

CITY OF SANTA BARBARA AND SANTA BARBARA CITY COLLEGE

AGENDA REPORT

AGENDA DATE: October 12, 2015

TO: Mayor and Councilmembers
SBCC Board of Trustees

FROM: Paul Casey, City Administrator
Lori Gaskin, President

SUBJECT: City of Santa Barbara and Santa Barbara City College Joint Use Agreement

DISCUSSION:

Background

The City of Santa Barbara (City) and the Santa Barbara City College District (District) formed a Joint Use Agreement (Agreement) on March 24, 1938, to govern the shared use of facilities for recreational and educational purposes. The Agreement provides for the City and the District, which have a mutual interest and concern for the citizens of the City and students of the District, to cooperate and collaborate with each other in the development and joint use of their recreational and educational property. Since 1938, the original Agreement has been amended ten times to address development, construction, maintenance and changes in shared facility use as a result of growth of the student population or financial considerations. The current agreement was executed on July 10, 1984.

In recent years, the City and the District began discussing the need to update the 1984 agreement to address current shared facility use. In February 2014, a Joint Use Agreement Committee was established to develop a new Agreement. The Committee was comprised of representatives from the City Parks and Recreation Department, City Attorney's Office, District Business and Administrative Services and District legal counsel. The committee met 12 times, including a number of sub-committee meetings, to discuss current and future use of shared park, recreation, athletic and educational facilities.

Proposed Agreement

The proposed Agreement will continue to recognize the history of the Joint Use Agreement and the cooperative relationship between the City and the District for shared use of joint facilities. Additionally, the Agreement incorporates four key achievements: 1) Establishes a formal Joint Use Committee, 2) Clarifies ownership and the management of City and District facilities included in the Agreement, 3) Consolidates three separate Agreements into one Joint Use Agreement, and 4) Establishes the Agreement term.

The proposed Agreement authorizes City and District staff to work collaboratively through a Joint Use Committee (Committee) to address and resolve issues as they arise. The Committee has existed informally for many years. The proposed Agreement confirms the existing working relationship. The Committee will be comprised of staff members from the City and the District who are knowledgeable about the subject matter within the Joint Use Committee's jurisdiction. The Committee will meet two times a year, but may appoint sub-committees to meet more frequently to administer facility scheduling and maintenance operations connected to seasonal recreational, athletic or physical education programming. The SBCC Vice President of Business Services and the City Parks and Recreation Director will resolve any conflicts that cannot be settled by the Committee. If necessary, the District Board and City Council may be asked to provide final consideration and resolution on certain matters.

The proposed Agreement specifies the City and District facilities covered by the Joint Use Agreement. As shown in Attachment 1, the list includes each of the shared facilities, including the owner, operations provider, and maintenance provider, as well as conditions for use, maintenance and fees. The facilities list will form the basis for Joint Use decisions on facility use and will serve as an institutional resource for City and District staff for years to come. Examples of how facilities are shared to conduct programming include the District's use of Los Baños del Mar Swimming Pool to conduct physical education classes, and the City's use of the Sports Pavilion to conduct adult basketball and volleyball recreational leagues.

Following the 1984 Agreement, three additional Agreements were developed to formalize the conditions of use for the Waterfront parking lots adjacent to SBCC and the joint use of vehicles. The proposed Agreement incorporates the annual Agreements for Leadbetter Beach Parking Lots, La Playa Field Parking Lots and the biennial Agreement for Joint Use of Vehicles into one Joint Use Agreement.

The proposed Agreement will have a five-year term, with the option to automatically renew every five years and remain indefinite except upon mutual agreement of the parties.

Next Steps:

The Joint Use Agreement is tentatively scheduled for approval at the SBCC Board of Trustees Meeting on November 12, 2015 and Santa Barbara City Council Agenda on December 8, 2015.

PREPARED BY: Rich Hanna, Recreation Manager
Joe Sullivan, SBCC Vice President, Business Services

SUBMITTED BY: Jill E. Zachary, Acting Parks and Recreation Director

APPROVED BY: City Administrator's Office

ATTACHMENT: List of Facilities Covered by the Joint Use Agreement between the City and SBCC

Facilities Covered by the Joint Use Agreement between SBCC and City of Santa Barbara

FACILITY	OWNER	OPERATION	MAINTENANCE	INFORMATION ON USE, MAINTENANCE, FEES, ETC.
<p>La Playa Stadium (includes track, athletic field, and stadium facility)</p>	<p>City</p>	<p>SBCC</p>	<p>SBCC</p>	<p><u>Facility Use:</u> Community drop-in use of the La Playa facility will be allowed under the following conditions:</p> <ol style="list-style-type: none"> 1. La Playa track and stadium bleachers are available 7 days a week, 6:00am to 10:00pm for unsupervised individual activities, except as the facility is closed for permitted or scheduled activities, such as games, events, and organized programs. 2. Public use of the track running lanes is limited to those lanes not otherwise designated for scheduled SBCC activity. 3. Use of the stadium bleachers for exercise will not be allowed during a scheduled or permitted activity which includes use of the stadium. 4. Group fitness or training programs and private instruction activities are required to have a facility use permit issued by SBCC Community Services. 5. All facility users are required to comply with posted rules and regulations. 6. Applicable fees for organized activities to be charged based upon approved SBCC facility rate sheet. 7. Drop-in use of the athletic field is prohibited. All field use is by permit only. <p>City Parks and Recreation may schedule organized sports programs and Co-Sponsored youth sports programs as approved by SBCC. SBCC will not unreasonably withhold access to facilities. A request for access will be deemed reasonable if space is available and if adequate notice is given to provide maintenance and oversight responsibilities. An Event Coordinator/ Facility Monitor is required to be present during such use to ensure compliance with SBCC facility procedures and regulations. SBCC will recommend appropriately trained individuals. City will contract and pay such individuals to be present during scheduled activities.</p>
<p>Pershing Park Tennis Courts</p>	<p>SBCC and City</p>	<p>SBCC and City</p>	<p>SBCC and City</p>	<p><u>Facility Use:</u></p> <ol style="list-style-type: none"> 1. SBCC has first priority use Monday through Friday, 8:00am to 5:00pm for academic and athletic programs. City has first priority use Monday through Friday, 5:00pm – 10:00pm, and Saturdays and Sundays, 7:00am to 10:00pm. 2. City may request weekday late afternoon access on a seasonal basis which will be

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				<p>granted providing SBCC does not have conflicting academic or athletic programs scheduled. SBCC may request occasional after 5:00pm or weekend use for athletic special events which will be granted providing City does not have scheduled programs. SBCC approval is by the Physical Education Department Chair and/or Athletic Department Director. City approval is by Parks and Recreation Department Sports/Tennis supervisor.</p> <ol style="list-style-type: none"> 3. City programs may include organized and scheduled classes, tournaments, league play and drop-in tennis play. 4. Community use of the Pershing Park Tennis Courts on a drop-in basis requires an annual or daily tennis permit, as authorized by the City. City will post signage at the courts designating when public access is available and information on applicable fees. 5. Storage for the Pershing Park Tennis Courts is provided in the Coaches Office, an area operated and maintained by SBCC. As approved by the Physical Education Department Chair and/or Athletic Department Director, City may store and secure a limited amount of cabinets or equipment such as ball carts. 6. Twice per year, as scheduling allows, City shall provide SBCC use of the City Municipal Tennis Court Facility to support Men’s and Women’s intercollegiate tennis tournament events. Facility scheduling will be provided by the City Tennis Specialist. No facility use charge will be applied; however, SBCC will be responsible for any direct costs associated with the facility use. <p><u>Fees and Charges:</u></p> <ol style="list-style-type: none"> 1. Activity and facility use fees for SBCC use are established by SBCC and collected by SBCC staff. 2. Activity and facility use fees for City use are established by the City and collected by City staff. 3. City pays electricity for tennis court lighting system.

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				<p>4. Water for Pershing Park ball fields, restrooms and tennis courts are on one City water meter, and City pays water charges. (See item 6 below.)</p> <p><u>Maintenance:</u></p> <ol style="list-style-type: none"> 1. SBCC maintains all tennis court facility elements excluding tennis court lighting which is owned and maintained by the City. Tennis facility elements include court surfaces, fencing, windscreens, benches, trash receptacles and signage. Court lighting includes lighting standards, fixtures, and electrical outlets. 2. SBCC will complete court resurfacing as needed to insure an appropriate playing surface is maintained for recreational and intercollegiate use. Changes to the existing color scheme on playing surfaces must be pre-approved by the Parks and Recreation Director and if necessary the Architectural Board of Review (ABR). 3. SBCC and City have a mutual interest in improving the signage at Pershing Park, including the Tennis Facility, and will work to complete this effort in accordance with the City Sign Ordinance in the Municipal Code. 4. City may install at its own cost an on-demand lighting system which allows users to activate individual court lights on-site. City may establish and collect associated fees for use. 5. City and SBCC may coordinate on contracts for court resurfacing or other maintenance projects where doing so may achieve a more competitive pricing for the work. 6. City and SBCC agree to share cost on installation of a new water meter which supports the tennis facility and SBCC Baseball Field use, allowing SBCC to manage and pay for water use at those facilities. SBCC and City will work to complete this effort over the next two years.
Pershing Park Parking Lot	City and SBCC (see	City and SBCC	City and SBCC	<p><u>Facility Use:</u> The lot operates with use shared by SBCC student parking, recreational park users, and Old Spanish Days Carriage Museum. Parking lot is not monitored, and parking is first come, first served.</p>

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	parcel map)			<p><u>Maintenance:</u> City and SBCC are responsible for maintaining their respective portions as defined on the Joint Use Facilities Map of the parking lot. The scheduling of maintenance projects which affect parking availability will be coordinated between the City, SBCC, and Old Spanish Days.</p>
<p>Pershing Park Baseball and Softball Facilities (sport lights, bleachers, trash cans, dugouts, backstop, bordering fences, home run fence, pitching and batting practice areas)</p>	City	SBCC	City and SBCC	<p><u>Facility Use:</u></p> <ol style="list-style-type: none"> 1. SBCC schedules and permits activities for the Baseball Facility, and has first priority use for athletic team purposes. 2. City may schedule use of Baseball Facility for City Parks and Recreation Department programming as approved by the SBCC Community Services Committee. No facility use fees shall apply to City Parks and Recreation programming, however SBCC may charge for direct costs related to the use. 3. Community use of the Baseball Facility is permitted and scheduled by SBCC Community Services Committee. Applicable fees to be charged based upon the approved SBCC facility rate sheet. City schedules use of Softball Field #1, #2. 4. Priority for this community softball venue is for Parks and Recreation softball programming. However, advance scheduling for SBCC Women’s Softball games, practices and classes will allow for those activities to be prioritized prior to 5pm, Monday through Friday, year around. <p><u>Maintenance:</u> In general, the maintenance, repair and improvements for the Baseball and Softball Facilities as listed shall be the responsibility of the agency that permitted, purchased and installed the infrastructure. Specific maintenance responsibilities will be compiled into a Field Maintenance Chart and updated twice a year. The Field Maintenance Chart will be responsibility of a four person sub-committee consisting of one representative each from the City Recreation Division, City Parks Division, SBCC Grounds Division and SBCC Athletics Department. The sub-committee will meet on a semi-annual basis to discuss and update the Field Maintenance Chart. Once approved, the City Recreation Division representative shall have the responsibility for updating and distributing the Chart to all parties. (Reference handout “Maintenance Chart”)</p>

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				<p><u>City Parks and Recreation:</u></p> <ol style="list-style-type: none"> 1. Maintain all outfield and surrounding park turf surfaces; except the baseball facility infield. 2. Maintain the Pershing Park restroom nearest the Carriage Museum. 3. Trash removal and disposal of all park trash cans not listed in the Field Maintenance Chart.
<p>Plaza del Mar Public Restroom</p>	<p>City</p>	<p>City</p>	<p>City</p>	<p>Parks and Recreation will provide access to this park restroom to SBCC Athletics to support athletic events in Pershing Park upon request. Requests will be directed to the Parks Manager. A restroom key will be issued to SBCC staff who will be responsible for opening and closing the facility, restroom use and access during the event. SBCC shall arrange and pay for custodial cleaning service at the conclusion of the event, and notify the Parks Manager once the work is completed.</p>
<p>Sports Pavilion (Gymnasium) Facility</p>	<p>SBCC</p>	<p>SBCC</p>	<p>SBCC</p>	<p><u>Facility Use:</u> Community use of the Sports Pavilion gymnasium facility will be allowed under the following conditions:</p> <ol style="list-style-type: none"> 1. Facility is available as determined by the SBCC Community Services Committee. 2. All activities are required to have a facility use permit issued by SBCC Community Services, obtained by submitting an application for facility use. 3. All facility users are required to comply with posted rules and regulations. 4. Applicable fees to be charged based upon approved SBCC facility rate sheet. 5. City Parks and Recreation may schedule organized sports programs three evenings per week, generally on Mondays, Tuesdays and Thursdays after 6:00pm, and as otherwise approved by SBCC. An Event Coordinator/Facility Monitor is required to be present during such use to ensure compliance with SBCC facility procedures and regulations. SBCC will recommend appropriately trained individuals. City will contact and pay such

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				individuals to be present during scheduled activities.
<p>Los Baños del Mar Municipal Pool Facility</p>	<p>City</p>	<p>City</p>	<p>City</p>	<p><u>Facility Use:</u></p> <ol style="list-style-type: none"> 1. Use of Los Baños is scheduled and permitted by the Parks and Recreation Aquatics Supervisor. 2. SBCC has first priority use Monday through Friday, 9:00am to 12:00pm for Physical Education and Marine Diving Technology programs during the regular academic year. 3. Lifeguard services will be provided by the City for all uses of Los Baños. 4. No facility keys will be issued to SBCC for Los Baños activities. 5. As available, Parks and Recreation will provide access to a shared storage area to house SBCC swim equipment such as hand paddles, etc. As mutually agreed, SBCC and Parks and Recreation may implement a shared equipment program whereby costs to purchase and replace such equipment is shared. <p>SBCC has interest in securing additional pool time (mornings and afternoons) to support Physical Education and Athletic program needs. Understanding that community recreational needs will be the highest priority for the City’s only municipal swimming pool, City will consider SBCC’s needs and interests when such opportunities arise.</p> <p><u>Use Fees:</u></p> <p>From 1962 to 1984, SBCC contributed financially towards the maintenance of the Los Baños facility. Beginning in 1984, SBCC agreed to pay hourly use fees to partially compensate the City for maintenance and operation costs associated with the pool and locker room facilities. Use fees are set by City Council on an annual basis as part of the City’s adopted financial plan.</p> <ol style="list-style-type: none"> 1. SBCC shall be entitled to the discounted facility use fees in the Resident/Non-profit fee category. 2. City to bill SBCC at the end of each semester (December and June). <p><u>Aquatic Facility Development Opportunities:</u></p> <p>Both entities have interest in exploring opportunities to expand the activity space and use of</p>

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				<p>the Los Baños facility to meet community and SBCC aquatic programming needs. As funding allows, SBCC and Parks and Recreation are interested in co-funding a study on the feasibility and cost to expand Los Baños and/or remove West Beach Wading Pool in order to add additional pool space.</p>
Beach Areas	City	City	City	<p><u>Facility Use:</u></p> <ol style="list-style-type: none"> 1. Use of City beach areas for academic and athletic volleyball programs is scheduled and permitted by the Parks and Recreation Sports Supervisor, all other beach related activities is scheduled and permitted by the Parks and Recreation Aquatics Supervisor. 2. Use of City beach areas for organized group activities involving the ocean (i.e., ocean activities such as surfing, ocean swimming, etc.) require City beach lifeguard services to be present during activity. A minimum of two City beach lifeguards will be assigned to all aquatic activities and programs. Lifeguard services for ocean classes conducted during the summer semester that occur during regular operating hours for the seasonal City beach lifeguard service will be provided at no additional cost. 3. Established City beach lifeguard fees will apply.
Shoreline Park	City	City	City	<p>Although community special events are no longer permitted at Shoreline Park, the City will continue to grandfather in the annual Cross Country Meet hosted by SBCC to be held at that venue. Scheduling and permitting of the annual cross country meet is provided by the Parks and Recreation Facilities and Special Events Supervisor, and all applicable special event and park use fees apply at the discounted Resident/Non-Profit rate category.</p>
Skater’s Point Skate Park	City	City	City	<p>Limited structured programming is allowed at this popular drop-in facility. City will allow SBCC use prior to 2:00pm, Monday through Friday, during the academic school year. Scheduling and permitting is conducted by Parks and Recreation Sports Supervisor.</p>
Academic Classrooms	SBCC	SBCC	SBCC	<p><u>Facility Use:</u></p> <ol style="list-style-type: none"> 1. Use of SBCC academic classrooms is scheduled and permitted by SBCC Community Services Office 2. Requests are submitted to SBCC Community Services using the Application for Facility

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				<p>Use as found on sbcc.edu/community services.</p> <p>3. A cost estimate can be provided by SBCC Community Services upon review of a completed Application for Facility Use by the SBCC Community Services Committee. All fees quoted will be at the SBCC non-profit rate.</p>
Municipal Golf Course	City	City	City	<p><u>Facility Use:</u> The City's golf course is an enterprise fund that receives no tax support; the course is operated on the revenue generated at the golf course. However, the City has a strong commitment to golf as a lifetime sports skill, and to growing the sport of golf through junior golf and young adult golf programs. Therefore, the City will provide tee times at no cost to SBCC Athletics for the Men's and Women's Golf Teams (max 10 people each) during their regular season. Requests for tee times should be directed to the City Parks and Recreation Director on an annual basis. Tee time scheduling is coordinated by the pro shop following approval by the Parks and Recreation Director.</p> <p>In exchange for this benefit, on an annual basis the City and SBCC will meet to discuss how to advertise and promote student golf use and rate opportunities at the municipal golf course.</p>