



CITY COUNCIL AGENDA REPORT

MEETING DATE: May 2, 2006

ITEM NUMBER:

SUBJECT: AMENDMENT TO AGREEMENT BETWEEN THE CITY OF COSTA MESA AND THE BOYS AND GIRLS CLUB OF THE HARBOR AREA

DATE: APRIL 11, 2006

FROM: ADMINISTRATIVE SERVICES DEPARTMENT/RECREATION DIVISION

PRESENTATION BY: JANA RANSOM, RECREATION MANAGER

FOR FURTHER INFORMATION CONTACT: JANA RANSOM, 714-754-5300

RECOMMENDATION:

The City Council is requested to approve the amendment to the agreement dated April 19, 1965 and authorize the Mayor to sign on behalf of the City.

BACKGROUND:

On April 19, 1965, the City and the [then] Boys Club of the Harbor Area entered into a 50-year lease for the land at 2131 Tustin Avenue for the purpose of conducting supervised activities for boys between 8 and 18 years of age. Upon execution on April 19, 1965, the lease was amended to include the construction of a gymnasium on the land. Since 1965, the lease has been in force and there have been good relations between the City and the Boys Club. The Boys Club is now known as the Boys & Girls Club.

The Club has the option to extend this lease for an additional term of 48 years by giving the City 12 months written notice, which would extend the term of the lease through 2063.

Recently, the Boys & Girls Club of the Harbor Area approached the City to discuss a second amendment to the lease for additional construction.

ANALYSIS:

Approximately twelve months ago, the Director of the Boys and Girls Club approached the Recreation Manager to discuss the addition of a multi-use sports court to the site and to change the name on the lease to the "Boys & Girls Club of the Harbor Area" (hereinafter referred to as The Club). The Club proposed to enlarge the lease area and build a multi-use sports court that would allow them to program a variety of court sports such as basketball, volleyball and roller hockey. The Club is in the process of creating the design plans for the court and in order to continue with design, the lease must first be amended to allow for the additional construction. Once design is completed the Club will submit all plans to the City for approval, plan check, and any other approvals,

including Planning Commission and Newport Mesa Unified School District (for drainage) review.

Recreation staff believes the construction of a sports court is a positive and worthwhile addition to the programming offered at the Club and complements the programming offered by the City. Because the City does not have a recreation or community facility on the eastside, the Club provides a valuable resource for Costa Mesa youth to be involved in positive social activities. Recreation staff and the Club have discussed the concept of joint use, but do not believe there is the need for shared use of this facility. The City has a gymnasium at the Downtown Recreation Center (DRC) and a teen program that is becoming increasingly successful. In addition, due to the heavy use of the Club facilities, there is little available time to share with City programs. City staff and Club will continue to maintain positive and open communication.

ALTERNATIVES CONSIDERED:

City could not amend the lease - which would prohibit Club from constructing the sport court.

FISCAL REVIEW:

There is no fiscal impact to the City. The Club has paid the rental fee through the initial lease term, 2015.

LEGAL REVIEW:

The City Attorney's office has reviewed the Amendment and approved as to form.

CONCLUSION:

Due to the continuing positive benefit of the City's association with the Harbor Area Boys & Girls Club, and in order to provide the legal basis for expansion of the existing facility to include an outdoor multi-use sports court, City Council is requested to approve the amendment to the agreement dated April 19, 1965 and authorize the Mayor to sign on behalf of the City.

JANA RANSOM
RECREATION MANAGER

STEPHEN N. MANDOKI
ADMINISTRATIVE SERVICES DIRECTOR

DISTRIBUTION: City Manager
Development Services Director

ATTACHMENTS

1. [Amendment to Lease Agreement](#)
2. [Site Plan](#)
3. [Original Lease](#)