

A G E N D A



Recommendation for Council Action

Austin City Council	Item ID	43726	Agenda Number	18.
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Meeting Date:	4/23/2015	Department:	Parks and Recreation
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Subject

Authorize negotiation and execution of an interlocal agreement between the City and the Austin Independent School District, for the use of Garrison District Baseball Field and the Beverly S. Sheffield Northwest District Park Baseball Field, and make a finding that the interlocal agreement is for a park purpose.

Amount and Source of Funding

Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

Purchasing Language:	
Prior Council Action:	
For More Information:	Cheryl Bolin (512) 974-9459; April Shaw (512) 974-6716.
Council Committee, Boards and Commission Action:	March 24, 2015 – Approved by the Parks and Recreation Board on a vote of 5-0 with Board Members Abell and Casias absent. Recommendation No. 20150324-002.
MBE / WBE:	
Related Items:	

Additional Backup Information

The City of Austin and the Austin Independent School District (AISD) have a long history of seeking opportunities to leverage the taxpayers' investment by partnering in joint-use projects. In 2005, Texas Education Code §11.168. USE OF DISTRICT RESOURCES PROHIBITED FOR CERTAIN PURPOSES, limited school districts' abilities to enter into an agreement that authorized the use of school district employees, property, or resources for the provision of materials or labor for the design, construction or renovation of improvements to real property not owned or leased by the district. In order to consider and to participate in future joint-use projects with AISD, the City of Austin, in November 2012, asked Austin voters to approve a charter amendment that would permit the City Council to lease parkland to an independent school district for a purpose that the Council has found, by a two-thirds majority, is a park purpose. With Austin voters' approval of the amendment, the Austin City Council has the ability to authorize interlocal agreements between the City of Austin and school districts that allow for the dedication of district resources for improvements to real property. The City Council's authorization of this agreement would allow AISD priority use of Garrison District Baseball Field and the Beverly S. Sheffield Northwest District Park Baseball Field and would continue cooperative efforts to maintain and to enhance the facilities should AISD have the capacity to provide

future improvements.

The interlocal agreement will establish a contract between the AISD and the City for AISD's priority use of Garrison District Baseball Field and the Beverly S. Sheffield Northwest District Park Baseball Fields. The proposed collaboration will provide sports activities for the community, and AISD's University Interscholastic League boys' baseball teams would benefit from regular and scheduled use of these fields.

In 2007, AISD provided financial assistance in the amount of \$451,453 to install irrigation, field lighting and other improvements within the Fields, which increased the value of these park facilities to both AISD and the City.

The City of Austin would lease the Fields to AISD for its non-exclusive use in accordance with the schedule below:

- AISD shall have priority use of the facilities from February 1st to May 31st each year during the term; and
- AISD shall also have the right to enter the facilities at other reasonable times from October through January of each year during the term as needed to perform work in connection with turf preparation and management of the Fields.

Maintenance responsibilities for both parties are as follows:

- Prior to the commencement of each Priority Period and at the conclusion of each Priority Use Period, the District and the City will conduct pre- and post-inspections to identify existing conditions and damages.
- AISD will be responsible, at its sole expense, for the maintenance of the infield and turf on the fields during its Priority Period;
- The City will be responsible, at its sole expense, for maintaining the facilities at all times during the term in good condition and repair (including maintaining the restrooms and all lighting within the facilities in good working order);
- AISD may, from time to time and at its election, make improvements to the facilities but only if the plans and specifications for such improvements are approved in advance by an authorized representative of PARD; and
- During the Priority Use Period, AISD will pay for all water and electricity metered and billed to the facilities.

Nothing in this agreement shall be construed to limit, in any way, the power of the City to use, alter, or improve the fields pursuant to official action by the City's governing body.

Upon direction from the Austin City Council, the City of Austin, through its Park and Recreation Department, is prepared to negotiate and execute an interlocal agreement that would allow AISD non-exclusive use of the District Fields.