and others.
- Design and build in-flight refueling equipment for the U.S. military.
- Current customer list includes, US Army, Homeland Security, Air Force, Marines, Navy, Disney, Universal Studios, American Golf, White Cap Industries, etc.
- Current gross revenue in excess of 8 million, 60 + employees.

Existing Driving Range

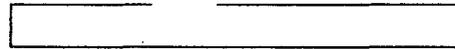
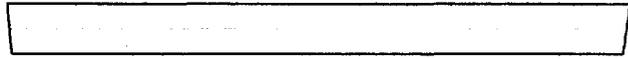
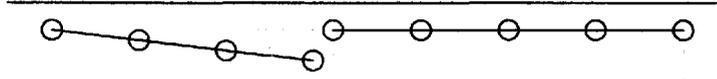
The existing Municipal driving range is 255' wide at the tee line, total depth of the range is 201 meters (659 feet, 219.67 yards). There are two existing 50' high wood netting fences at the back of the range, 150' and 200' long respectively. Behind the 50' high netting fences is an 8' chainlink fence that runs the width of the range. Two additional 8' high chainlink fences run from the tee line to approximately 60' down the depth of the range. The driving range slopes down to a V concrete culvert approximately 430' down range, the culvert is 80' below grade from the tee line. The back fence is -3 feet from the tee line grade. Homes are located behind the back 8' high chainlink fence approximately 25 feet. (see CAD drawing for existing layout).

Plate 3 of 29

Existing 300
Overhead Power



Existing 300
Overhead Power



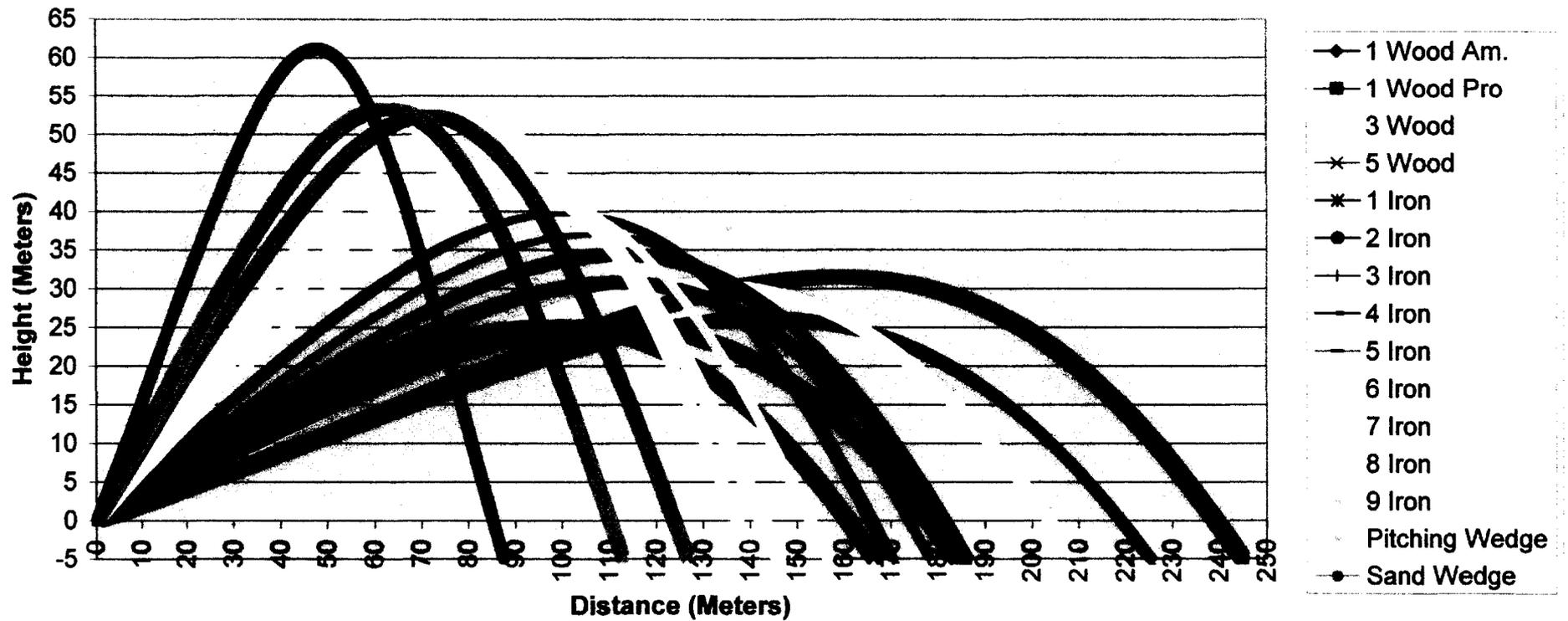
WEST COAST NETTING	
Scale 12/5/06	Author J. Koch
Existing Layout	
Fullerton Golf Course 1	

Trajectory Study Program

The point of the program is to allow customers to better understand golf course layout as compared to fence heights and potential liabilities.

West Coast Netting commissioned a National recognized independent research institution to produce a computer program that allows the user to correctly estimate the height and trajectory of golf balls at any location. This program was designed by scientists using information and methods obtained from institutions like the American Journal of Physics, the American Institute of Aeronautics & Astronautics, the Journal of Applied Physics, and the US Professional Golf Association, among others. The program uses such items as club speed, club angle, weather specifications, and ball spin, among others. It supplies a graph showing height and length for each of the scenarios. (See Typical Golf Ball Trajectory graph).

Typical Golf Ball Trajectory



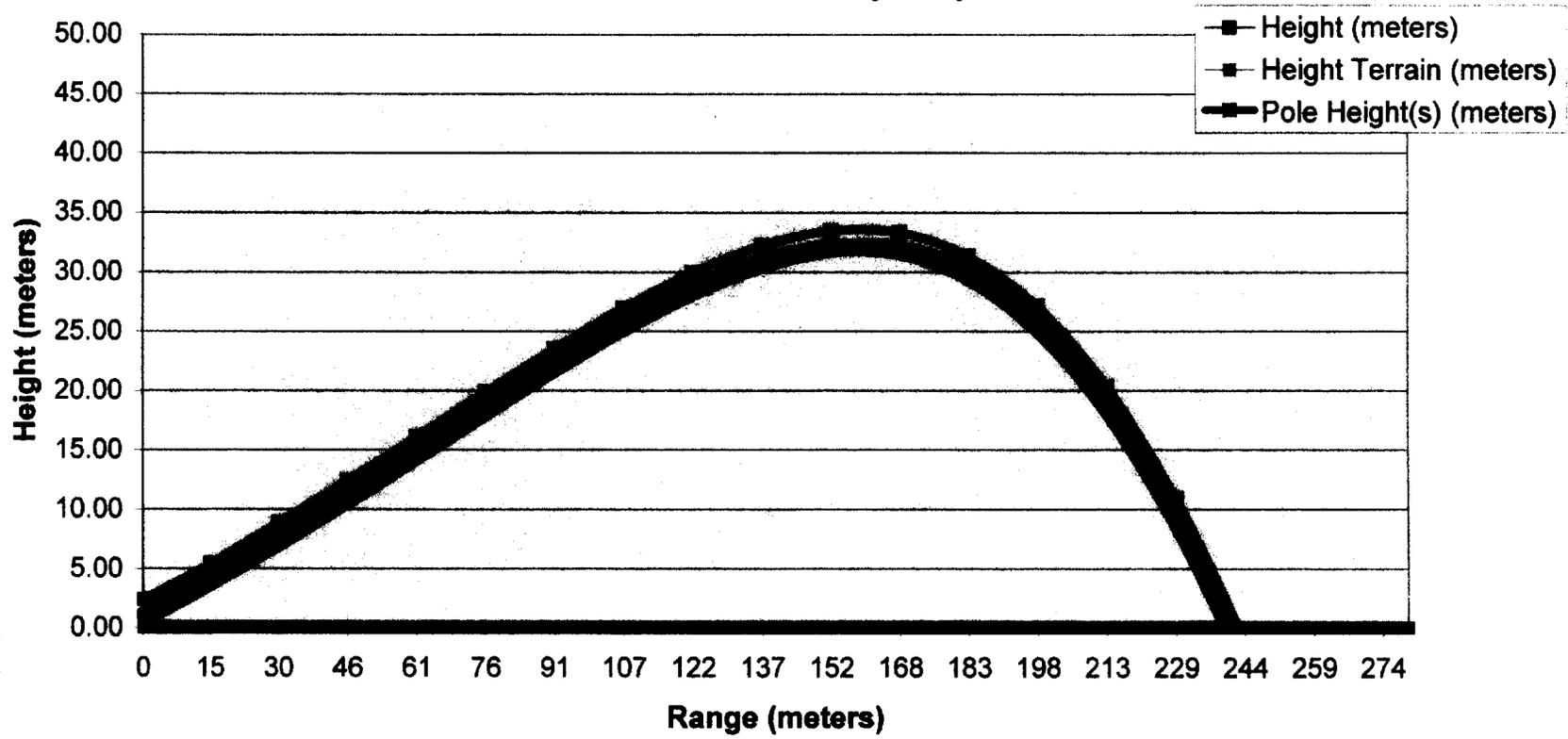
Trajectory Inputs

Fullerton Golf inputs:

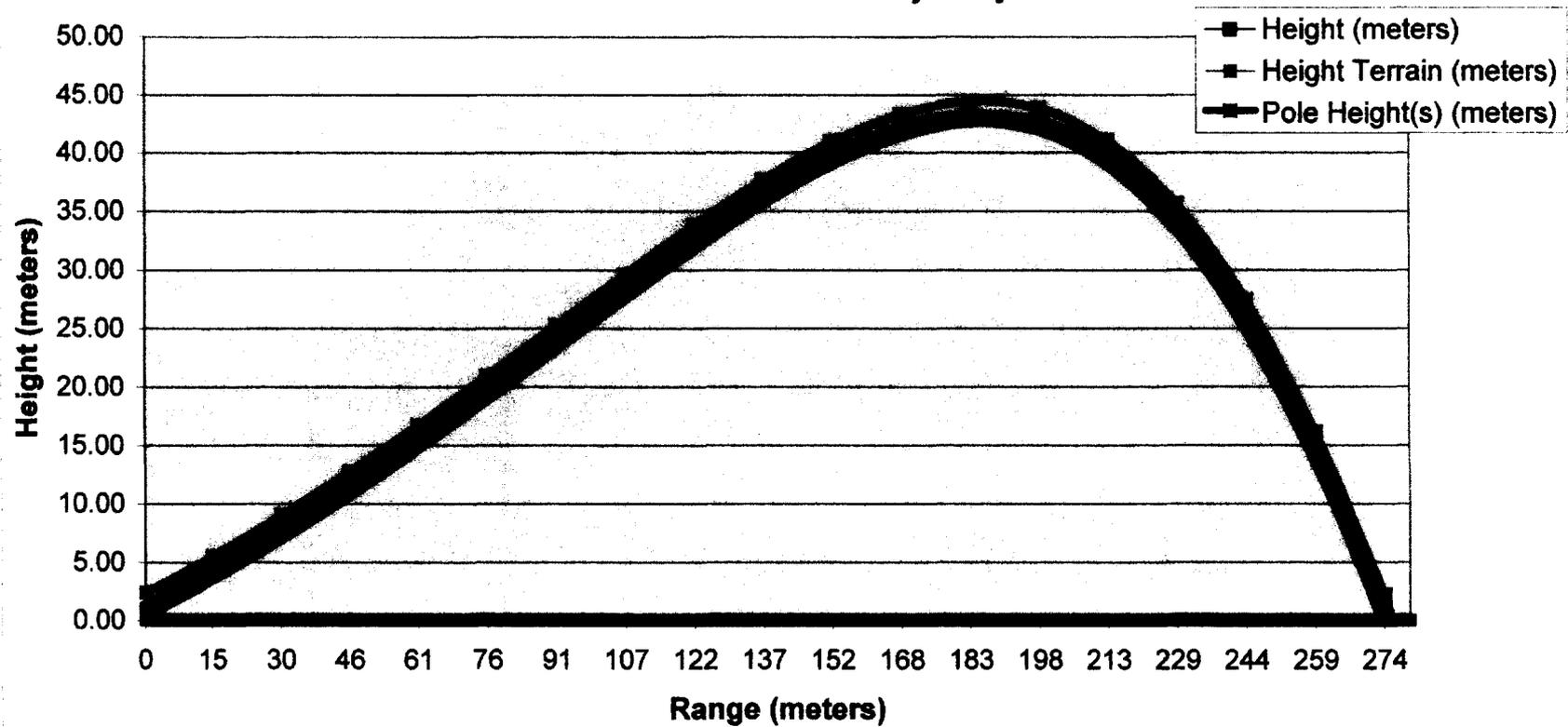
- **Type of club :** 1 wood driver
- **Launch angle:** 11 degrees
- **Backspin of golf ball :** 3400 rev. per min.
- **Elevation of Site :** 30 meters above sea level
- **Air Density:** 1.2215 KG/Meter³
- **Height of Tee/ back of range :** .91 meters

The above inputs were used for all calculations.

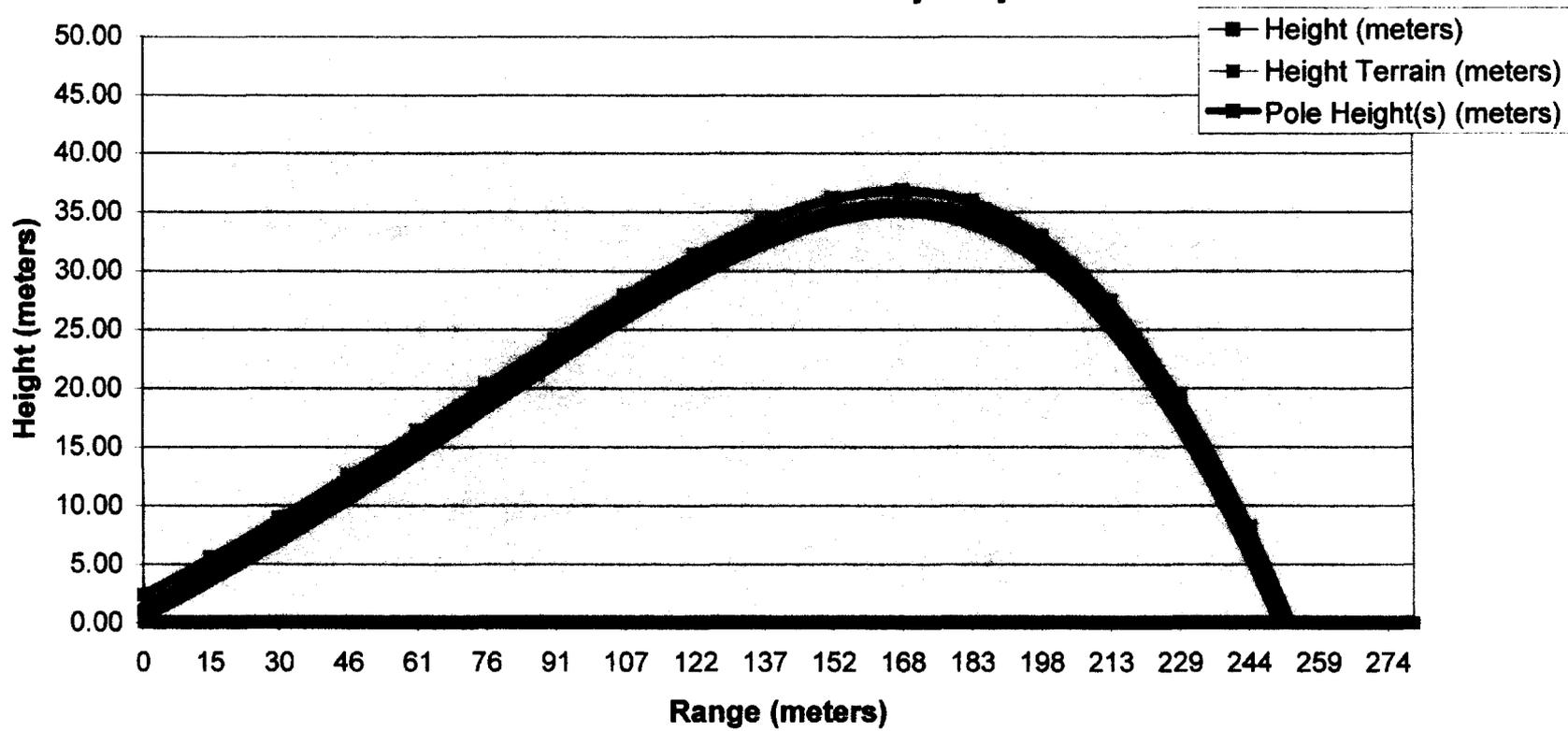
**Fullerton Golf Course
Standard Trajectory**



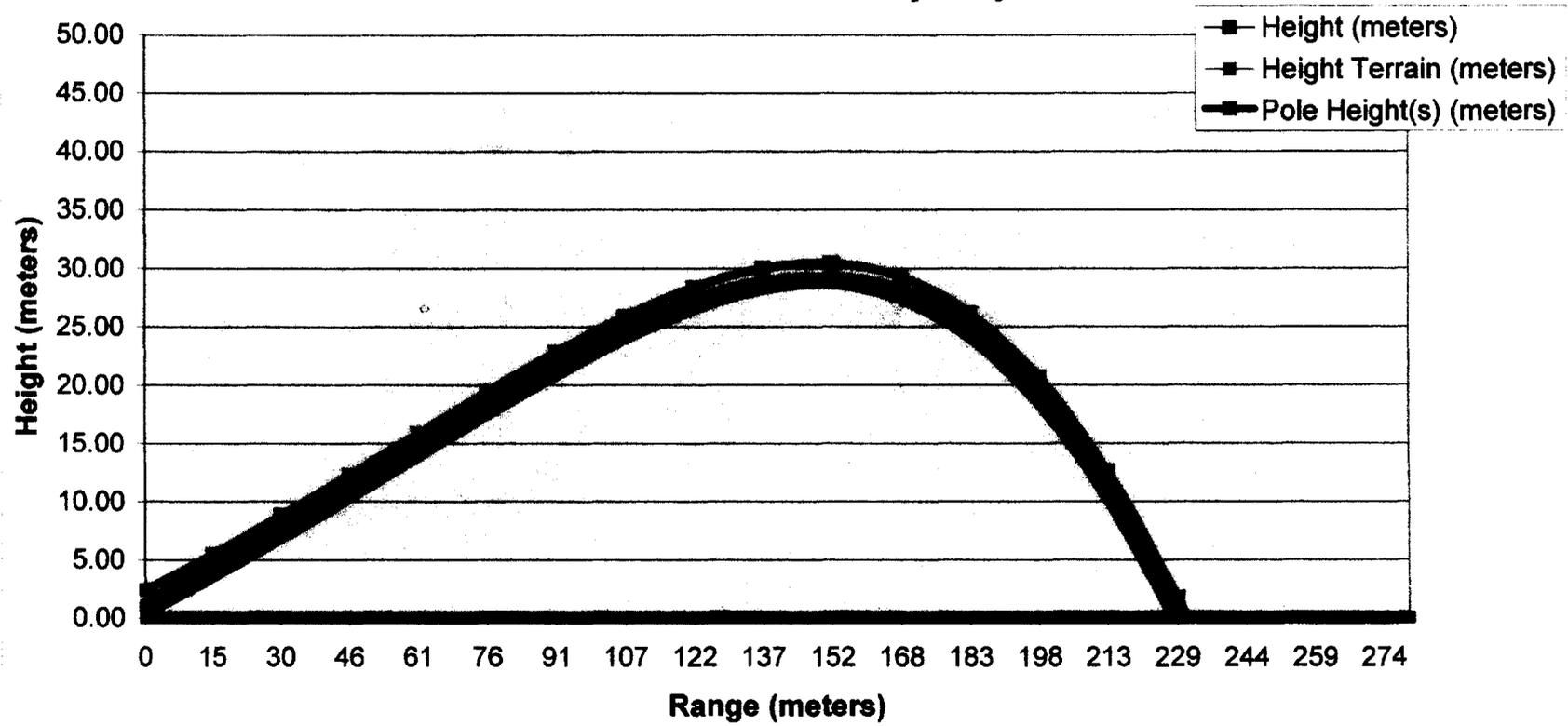
Fullerton Golf Course 300 Yard Drive Trajectory



**Fullerton Golf Course
275 Yard Drive Trajectory**



**Fullerton Golf Course
250 Yard Drive Trajectory**



Results of Study

Standard trajectory : Club head speed of 73.8 meters / sec. This is a default setting for subjects location.

Findings: The length of the drive is 240 meters (263 yards), the height of the ball at the existing 50' high fence, 201 meters (220 yards) down range, is 24.49 meters (80.34 feet). This is for a average golfer using a 1 wood. This shows that the current height is short of what is needed for protection by 30.34 feet.

300 yard trajectory : Club head speed of 84 meters / sec. This replicates a 300 yard in flight drive at subject location.

Findings: The length of the drive is 275 meters (300 yards), the height of the ball at the existing 50' high fence, 201 meters (220 yards) downrange, is 41.97 meters (137.69 feet). This is for a above average golfer using a 1 wood. This shows that the current height is short of what is needed for protection by 87.69 feet.

275 yard trajectory : Club head speed of 76.9 meters / sec. This replicates a 275 yard in flight drive at subject location.

Findings: The length of the drive is 251.5 meters (275 yards), the height of the ball at the existing 50' high fence, 201 meters (220 yards) down range, is 30.5 meters (100 feet). This is for a above average golfer using a 1 wood. This shows that the current height is short of what is needed for protection by 50 feet.

250 yard trajectory : Club head speed of 70.7 meters / sec. This replicates a 250 yard in flight drive at subject location.

Findings: The length of the drive is 228.9 meters (250 yards), the height of the ball at the existing 50' high fence, 201 meters (220 yards) down range, is 17.79 meters (58.36 feet). This is for a below average golfer using a 1 wood. This shows that the current height is short of what is needed for protection by 8.36 feet.

West Coast Netting's Interpretation of the study.

As can be seen by the study, the current fence height of 50' above ground is only high enough for the below average golfer at best. Using the standard default settings shows that the fence should be 80 + plus feet high to offer some type of protection from the balls. The result of the study needs to be viewed within the context of the liability of what is being protected and the cost of the chosen height of the fence. Concerning this situation, the houses behind the existing 50' high fence are getting hit with balls on the fly, this means that the golf balls are clearing the 50' high fence with some ease. The liability of the balls damaging houses or causing personnel injury is concerning. An 80' high fence might not be satisfactory for containing the balls, while a 137' high fence might very well be cost prohibitive, given the height and the location of the fence. We would suggest a 100' high fence for this situation. The city would gain the most between the cost of the fence and the protection that the height would offer.

The ball trajectory study is based on the best information available, result can not guarantee. Events like wind conditions, quality of the golfer, type of clubs and type of balls will effect the flight of the ball.

QUOTATION – QUOTATION - QUOTATION

QUOTATION
#D7380-2

WEST COAST NETTING
5075 FLIGHTLINE DR.
KINGMAN, AZ 86401
TOLL FREE: 800-854-5741
FAX: 928-692-1501

TO:

Fullerton Golf Course Attn: Kevin Re: golf netting Fax #: 714-871-7526 Phone #: 714-578-9200
--

F.O.B.	Terms	Date	Estimated Ship Date
Kingman Arizona	On completion	01/22/07	

QUANTITY	DESCRIPTION	PRICE	TOTAL
	Bid # 1		
1	Remove existing wood poles and netting. Supply and install 8 each 100' above Ground steel poles and netting. Total footage 100' high X 400' long # 420 treated polyester golf netting, grading access road to site. Includes All labor, material and equipment.	145,000.00	
	Bid # 2		
1	Remove existing wood poles, supply and install 8 each 120' above ground steel Poles. Total footage 100' high X 400' long. # 420 treated polyester golf netting Includes all labor, material and equipment Includes: sales tax and permits. Excludes; Soils report, hard rock drilling, turf damage, off haul of spoils. Inspections, testing Deduct \$1,500.00 from bid for credit for golf study.	162,000.00	
1	Take existing 50' above ground wood poles and install at customers location Total length of 100' long. Include new netting and hardware	6,900.00	
1	Supply and install 8' high X 540' long, includes 27 each 4" sch 40 steel poles # 420 treated polyester golf netting. Includes all labor, material and installation	9,800.00	
		TOTAL	

Above Prices Good For 20 Days

Signature: Dan Kirkland

JUDGE NETTING, INC.
23425 No. 39th Drive, Suite 104-148
Glendale, Arizona 85310
Phone: 623-322-2331
Fax: 623-322-2334

PROPOSAL & CONTRACT

February 1, 2007

Mr. Brian Bode
American Golf Corporation

Re: Fullerton Golf Club Netting Barrier(s)

Dear Brian:

We propose to supply the material, labor, and equipment necessary to construct the following net barrier(s) at the Fullerton Golf Club:

Rear Driving Range:

Base bid: Install one continuous run of 340 l.f. of 120 feet high barrier netting at the rear of the driving range using 6 steel poles. We will also remove and dispose of the existing poles and netting. Price is \$148,600.
Option 2: Same as base bid at 400 l.f. using 7 steel poles. Price is \$169,100.
Option 3: Same as base bid at 440 l.f. using 8 steel poles. Price is \$186,200.

Left Rear of Driving Range:

Option 1: Reuse four of the poles removed from the rear of the range and reinstall them to the left (50 feet x 150 feet). Price is \$11,900.00.
Option 2: Add 540 l.f. on 10 foot high steel fence posts along jogging path adjacent to the 13th hole and fairway. Price is \$9,700.00.

The barriers would be constructed with painted steel poles, as well as Redden #930 polyester UV treated netting with sewn in vertical, horizontal, and perimeter rib lines, extra high strength galvanized cable, 5/8" galvanized bolts, and heavy duty galvanized attachment hardware. The ends would be supported with an anchor and down guy cable as needed. Our price also includes the removal and disposal of the existing poles and netting.

Payment Terms: 30% deposit due upon acceptance of contract to hold material prices, and remaining balance due upon completion.

Invoices not paid when due are subject to a service charge of 1-1/2% per month. This is an annual percentage rate of 18%. Should suit be instituted to enforce the provisions of this Proposal and Contract, the prevailing party shall be entitled to reasonable attorney's fees and court costs as determined by the court or other tribunal hearing the matter.

Assumptions: Our bid prices are based on the following as applicable:

Our bid prices are valid for 30 days.

Good digging conditions defined as being able to complete the excavation using our auguring equipment. Should rocky, sandy, or wet conditions be encountered, the additional charge will be cost plus 10%.

The material that is excavated from the holes will be spread next to the hole.

Good access "to," "from," and "at" work site during construction.

Golf activities may require alteration during construction to provide a safe working atmosphere for our employees and equipment.

- 1 -

Mr. Brian Bode
Fullerton Golf Club

Page 2
February 1, 2007

Our proposal is based on the design methods of American National Standards Institute (ANSI), "Standard 05.1-1992 for Wood Poles-Specifications and Dimensions or the 1994 UBC and the Ninth Edition AISC guidelines for steel poles, "that are usual, standard and customary for the installation of structures such as anticipated by you. The foundation design is based on a 150 pound soil, and a 70 mile per hour wind load with a exposure "C". If this standard is unacceptable to the governing code authority in your area, we will be happy to install the structure to those standards and requirements. Additionally, we will present you with any cost implications and/or modifications to our proposal.

Mobilization costs included in our proposal are based on one move-on and move-off. Any cessation of work due to lack of permits or any reason by client will require a \$2,000.00 re-mobilization charge with all work and materials invoiced to date.

We are a nonunion company and, as such, will not become signatory to any labor agreement.

Exclusions: Permits – This bid does not include any permit fees or related costs involved in securing permits. The client is responsible for acquiring all permits required and any costs relating to permit requirements. Should one of the various government agencies involved require changes additional construction cost will be assumed by client.

Should the project be stopped for lack of permits or any reason by client material and work will be invoiced, and a remobilization charge shall apply.

Excavation – The client will be responsible for locating any and all underground utilities located on their property.

Indemnification – Judge Netting will not indemnify any additional Owners, Architects, Contractors, or Agents.

Damage to driveways, parking lots, tennis courts, irrigation system, or sod, that may be caused by our equipment.

Subsurface or latent physical conditions at the site differing from those indicated.

Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the contract.

The owner shall promptly investigate the conditions, and if it finds that conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the Contractor's cost of, or the time required for, performance of any part of the work shall issue a Change Order in the amount of contractor's expenses incurred.

No provisions for engineering, bonding, or prevailing wages.

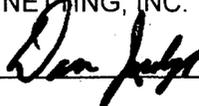
Judge Netting makes no warranty, either expressly or implied, as to the protective capabilities of netting or structures, including height requirements.

ACCEPTED BY PURCHASER

By: _____

Date: _____

JUDGE NETTING, INC.

By:  _____

Date: February 1, 2007

California Contractor's License No. 779080
www.judgenetting.com

California Headquarters: Phone: 800-955-6788 Fax: 951-769-4776