

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Steven Kueny, City Manager 

DATE: April 13, 2016 (CC Meeting of 4/20/16)

SUBJECT: Consider Proposal for Construction of a Joint Use Swimming Pool Facility with Moorpark Unified School District (MUSD)

BACKGROUND and DISCUSSION

The MUSD and City Pool Ad Hoc Committees (MUSD Board Members Perez and Sweet and Moorpark Mayor Parvin and Councilmember Millhouse, respectively) have met five times over the last twelve months to discuss developing a proposal for a joint use pool facility. The committees discussed potential locations at both Moorpark High School (MHS) and Arroyo Vista Community Park, the objectives of each agency, MUSD's current expenditure of over \$100,000 per year to rent and maintain a private pool for MHS sports teams, projected construction cost of \$4.5 million, MUSD's limited funds for construction, City's inability to fund any maintenance costs within its current and projected General Fund budgets, and City Committee's support for \$3 million maximum contribution for construction contingent on certain conditions and requirements. The MUSD and City Pool Ad Hoc Committees developed the following general consensus for consideration by the MUSD Board and City Council:

1. Pool would be located at Moorpark High School (MHS) at a specific site as mutually agreed upon. Most likely in a portion of the parking lot entered from Mountain Trail Street between the stadium, the new gym, and the two-story classrooms (Exhibit attached). City and MUSD will prepare a Cooperative Agreement to address pool construction specifications, use, maintenance, and other matters. If MUSD determines the J.V. Baseball field needs to be relocated as a result of the pool project, it may be constructed at the east end of Arroyo Vista Community Park (AVCP) as mutually agreed upon. City and MUSD will prepare a separate use agreement to address construction specifications, use, maintenance and other matters if the baseball field is relocated.
2. Pool specifications to be mutually agreed upon. The pool, as constructed, will accommodate public swimming and swimming lessons, including one or two

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recreational structures that would be used during public swim and either removed or secured during other times of the year.

3. MUSD, at its sole cost, will manage the pool design process, permit process, including environmental review, bid process and construction.
4. City will commit \$3 million for pool construction. Funds will be paid to MUSD upon Notice to Proceed for construction and confirmation that all required funding is available. MUSD will also fund the cost of construction above City's contribution. The total project is currently estimated at \$4.5 million.
5. MUSD, at its sole cost, will provide the maintenance and public use of the pool and receive revenue from public use programs and rentals.
6. For 15 years, MUSD at its sole cost will provide public use of the pool as follows:
 - a. Minimum of 42 hours per week for public swimming between the hours of 7 a.m. and 8 p.m. (no less than 2/3 of the time is for general public and no more than 1/3 for specific groups such as teens or seniors) seven days per week for no less than 10 weeks during the months of June, July, August, and September (generally between last day of school year and start of subsequent school year and on weekends through the Labor Day weekend).
 - b. Use rates (admission) will be no more than 10% above the average rates charged by the Rancho Simi and Pleasant Valley Recreation and Park Districts for similar services.
 - c. During the same approximate 10-week period and 7 a.m. to 8 p.m. time period, swim lessons for children and adults are provided at same cost and terms as the 2 above Districts.
 - d. Public use will meet all public health requirements for such public use including but not limited to water temperature, shower, changing areas, and restrooms.
 - e. A provision of the proposed Cooperative Agreement will address potential remedies in the event the required public use services are not provided as prescribed in any year or part of a year.
7. City can rent pool at lower of A) One-half (1/2) public rate; B) Hourly rate given to any MUSD contractor. MUSD and City will agree to use parameters as part of agreement.

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8. During the 15-year period public services are being provided, MUSD will not sell naming rights to the pool for less than \$3 million.
9. MUSD and City will agree to verbiage and location of plaque to recognize City and MUSD contributions to pool construction.
10. MUSD will grant to City a no fee easement approximately twelve feet wide from Mountain Trail Street to AVCP. At City's sole cost, it will construct a pedestrian/bike path on the easement. City and MUSD will prepare a separate use agreement to address construction specifications, use, maintenance, and other matters for the proposed path.

If both agencies agree to the concept, the Committees are hopeful that a formal agreement could be completed to allow the pool to be operational for the 2017/2018 school year.

Since the last meeting of the Committees, the MUSD Citizens Bond Oversight Committee (CBOC) for its Measure S Bonds has supported use of \$1 million of those funds for construction of a pool at MHS. MUSD's portion of construction funding for the pool will be limited to this amount of the Bonds with the remaining portion of MUSD's construction funds to come from fundraising. At this time, it is not known how long it will take for successful fundraising. In addition, the \$4.5 million construction cost is only an estimate. The MUSD Board will consider this proposal on April 27, 2016.

If both the City Council and MUSD Board approve this proposal, the two committees will meet again to discuss estimated design and construction schedule (including the possibility of MUSD starting the design process while conducting its fundraising) specific design specifications, provisions of the agreement, and related matters while MUSD pursues its fundraising objectives.

FISCAL IMPACT

If an agreement is reached for pool construction, the City would expend \$3 million from its Endowment Fund. The current balance in that fund is about \$12.5 million. This would leave sufficient funds to construct a library. City Hall funding would be contingent on future revenue from development projects. If the \$3 million is expended for this or any other purpose, annual interest income (currently about \$45,000) from these funds would not be earned.

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STAFF RECOMMENDATION

The City Council Pool Ad Hoc Committee and City staff recommend approval of the conceptual proposal for construction of a Joint Use Swimming Pool Facility with MUSD as outlined in the agenda report and to have the Ad Hoc Committee and City staff return to Council with a proposed Specifications and Cooperative Agreement.

SK:db

Attachment

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