

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	37432	Agenda Number	30.
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Meeting Date:	11/6/2014	Department:	Parks and Recreation
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Subject

Authorize negotiation and execution of an interlocal agreement between the City and the Austin Independent School District (AISD), an independent school district as defined by state law, for the lease of Butler Fields, and finding that the AISD use of Butler Fields constitutes a park purpose.

Amount and Source of Funding

Fiscal Note

There is no unanticipated fiscal impact. A fiscal note is not required.

Purchasing Language:	
Prior Council Action:	
For More Information:	Cheryl Bolin, (512) 974-9459
Boards and Commission Action:	October 28, 2014 – Approved by the Parks and Recreation Board on a vote of 6-0 with Board Member Osgood absent. Recommendation No. 20141028-003.
MBE / WBE:	
Related Items:	

Additional Backup Information

The City of Austin and the Austin Independent School District have a long history of seeking opportunities to leverage the taxpayers’ investment by partnering in joint-use projects. In 2005, Texas Education Code §11.168. USE OF DISTRICT RESOURCES PROHIBITED FOR CERTAIN PURPOSES, limited school districts’ abilities to enter into an agreement that authorized the use of school district employees, property, or resources for the provision of materials or labor for the design, construction or renovation of improvements to real property not owned or leased by the district. In order to consider and to participate in future joint-use projects with AISD, the City of Austin, in November 2012, asked Austin voters to approve a charter amendment that would permit the City Council to lease parkland to an independent school district for a purpose that the Council has found, by a two-thirds majority, is a park purpose. With Austin voters’ approval of the amendment, the Austin City Council is once again being asked to authorize the negotiation and execution of an interlocal agreement between the City of Austin and the Austin Independent School District. The City Council’s authorization of this agreement would allow AISD priority use of Butler Fields # 1 and # 2 and would continue cooperative efforts to maintain and to enhance the Facility should AISD have the capacity to provide future improvements.

The interlocal agreement will establish a contract between the Austin Independent School District (AISD) and the City of Austin (City) for AISD’s priority use of Butler Fields # 1 and # 2. The proposed collaboration will provide sports activities for the community, and AISD’s UIL girls’ fast-pitch teams would benefit from regular and scheduled use of Butler Fields.

In 2007, AISD provided financial assistance in the amount of \$428,773 to install irrigation, field lighting and other improvements associated with the fields, which increased the value of this park facility to both AISD and the City.

The City of Austin leases the Butler property for AISD's non-exclusive use in accordance with the schedule below:

- AISD shall have exclusive use of the facilities from February 1st to May 31st each year during the term; and
- AISD shall also have the right to enter the Facilities at other reasonable times from October through January of each year during the term as needed to perform work in connection with turf preparation and management of the fields.

Nothing in this agreement shall be construed to limit, in any way, the power of the City to use, alter, or improve the Facility pursuant to official action by the City's governing body.

Upon direction from the Austin City Council, the City of Austin, through its Park and Recreation Department, is prepared to negotiate and execute an interlocal agreement that would allow AISD non-exclusive use of Butler Fields # 1 and # 2.