

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: April 19, 2010

Reviewed by: BP

SUBJECT: Joint Use Agreement between the City of Albany and the Albany Unified School District regarding facilities use

FROM: Penelope Leach, Recreation and Community Services Director
Marla Stephenson, Superintendent Albany Unified School District

STAFF RECOMMENDATION

That Council approve the Joint Use Agreement between the City of Albany and the Albany Unified School District regarding facilities use.

BACKGROUND

For the past several months the Recreation and Community Services Director and the Albany School District Superintendent have been working on a Joint Use Agreement (JUA) between the City of Albany and the Albany Unified School District (AUSD) regarding facilities use. Legal staff from the City and the School District have also reviewed and recommend the attached draft JUA. The Parks and Recreation Commission reviewed the JUA at its April 8, 2010 meeting and recommend that Council approve the agreement. The Albany School Board will be reviewing the JUA at its April 20, 2010 meeting. Any changes and/or comments the City Council makes at the April 19, 2010 meeting will be given in a verbal report by City staff at the School Board meeting on April 20, 2010.

The intent of the JUA is to put in writing the terms and conditions of sharing facilities between the two agencies. Moreover, the intent of the JUA is to provide the best service programming activities with the least possible expenditure of public funds.

The JUA is written pending Council's approval of the field modifications that will also be proposed to the City Council by AUSD at the April 19 Council meeting. The field modifications were recommended by the Parks and Recreation Commission at the January 2010 Commission meeting. The modifications involve improvements that will allow Albany High School (AHS) baseball teams to use Memorial Field and Ocean View Field as well as convert Cougar Field to a softball facility. Improvements to the fields are an effort to help AUSD with potential Title IV issues between AHS's girl's softball and boy's baseball programs.

DISCUSSION

The JUA essentially permits the District to use City facilities free of charge and the City to use District facilities free of charge for events and programs outlined in the agreement. The agreement also establishes priority use and a facilities booking schedule.

Most of the arrangements in the JUA have been in practice for quite some time; however, the JUA formalizes the arrangements so that as City staff and District staff change over time, the JUA can be used to maintain consistency. There are clauses in the JUA that allow for modifications and if necessary cancellation of the agreement. The agreement is written as a document that can evolve and change as the needs of each agency may change.

Joint Use Agreements regarding facility use are common between cities and school districts. City staff and the City Attorney reviewed several JUA's from other cities and school districts. The attached JUA recommended for Council's approval is a combination of customized language to meet each agencies specific needs as well as typical language found in other agreements.

SUSTAINABILITY IMPACT

N/A

FISCAL IMPACT

There is no cost associated with approving the JUA; however, there are significant savings for the City and the District for sharing facilities without incurring fees. Additionally, overhead costs are reduced by not charging for the use of each other's facilities.

Attached

Draft Joint Use Agreement