

## REPORT TO CITY COUNCIL

**DATE: JUNE 27, 2007**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: GREG RAMIREZ, CITY MANAGER**

**BY: AMY BRINK, DIRECTOR OF COMMUNITY SERVICES**

**SUBJECT: APPROVAL OF THE FACILITY USE AGREEMENT WITH THE LAS VIRGENES UNIFIED SCHOOL DISTRICT AND AUTHORIZATION TO SEEK BIDS ON TENNIS COURTS AT AGOURA HIGH SCHOOL**

---

At the February 28, 2007 meeting, the City Council unanimously voted to spend residual funds from the Morrison Park Project to renovate tennis courts at Agoura High School. After much discussion, staff was directed to develop a facility use agreement with the Las Virgenes Unified School District (School District).

In exchange for the renovations at the High School, the City will enter into a facility use agreement with the School District. The points of the proposed agreement include:

1. City to act as principal project agency
2. A ten-year agreement
3. City to pay annual facility use fee of \$5,000
4. City to pay annual utility fee of \$2,000
5. City to take over monthly maintenance of courts
6. City would have exclusive use of the tennis courts with the exception of defined use by the school district, according to the High School athletic schedule
7. Should the School District make any renovations to the property that would interfere with the tennis courts during the life of the agreement, they need to replace a like amount of courts somewhere else on campus
8. City to be responsible for all outside use of the tennis courts; City is able to generate revenue from use of the courts

Staff anticipates expending Redevelopment Agency (RDA) tax increment monies to fund the project. The agreements between the RDA and the School District for the pass-through of certain amounts of tax increment funds generated by redevelopment in the Project Area contemplate that the School District will use such funds for infrastructure and capital improvements in the Project Area. The School District has proposed that the amount of RDA funds due to be "passed through" this year be expended on significant capital improvements to the tennis facilities at Agoura High School. Staff recommends that the RDA consent to the use of an equivalent amount of funds by the City/RDA on this project.

The RDA and School District have agreed that the City and RDA will take the lead in designing, bidding, supervising, and funding the project, in compliance with all applicable standards for public school construction. Through this agreement, the School District waives its right to receive an actual cash payment from the RDA in exchange for the RDA's work on the tennis courts. The parties have agreed to additional joint use provisions, as outlined below, to ensure that the City, RDA, and School District all benefit from the arrangement and that the public purposes of each entity are met.

As the Morrison Park Project nears completion, there is approximately \$290,000 remaining to be spent on the Agoura High Tennis Court Project. Staff has prepared the final plans and specifications for the Agoura High School Tennis Courts Rehabilitation Project; NIB 07-03. Staff has worked with the Agoura High School staff in developing the scope of these improvements which will not only benefit the residents, but the students as well. The scope of the work on all nine courts includes: court surface repairing and painting, providing new nets and windscreens, adding lights to the three unlit courts, and making some handicap improvements. These renovations are included in the base bid of \$145,000. Due to limited funds available for this project, several alternate bid items are being explored. They include:

1. Resurfacing options for the three damaged asphalt courts, which include installing a thin layer of asphalt or a concrete layer over the existing asphalt estimated between \$130,000 and \$180,000
2. Replacement of the chain link fence estimated at \$64,000

With the recommended 10% construction contingency, the recommended project budget is \$294,000. With the approval of the use of RDA funds, the facility use agreement, and the authorization to seek bids for this project, staff anticipates returning to Council for contract award authorization in August, with construction slated for September.

## **RECOMMENDATION**

Staff respectfully recommends the City Council:

1. Determine that the use of Redevelopment Tax Increment monies for tennis courts is an eligible use of the City and School District pass-through agreement.
2. Approve the facility use agreement with the Las Virgenes Unified School District
3. Authorize staff to seek bids for the Agoura High School Tennis Courts Rehabilitation Project; NIB 07-03.

Attachments: Facility Use Agreement