

TOWN COUNCIL STAFF REPORT

Subject: Lease Agreements with the Mammoth Unified School District and Mono County Office of Education for the extended use of the Multi-use Facility (ice rink) site.

Meeting Date: March 1, 2023

Written by: Stuart Brown, Parks and Recreation Director

RECOMMENDATIONS:

1. Approve a 1-month extension of the current amended lease agreement for the Mammoth Ice Rink Site with the Mammoth Unified School District and Mono County Office of Education in the amount of \$4,200.
2. Approve a new 5-year lease agreement with the Mammoth Unified School District and Mono County Office of Education to convert the existing Mammoth Ice Rink site to a community Pickleball and Multi-Use Complex for \$1.00 per year.

BACKGROUND:

On July 6, 2022 Town Council authorized the Town Manager to negotiate with the Mammoth Unified School (District) and Mono County Office of Education (MCOE) for a new lease agreement for the adaptive reuse of the existing Multi-use Facility site (Ice Rink/Rec Zone). The Town has held a lease agreement since 2007 with the District and MCOE to operate a Multi-Use Facility on approximately two and a half acres of land adjacent to the District Offices/Library.

The lease agreement facilitated the development of a community Ice Rink/RecZone utilizing a concrete slab and related infrastructure (Ice Rink), that has been in operation since 2011 serving over 80,000 users. The current operating lease amendment is set to expire on February 28, 2023, however, the Town desires to extend the lease to continue to operate the outdoor ice rink through March 31, 2023. The proposed lease will allow the Town to continue to maintain and transition the site to the uses as proposed. Based on community feedback, requests from recreation enthusiasts and support from the Parks and Recreation Commission, the Town is planning to repurpose the existing “ice rink” site for non-fee recreation uses that includes the installation, operation and maintenance of six (6) regulation pickleball courts to meet the recreation and athletic needs of the community. In addition, the site may include such activities as horseshoes, corn hole, or similar games with a maintained picnic area, restrooms, trash, lights, etc.

In conversations with the District Superintendent and staff, the District is evaluating uses for the site over the next five years, allowing the Town to program this space for non-fee based recreation uses. The requested lease term is to commence on April 1, 2023 for a term of 5 years, with an option to extend the Agreement for one-year (1) time periods by mutual agreement.

Town staff presented the one-month lease extension and the new 5-year lease agreement to the Mammoth Unified School District Board of Trustees for the proposed use of the Multi-use Facility (ice rink) site on February 16, 2023 and they were both unanimously approved. The lease agreements for the proposed use of the Multi-use Facility site with the District and MCOE are discussed in greater detail below and are provided for consideration by Town Council.

ANALYSIS/DISCUSSION:

A. One (1) Month Lease Extension Agreement with the District/MCOE.

The construction of the Community Recreation Center (CRC) has taken longer than planned, with a current estimated opening of summer 2023. With the delayed opening, the Town is planning to continue to use the existing Mammoth Ice Rink Site for ice-related activities through March 31, 2023. Operations may terminate prior to this date depending on when ice conditions deteriorate, and operations are no longer possible. The current term of the lease agreement was through February 28, 2023. As per the amended lease agreement executed on October 27, 2022, the Town will pay an additional \$4,200 for the month of March. Inclusive of this additional one-month payment, the total contract amount paid to the District for this fiscal year is \$37,800. All other requirements under the lease would continue to be met such as site maintenance, snow removal, student discounts and dedicated time for school uses.

A one (1) Month Lease Extension and Fee Agreement for the Mammoth Ice Rink Site is provided for consideration by the Mammoth Lakes Town Council.

B. New 5-year Lease Agreement with the District/MCOE to convert the existing Ice Rink site to a Community Pickleball and Multi-Use Complex.

The new Community Recreation Center (CRC) will be open and available to the public year-round, with the new “LA Kings Ice at Mammoth Lakes” operating each winter season between the months of October and April providing a multitude of “ice sports” for residents and visitors. During the summer months, the Olympic-sized rink will be transformed into a fully programmable, multi-use RecZone, which will serve as the “court sport” hub for the expanding Parks and Recreation Department’s summer camps and programs and for community and visitor use. As planned, the Town does not intend to continue to operate the outdoor Ice Rink/RecZone at the current location with the opening of the CRC.

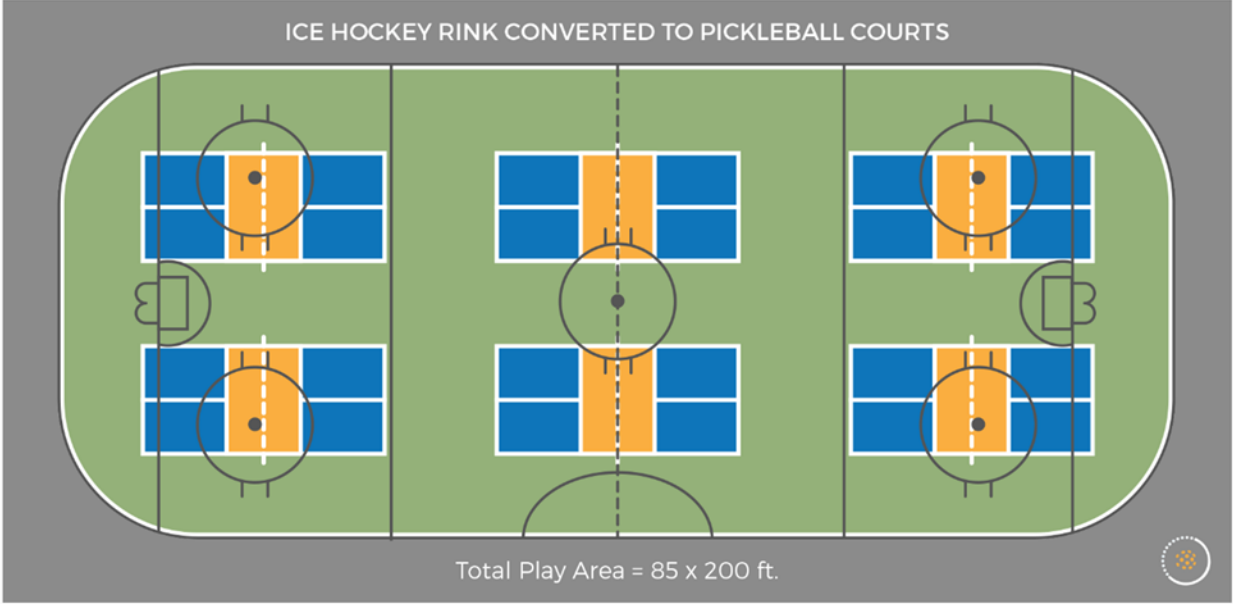
The existing ice rink site is located on approximately 2.5 acres of Mammoth Unified School District (MUSD) and Mono County Office of Education (MCOE) property, adjacent to the Mammoth Lakes Library (See Exhibit A below). The proposed lease term is to commence on April 1, 2023 for a term of 5 years, with an option to extend the Agreement for one-year (1) time periods

by mutual agreement. The agreement may be terminated by the parties following 90 days written notice by a party to the other parties at any time during the term.



The existing infrastructure (concrete slab, perimeter fence, restrooms, garage, lights, etc.) at the existing Ice Rink Site is in relatively decent shape and may be used for other recreational purposes until such time that the District or MCOE develop the site for other uses. Based on community feedback, requests from recreation enthusiasts, and support from the Parks and Recreation Commission, the Town is planning to repurpose the existing “ice rink” site for non-fee recreation uses that includes the installation, operation and maintenance of six (6) regulation pickleball courts to meet the recreation and athletic needs of the community (see Exhibit below). In addition, the site may include such activities as horseshoes, corn hole, or similar games with a maintained picnic area, restrooms, trash, lights, etc. The facility will be made available for public recreation use on a first-come, first-serve basis, with the exception of MUSD/MCOE and Town Parks and Recreation programs that will have priority use.

Exhibit – Conversion of Ice Rink to 6 Pickleball Courts



The Town has set aside \$100,000 (FY2022/23 Budget) to invest in enhancing the site for community benefit. If a new lease is approved by Town Council, work will be scheduled this spring/summer as per the subsequent Agreement with AllSport America Inc. On February 16, 2023, the District approved a reduced lease payment of \$1.00 per year for the community

recreation amenity as the Town will not be collecting fees for public court use (only for uses that have direct cost expenses to the Town, i.e., Tournaments). However, the Town is committed to continue to secure and fund snow removal for access and parking areas as defined in the lease agreement (average annual cost of approx. \$30,000). In addition, the Town is committed to provide the District/MCOE with pre-requested exclusive use of the community pickleball courts and multi-use complex between 7:30am and 12:00pm on all days in which school is in session and non-exclusive use at other times Monday through Friday for school PE classes, functions or other school use.

As per the previous agreement, the Town is committed to the ongoing maintenance and operation of the proposed community pickleball courts and multi-use complex in a safe and sound condition, including compliance with any governmental requirements related to the construction and operation of the facility. The Town will also be responsible for the removal of improvements and rehabilitation of the property with re-vegetation with indigenous plants, soil stabilization. etc., upon the expiration of this Agreement, unless an alternate agreement is executed by the parties.

The proposed lease term is to commence on April 1, 2023 for a term of 5 years, with an option to extend the Agreement for one-year (1) time periods by mutual agreement. A new lease agreement is attached for the Mammoth Lakes Town Council consideration.

FINANCIAL CONSIDERATIONS:

Funds for the additional one-month lease extension (\$4,200) will be expensed to the existing ice rink budget, while the \$1.00 year and snow removal expenses will be budgeted accordingly.

ENVIRONMENTAL CONSIDERATIONS:

Environmental considerations are outlined in the Agreement under Section 7.

LEGAL CONSIDERATIONS:

The Town Attorney has reviewed the lease agreement which outlines the legal conditions and responsibilities of the Parties. This agreement may be terminated by the parties following 90 days written notice by a party to the other parties at any time during the term.

ATTACHMENTS:

- A. One (1) month lease term extension and lease payment agreement with the Mammoth Unified School District and Mono County Office of Education for the existing Ice Rink site.
- B. New 5-year lease agreement with the Mammoth Unified School District and with the Mono County Office of Education to convert the existing Ice Rink site to a community Pickleball and Multi-Use Complex.