TO:          HONORABLE CITY COUNCIL
FROM:  CITY MANAGER       DEPARTMENT: COMMUNITY SERVICES
DATE:    JUNE 28, 2004       CMR:272:04

SUBJECT: AGREEMENT BETWEEN THE CITY OF PALO ALTO AND THE
PALO ALTO UNIFIED SCHOOL DISTRICT FOR MAINTENANCE
AND CAPITAL IMPROVEMENTS OF CITY AND DISTRICT
OWNED ATHLETIC FIELDS, TENNIS COURTS AND
BASKETBALL COURTS

RECOMMENDATION
Staff recommends that Council approve and authorize the Mayor to execute the attached
contract with the Palo Alto Unified School District (PAUSD) for maintenance and capital
improvements of PAUSD athletic fields, tennis courts, and City-owned Terman park
tenis and basketball courts.

BACKGROUND
In November 1993, City staff and PAUSD representatives met to begin the process of
creating a partnership for improving the maintenance of the PAUSD athletic fields. The
initial phase of this study included a complete inventory of all sites. Staff evaluated all
site conditions and infrastructure, completed a detailed review of community use
patterns, and completed an analysis of the District’s budget, staff, and work distribution
for landscape maintenance program. A summary report was developed and the results of
the analysis concluded that:

• School fields are heavily used by the community;
• PAUSD cannot afford to maintain all fields in a condition comparable to City
  facilities or for intense athletic field use patterns;
• Field infrastructure is old and deteriorated and needs to be replaced;
• The bulk of PAUSD landscape operating budget is spent at the high schools;
• With the complexity of individual school’s educational programs, any proposed
  maintenance program would be limited to the elementary and middle school
  athletic field areas only;
• Due to limitations of PAUSD funding, the only viable alternative for improving PAUSD athletic fields for use both by PAUSD and the community is through a partnership with the City.

The ultimate goal of the program was to improve athletic field areas to ensure safe fields for PAUSD and community use. After this information was developed, staff assembled a transition plan to initially secure maintenance support and equipment to begin maintaining the two middle school and one elementary school sites (CMR 202:95). The transition plan called for the addition of the remaining elementary school sites and to include capital improvements involving field and irrigation renovations. The high school sites have purposely left out of the program due to the need for on-site staff at these locations to serve both enhanced school use and ongoing inter-scholastic activities. It was determined that it would not be cost effective to include the high school sites.

At its October 16, 1995 meeting, Council approved Phase I of a two-year cooperative agreement between the City and PAUSD (CMR 442:95). The agreement has City staff assuming athletic field areas maintenance, renovations and capital improvements at Jane Lathrop Stanford (JLS), Jordan and Walter Hayes school sites, as well as maintenance of the 25 tennis courts located at Gunn, Palo Alto, JLS and Jordan schools. The total costs for services for this program are shared equally on a 50:50 basis. The agreement commenced on January 1, 1997 and expired June 30, 1997.

On June 23, 1997, Council approved Amendment #1 to the Agreement (CMR 280:97). This amendment extended the existing program for two years. Because of work in progress regarding the PAUSD’s Building for Excellence Program, the initial capital renovations were deferred at this time. During this period, the city and the PAUSD met and agreed that the enhanced maintenance program had been very successful in providing improved field and tennis court conditions.

On June 28, 1999, (CMR 250:99) Council approved Amendment #2. This amendment extended the program for five years through June 2004.

The program has resulted in substantial turf and safety improvements at the PAUSD sites. Staff, students, parents, community members and user groups praise of the quality of field conditions that now exist. Capital improvement renovations have been completed at over 50 percent of school sites, resulting in greatly improved facilities as well as cost savings in water and utilities.

**DISCUSSION**

City and the PAUSD staff entered into negotiations to modify the current agreement to meet the original goals of the maintenance plan. The following areas of the agreement are recommended for change:
a. “District Facilities” meaning athletic fields and tennis courts, is expanded to include Terman Park tennis and basketball courts.

b. The term of the agreement will be for a five-year period commencing July 1, 2004 and expiring June 30, 2009, subject to annual approvals by both PAUSD and the City.

c. The shared costs of maintenance and capital improvements and estimated schedule for improvements, dependent upon the Building for Excellence Program, are outlined. (Section 5 – Payment of Costs of Maintenance).

d. Exhibits have been modified to include Terman Park Tennis and Basketball Courts.

**RESOURCE IMPACT**
This program has been budgeted as a continuing program in the 2004-05 budget. There will be no additional General Fund or Capital Fund financial impact as a result of the new agreement and adding Terman Park. Staffing and service reductions in the 2003-05 two-year budget cycle resulted in savings offsetting the additional costs of Terman Park. In lieu of billing and payment procedures, the agreement states that the City will credit one-half of its actual costs against any and all monthly lease payments due and payable by the City under its “Lease and Covenant Not to Develop” lease agreement with PAUSD.

**POLICY IMPLICATIONS**
This amendment does not represent any changes to existing City policies and is consistent with Comprehensive Plan implementation C4, C24, C26.

**TIMELINE**
The terms of the agreement and subsequent amendments commence July 1, 2004 and end June 30, 2009.

**ENVIRONMENTAL REVIEW**
This agreement is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 (existing facilities) of the CEQA guidelines. Therefore, no environmental assessment is required.

**ATTACHMENTS**
Attachment A: New Agreement including site map “Exhibits A-R”
Attachment B: Insurance - City
Attachment C: Insurance – PAUSD
Attachment D: Certificate of Non-Discrimination – PAUSD