

## **RESOLUTION NO.**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME AUTHORIZING THE CITY MANAGER TO EXECUTE A SECOND AMENDED AND RESTATED AGREEMENT WITH THE SAN MATEO UNION HIGH SCHOOL DISTRICT FOR THE BURLINGAME AQUATIC CENTER**

**WHEREAS**, the Burlingame Aquatic Center on the Burlingame High School campus includes a 50-meter by 25 yard competition pool, a smaller, warm pool for lessons, and a pool house that includes locker rooms, offices, and pool equipment; and

**WHEREAS**, in the summer of 2018, the District undertook a pool renovation project that included removal and replacement of the deck, removal and replacement of the pool finish, and the replacement of the interior lights with LED fixtures; and

**WHEREAS**, various problems related to corrosion of the rebar and improper concrete coverage, among other challenges, arose throughout July, August, and September 2018; work on the pool ceased; and District staff recommended to their Board that the District replace the pool rather than repair it given the many problems uncovered; and

**WHEREAS**, District staff, City staff, and Council and District subcommittee members (Mayor Colson, Councilmember Brownrigg, Board President Land, and Board Clerk Griffin) met to negotiate a term sheet that was approved by both elected bodies in May and that laid out the City's financial contribution to the pool construction project and other items; and

**WHEREAS**, City staff and District staff have worked since then to craft the Second Amended and Restated Agreement between the City of Burlingame and the San Mateo Union High School District for the Use, Operation and Maintenance of the Burlingame High School Aquatic Center; and

**WHEREAS**, the Agreement includes such terms as: the City's \$2.7 million contribution toward the construction project; the extension of the existing Agreement from 2026 to 2040; the City's share of maintenance and operations expenses (50% for the first year, and then set by formula thereafter); the City's share of capital expenditures (50%); the sharing of pool hours; the District's commitment to undertake a facility audit in early 2020; and the City's ability to make physical changes to the Pool House, subject to the prior written consent of the District; and

**WHEREAS**, the District Board of Trustees approved the Agreement on August 22, 2019.

### **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURLINGAME RESOLVES AS FOLLOWS:**

The City Manager is authorized to execute the Second Amended and Restated Agreement with the San Mateo Union High School District for the Burlingame Aquatic Center.

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Donna Colson, Mayor

I, Meaghan Hassel-Shearer, City Clerk of the City of Burlingame, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on the 3<sup>rd</sup> day of September, 2019, and was adopted thereafter by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

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Meaghan Hassel-Sheaerer, City Clerk