

**CITY OF BOULDER
PARKS AND RECREATION ADVISORY BOARD AGENDA ITEM**

MEETING DATE: December 15, 2014

AGENDA TITLE: Public Hearing and Consideration of a Motion to Approve a Non-Exclusive Revocable License Agreement Between Diamond Baseball of Boulder and the City of Boulder to Provide for the Use, Improvement, Development and Maintenance of Scott Carpenter Ballfield as a City of Boulder Public Baseball Amenity.

PRESENTERS:

Jeff Dillon, Director, Parks and Recreation

Yvette Bowden, Deputy Director, Parks and Recreation

Abbie Poniatowski, Senior Business Services Manager

Teri Olander, Parks and Recreation Manager, Programs and Partnerships

EXECUTIVE SUMMARY:

The purpose of this item is for the Parks and Recreation Advisory Board (PRAB) to review and consider the approval of a multi-year non-exclusive revocable license agreement between Diamond Baseball of Boulder (DBOB) and the City of Boulder (city) providing for the use, improvement, development, and maintenance of Scott Carpenter Ballfield (SCB) as a City of Boulder public baseball amenity. The term of the agreement term would be from December 16, 2014 through November 15, 2017.

From 2004-2014, DBOB was authorized and did previously have the authority to fundraise toward the improvement of, implement improvements, use and maintain SCB during summer months for the purposes of baseball programming and for the benefit of the Boulder community pursuant to prior agreements between Boulder Valley School District (BVSD), the city and DBOB.

Prior agreements, having expired, are no longer in effect and both the city and DBOB's desire continued improvement, development and common use and maintenance of the property during the summer months.

The attached non-exclusive revocable license agreement between DBOB and the city for SCB defines the relationship between DBOB and the city (Attachment A).

STAFF RECOMMENDATION:

Staff recommends that the PRAB approve the agreement and authorize the City Manager to make minor amendments prior to or during the term of this agreement in order to ensure that Scott Carpenter Ballfield is properly maintained and operated in a manner that is consistent with applicable laws and the policies and regulations of the city.

Suggested Motion Language:

Staff requests PRAB's consideration of this matter and action in the form of the following motion:

Motion to approve the non-exclusive revocable license agreement between Diamond Baseball of Boulder and the City of Boulder for Scott Carpenter Ballfield and authorize the City Manager to make minor amendments prior to or during the term of this agreement in order to ensure that Scott Carpenter Ballfield is properly maintained and operated in a manner that is consistent with applicable laws and the policies and regulations of the City of Boulder.

CITY COUNCIL, BOARD AND COMMISSION FEEDBACK:

The PRAB discussed the non-exclusive revocable license agreement between DBOB and the City at the September 21, 2014 business meeting.

COUNCIL FILTER IMPACTS

Economic: SCB is a community asset that provides recreational opportunities for the Boulder community. Games played at SCB include one or more teams from outside of Boulder, who travel to Boulder for games and may shop, dine and/or stay in Boulder, providing an economic impact to Boulder. Capital improvements may be made to SCB through DBOB's fundraising and maintenance costs otherwise incurred by the city will be provided by DBOB.

Environmental: SCB is located in a safe and environmentally friendly location for Boulder's youth to play baseball. Industry best practices for maintenance are used without the use of pesticides, adhering to the city's Integrated Pest Management (IPM) program and recycling is required by all users.

Social: Community members have expressed support in focus groups and community meetings in 2014 for SCB to be operated and maintained as both a recreational baseball facility and a valued gathering place for all levels of youth baseball.

OTHER IMPACTS:

Fiscal: This agreement will include maintenance responsibilities assigned to DBOB that would otherwise be performed by the department's staff.

Staff time: Annually, the execution of this agreement will save many hours of staff time performing and managing maintenance and scheduling duties. Existing staff members will be responsible for contract management and construction planning covered by the proposed Agreement.

PUBLIC FEEDBACK:

Representatives from DBOB attended PRAB meetings in May and September 2014, supporting the past arrangement between DBOB, Boulder Valley School District and the City. During those meetings, DBOB did also express a desire to continue to work with the City on improvements to and operation of SCB.

ANALYSIS:

SCP ballfield, located at 1500 30th Street, has historically been utilized by the Boulder High School (BHS) baseball program and DBOB, a nonprofit organization committed to supporting youth baseball at BHS and its feeder programs. From 2004-2014, DBOB was authorized and had the authority to fundraise toward the improvement of, implement improvements, use and maintain SCB for the purposes of baseball programming and for the benefit of the Boulder community.

Through its fundraising, DBOB coordinated volunteerism and construction efforts, implemented enhancements and maintenance to the ballfield, including, but not limited to, an improved irrigation system, new outfield fencing, a new playing surface, a new scoreboard, batting cages, new foul poles, light pole relocation, new sidewalk, a hitting shell and new dugouts.

Prior agreements, having expired, are no longer in effect and both the city and DBOB desire continued operation for the improvement, development and common use and maintenance of the property during the summer months.

The department and City Attorney staff negotiated in good faith with representatives from DBOB to develop the agreement.

ATTACHMENTS:

Attachment A: Non-Exclusive Revocable License Agreement between Diamond Baseball of Boulder and the City of Boulder to Provide for the Use, Improvement, Development and Maintenance of Scott Carpenter Ballfield as a City of Boulder Public Baseball Amenity.