



City of Rialto

Legislation Text

File #: 17-992, **Version:** 1

For City Council Meeting [November 14, 2017]

TO: Honorable Mayor and City Council

APPROVAL: Michael Story, City Administrator

FROM: Perry Brents, Director of Community Services

Request City Council to approve the revised Three (3) Year Building and Facility Joint Use Agreement between the City of Rialto and the Rialto Unified School District.

BACKGROUND:

The City of Rialto and the Rialto Unified School District entered into a Building and Facility Joint Use Agreement in July of 2014, for a term of three (3) years. The School District approved a three year extension on April 19, 2017. The extended contract was approved by the District in a form that maintains the status quo, not addressing modernization and new facilities built since 2006. The Rialto City Council approved a new three year Agreement on August 22, 2017. The School District did not act upon the City's approved agreement. Both sides continued to meet in an effort to communicate its challenges. The City and District have agreed to address their concerns with amendments to the City's current agreement. Staff recommends that City Council approve amendments to the Building and Facility Joint Use Agreement contingent upon the Rialto School Districts' acceptance in part or full, amendments to the listed agreement section and title.

ANALYSIS/DISCUSSION:

With new facilities, parks and venues coming online raise growing concerns from the City and District over increasing costs and modernization of current facilities. Addressing these concerns required amendments to the Building and Facility Joint Use Agreement. City and School District staff met October 12, 2017 and addressed four (4) amendments to the current agreement. Both City and District staff agree that from time to time keeping the Agreement up to date will necessitate the City and School District meeting to resolve joint challenges with the administration of facility use and perhaps further amending the current Agreement to address facility usage, new policies and partner responsibilities of each agency as it relates to new facilities and parks being built after approval of the Agreement. This effort allows the City and District to make mutual and better use of one another's buildings and facilities to minimize the paperwork and any transfer of funds associated with building/facility rental.

In the October 12, 2017 meeting, representatives from the City and District discussed the impacts of the City's desired changes to the current Agreement, along with challenges with costs, identified personnel and those certain policies associated with scheduling facility maintenance, and fee assessments. Primary to the challenges for the City were costs and restrictions for the use of artificial turf fields, track and field venues, and the associated costs to use District facilities, such as

school restrooms and the use of performing arts theatres on weekends and summer months.

The amended agreement (attached) is a document that addresses the issues discussed and provides mutually agreed upon solutions to such issues. The challenges are addressed in four (4) amendments to the Agreement. Each of the amendments is revised in “*Section 3. The Buildings, Facilities and Sports Fields*”.

- a. Fees and direct costs for the use of any City or District facility are to be frozen at current rates for 3 years.
- b. The City use of RUSD restrooms will be at direct cost.
- c. The City is permitted the use of RUSD artificial turf fields for City sponsored events at direct cost (city/district to summarize costs); no third party events will be allowed.
- d. The City’s use of RUSD theatres will require a District approved AV Tech and will be billed at direct cost (City/District to summarize costs).

Staff recommends that City Council approve amendments to the Building and Facility Joint Use Agreement contingent upon the Rialto School Districts’ acceptance in part or full, amendments to the listed Agreement section and title.

ENVIRONMENTAL IMPACT:

The request is not a Project as defined by Section 15378 of the California Environmental Quality Act (CEQA). A “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Pursuant to Section 15378 (b)(5) a project does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

GENERAL PLAN CONSISTENCY:

This action is consistent with Guiding Principle 3A in the General Plan:

Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business

LEGAL REVIEW:

The City Attorney has reviewed and approved this report.

FINANCIAL IMPACT:

The approval of the amendments to the Building and Facility Joint Use Agreement between the City of Rialto and the Rialto Unified School District will not result in any financial impact. As a result of the agreement the two parties are required to continue to maintain their respective facilities in good working order. As a result, the current maintenance plan will be continually monitored for sufficiency. If the use of District facilities result in a cost to the City to pay for district staff then any appropriation will be recommended and approved according to the City’s fiscal policies at the time of the event.

RECOMMENDATION:

Staff recommends that the City Council approve the revised Building and Facility Joint Use Agreement between the City of Rialto and the Rialto Unified School District.