

**REPORT TO THE
CITY COUNCIL**
City of Salinas, California

DATE: April 28, 2015

FROM: Jim Pia, Assistant City Manager

SUBJECT: **TERMINATION OF JOINT USE AGREEMENT BETWEEN SANTA RITA UNION SCHOOL DISTRICT AND CITY OF SALINAS FOR NEW REPUBLIC ELEMENTARY SCHOOL—HARDEN NEIGHBORHOOD PARK**

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution authorizing the City Manager to terminate the Joint Use Agreement for New Republic Elementary School and Harden Neighborhood Park.

DISCUSSION:

The City of Salinas and the Santa Rita Union School District executed a Joint Use Park Agreement for the Harden Neighborhood Park on January 7, 2003. There are three areas as described below (and are noted and pictured in the attached Joint Use Agreement from 2003):

Area 1: Picnic Area with small children play area.

Area 2: Playfields, which includes the southern portion of the school site bounded by Emerald Street on the East and is directly behind the school. This area serves as the school's on-site play area.

Area 3: This is a hard court and parking area directly in front of the school site.

Although the concept of the shared space was a good one, there were some difficulties in administering the Agreement. These included which public uses would occur after school hours, the administration and on-site supervision of this use as well as the problems with school site access to necessary facilities, including restrooms.

The concept of terminating the current Joint Use Agreement and having the School District take on the administrative duties and maintenance of Areas 2 and 3 noted above, was discussed as part of one of the monthly meetings between the City Manager and the School District Superintendents. Once the Joint Use Agreement is terminated, the City shall have no further responsibility with respect to the site, including the current maintenance responsibility.

ISSUE:

Shall the City Council adopt the attached Resolution authorizing the City Manager to terminate the

Joint Use Agreement for New Republic Elementary School and Harden Neighborhood Park?

FISCAL IMPACT:

The Santa Rita Union School District will now have the sole responsibility for the maintenance and upkeep of this area. The City's General Fund will be impacted to the extent that it no longer has to fund maintenance activities in this area.

TIME CONSIDERATIONS:

The Joint Use Agreement can be cancelled at any time, upon mutual consent. The Santa Rita Union School District took similar termination action at their Board meeting on April 16, 2015.

CITY COUNCIL GOALS:

With the District allowing for community use of the property, through the Facility Use Agreement process, the termination of the Joint Use Agreement supports the City Council goal of having a Safe, Livable community along with the corresponding initiative of continued support for Recreation, Arts, Libraries, entertainment, volunteer opportunities, playgrounds, sports and culture.

CONCLUSIONS:

Staff recommends City Council adopt the attached Resolution authorizing the City Manager to terminate the Joint Use Agreement for New Republic Elementary School and Harden Neighborhood Park.

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Joint Use Agreement

RESOLUTION NO. _____ (N.C.S.)

**A RESOLUTION TERMINATING THE JOINT USE AGREEMENT BETWEEN
THE CITY OF SALINAS AND THE SANTA RITA UNION SCHOOL DISTRICT
FOR HARDEN NEIGHBORHOOD PARK**

WHEREAS, the City of Salinas and the Santa Rita Union School District entered into a Joint Use Agreement for use of Harden Neighborhood Park on January 7, 2003; and

WHEREAS, the City of Salinas and the Santa Rita Union School District desire to terminate the Joint Use Agreement and allow residents to access the fields through the School District's Facility Use Agreement process instead of contacting the City.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Salinas does hereby approve the attached Termination of the Joint Use Agreement and authorizes the City Manager to enter into such Termination on behalf of the City.

PASSED AND ADOPTED this 28th day of April 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Joe Gunter, Mayor

Patricia M. Barajas, City Clerk