

REPORT TO CITY COUNCIL AND REDEVELOPMENT AGENCY

DATE: AUGUST 22, 2007

TO: HONORABLE MAYOR/CHAIR AND MEMBERS OF THE CITY COUNCIL/REDEVELOPMENT AGENCY

FROM: GREG RAMIREZ, CITY MANAGER/AGENCY DIRECTOR

SUBJECT: FIRST AMENDMENT TO THE TENNIS COURT FACILITIES JOINT USE AGREEMENT WITH THE LAS VIRGENES UNIFIED SCHOOL DISTRICT

At the June 27, 2007 meeting, the City Council unanimously voted to enter into a facility use agreement with the Las Virgenes Unified School District and renovate tennis courts at Agoura High School.

The key elements of the agreement are as follows:

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

The Redevelopment Agency (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.

The City, after working with District representatives to design the project, received three bids for the project. The City Council approved the lowest responsive bidder, Malibu Pacific, Inc., at their meeting of August 8, 2007. However, as a result of the Agoura High School girls' tennis

season beginning September 18, 2007, staff concurs with the Las Virgenes Unified School District staff to postpone the project until after the conclusion of the season. Instead of beginning the project at this time, staff recommends shifting the start date to early November, 2007. Staff has worked with the contractor, Malibu Pacific, Inc., and agreed to this time extension via contract.

RECOMMENDATION

Staff respectfully recommends the City Council and Redevelopment Agency approve the First Amendment to the Facility Use Agreement with the Las Virgenes Unified School District for upgrading and use of tennis courts at Agoura High School.

Attachments: Tennis Court Facilities Joint Use Agreement
 First Amendment to Tennis Court Facilities Joint Use Agreement