

DISCUSSION CALENDAR

- 13 SECOND AMENDMENT TO LEASE AGREEMENT WITH AMERICAN YOUTH SOCCER ORGANIZATION – REGION 47 FOR USE OF AB BROWN COMPLEX THROUGH JUNE 30, 2019 WITH TWO ADDITIONAL ONE-YEAR EXTENSIONS, ANNUAL REVENUE AMOUNT OF \$12,000 IN GROUND LEASE REVENUE PLUS IN KIND SERVICES IN THE FORM OF MAINTENANCE; SECOND AMENDMENT TO WATER SALE AGREEMENT AB BROWN SPORTS COMPLEX AMERICAN YOUTH SOCCER ORGANIZATION – REGION 47 THROUGH JUNE 30, 2019 FOR TWO ADDITIONAL ONE-YEAR PERIODS FOR THE CONTINUED DELIVERY OF NON-POTABLE WATER FOR IRRIGATION TO THE FIELDS AT THE COST OF SERVICE ESTIMATED AT \$28,000 ANNUAL REVENUE FOR WATER SALES

Community & Economic Development, Interim Director David Welch reported on the AYSO agreements and answered questions from the Board.

The Board expressed they are unhappy with the lease agreements as it is too little money and would like AYSO to provide an accounting of all other use of the Property by non-AYSO entities and also provide account of all funds collected from non-AYSO entities for use of the Property.

The Board requested the following additional language to Recommendation No. 1:

.....with the following revision to Section 1 of that amendment: “The term of the Lease is hereby extended by one year, until June 30, 2019. Lessee shall have an option to extend the term of the Lease for two (2) additional one-year periods. Lessee may exercise such options by (i) sending a written request to the City at least one hundred twenty (120) days prior to the expiration of the then-current term of the Lease; (ii) providing an accounting of all other use of the Property by non-AYSO entities during the preceding year of the Lease; and (iii) providing an accounting of all funds collected by AYSO from by non-AYSO entities for use of the Property during the preceding year of the Lease”;

Following discussion, the Board of Public Utilities recommended that the City Council:

1. Approve the Second Amendment to Lease Agreement with American Youth Soccer Organization - Region 47 for the use of AB Brown Complex through June 30, 2019, with two additional one-year extensions, in the annual revenue amount of \$12,000, with the following revision to Section 1 of that amendment: “The term of the Lease is hereby extended by one year, until June 30, 2019. Lessee shall have an option to extend the term of the Lease for two (2) additional one-year periods. Lessee may exercise such options by (i) sending a written request to the City at least one hundred twenty (120) days prior to the expiration of the then-current term of the Lease; (ii) providing an accounting of all other use of the Property by non-AYSO entities during the preceding year of the Lease; and (iii) providing an accounting of all funds collected by AYSO from by non-AYSO entities for use of the Property during the preceding year of the Lease”;
2. Approve the Second Amendment to Water Sale Agreement AB Brown Sports Complex with American Youth Soccer Organization – Region 47 through June 30, 2019, with two additional one-year periods, for the continued delivery of non-potable water for irrigation to the fields at the cost of service estimated at \$28,000 annual revenue for water sales; and

3. Authorize the City Manager, or his designee, to execute the Second Amendment to Lease Agreement and the Second Amendment to Water Sales Agreement with American Youth Soccer Organization – Region 47, including making minor, non-substantive changes, to sign all documents and instruments necessary to complete the transaction, and to execute amendments for the optional extensions.

Motion – Austin. Second – O'Farrell.

Ayes: Russo-Pereyra, Austin, Crohn, Hernandez, O'Farrell, and Sanchez-Monville.

Noes: Walcker

Absent: Gil Ocegueda (absence due to vacation)
Kevin Foust (absence due to vacation)