



City of Newberry

City Commission Agenda Item

Meeting Date	August 8, 2016
Title:	Champions Park of Newberry Operating Agreement Status Report
Agenda Section:	VII. D.
Department:	Recreation
Presented By:	Brad Carman, Director of Recreation
Recommended Action:	Discuss item and direct staff. Alternatives include extending the agreement again and continuing negotiations with Champions Park, LLC or issuing a Request for Proposal to operate Champions Park of Newberry.

Summary:

Construction of Champions Park of Newberry concluded in 2012. Initially, operation of the facility was contracted with Nations Baseball Park, LLC. The requirement of the operating agreement included a number of items including a minimum number of tournaments that much be conducted annually. An additional requirement in the operating agreement was periodic reporting by the operator of specific financial information, tournaments conducted, participants in each tournament, etc. Both of these requirements resulted from the City's interlocal agreement with Alachua County to fund construction of the facility. The intent of including these requirements in the operations agreement was for the park operator to provide the information to the City necessary for the City to comply with the requirements of its interlocal agreement with the County. Nations Baseball Park, LLC struggled to attract teams for tournaments and in 2014, the agreement to operate the park was terminated by mutual agreement of both parties.

In December 2014 the City executed a one-year agreement with Champions Park LLC to operate Champions Park of Newberry. The reporting requirements from the City's interlocal agreement were included in the operating agreement. In June, 2015, the City Commission authorized staff to negotiate a long-term agreement with Champions Park LLC. The City Commission specifically requested that the agreement include a mechanism to fund renewal and replacement of the major park assets to protect City taxpayers from that burden. In December 2015 the parties executed a 120 day extension (to April 2016) to the agreement to conclude negotiations on the long term agreement. Presently, negotiations are incomplete and the operating agreement has lapsed. The primary remaining issue is how to address funding of renewal and replacement of park infrastructure. Staff conservatively estimates that \$115,000 should be set aside annually to fund infrastructure renewal and replacement.

As previously stated, the park operator has periodic reporting requirements. Presently, Champions Park of Newberry is out of compliance with its 2015 reporting requirement. As a result, the City is out of compliance with reporting requirements from its interlocal agreement with Alachua County.

Staff has met with Champions Park LLC to discuss and resolve these issues on a number of occasions. Staff seeks direction from the City Commission regarding how to proceed.

Below are excerpts from the City's Interlocal Agreement with Alachua County (and amendments) for construction of Nations Park and from the Champions Park Operating Agreement.

1. Agreement to Operate Champions Park of Newberry between Newberry and Champions Park, LLC - 2014

Page 5:

175 10. **Project Records** – The parties hereto shall maintain all financial records relating
176 to the maintenance and operation of the Park in a manner so as to facilitate
177 yearly audit by City auditors to the extent necessary to comply with the
178 Interlocal Agreement, dated July 13, 2010, entered into between the City and
179 Alachua County (the "Interlocal Agreement") (a copy of Interlocal Agreement is
180 attached hereto as **Exhibit C**).

Page 17:

596 **4.8** Operator shall maintain a log of all maintenance activities and provide
597 copies of said log to the City on a quarterly basis.

Page 18 – 19:

634 **7.0 Reporting:**

635 **7.1** Provide to the City a quarterly report to include:

636 **7.1.1** Field reservations and availability

637 **7.1.2** Participation numbers

638 **7.1.3** Summary of scheduled games and tournaments

639 **7.1.4** Summary of scheduled clinics and training events

640 **7.1.5** Incident/Accident Reports

641 **7.1.6** Breakdown of operating expense expenditures as required
642 by the Interlocal Agreement

643 **7.1.7** Maintenance logs provided in Section 4.8 above.

2. Amendment No. 1 to Interlocal Agreement between Newberry and Alachua County – 2011

k. To provide the COUNTY annual financial statements, including Nation's Park LLC, annual balance and income statement.

3. Amendment No. 2 to Interlocal Agreement between Newberry and Alachua County – 2015

(o) To provide County semi-annual reports on the total direct dollar impact of each event held at Champions Park, including the number of room nights generated by each event and the approximate amount of tourist development tax generated by each event as illustrated in the example in Exhibit D to this Agreement. The semi-annual report shall be delivered to the Visitors and Convention Bureau not later than March 15th and September 15th annually during the term of this Agreement.

Attachments:

1. Champions Park Assets Depreciation Report

Facility Life Expectation Evaluation

Interest / Discount rate: 2.0%

Asset / Item	Qty	UOM	Unit Cost	Extended Cost	Expected Service Life (Yrs)	Annual Payment Value
Major Repair projects				2,056,365.98		114,778.98
Athletic turf material/labor replacement	192000	sqft	7.00	1,344,000.00	20	82,194.63
Limerock drive aisle / parking area	1575	ton	10.50	16,537.50	30	738.40
Potable water system	1	ls	15,000.00	15,000.00	30	669.75
Entire light bank replacement	48	ea	5,532.51	265,560.48	30	11,857.25
Complete fence ballfield fence replacement	1	ls	220,000.00	220,000.00	50	7,001.11
Irrigation well replacement	1	ls	13,700.00	13,700.00	30	611.70
Air Condition compressor/handler replacement	1	ea	5,000.00	5,000.00	20	305.78
Scoreboard/controller replacement	16	ea	4,000.00	64,000.00	20	3,914.03
Nets/Backstops	16	ea	750.00	12,000.00	10	1,335.92
Concession Roof's	2236	sqft	4.00	8,944.00	20	546.99
Office Roof	3176	sqft	4.00	12,704.00	20	776.93
Maintenance Roof	1806	sqft	4.00	7,224.00	20	441.80
Dugout Roof's	730.4	sqft	4.00	2,921.60	20	178.68
Bullpen Roof's	15571.2	sqft	4.00	62,284.80	20	3,809.13
Scorer's Tower's	1622.4	sqft	4.00	6,489.60	20	396.88
Everyday Maintenance Repairs				-		-
Paint/Touch up interior of buildings				-		-
Paint/Touch up exterior of buildings				-		-
Sprinkler head/valve/field piping repairs				-		-
Minor fence repairs (wooden posts)				-		-
Replace bulbs,ballasts,capicitors in field lights				-		-
Replace individual breakers/wiring				-		-
Replace pitching mounds				-		-
Repair sod as needed				-		-
Repair/update landscaping				-		-
Shade screen replacement				-		-

Facility Life Expectation Evaluation

Interest / Discount rate: 2.0%

Asset / Item	Qty	UOM	Unit Cost	Extended Cost	Expected Service Life (Yrs)	Annual Payment Value
Repair/replace mister fans				-		-
Repair/replace concession items				-		-
Repair A/C with the exception of full replacements.				-		-
Repair/replace doors/windows				-		-
Repair/replace gates				-		-
Repair/replace lavatory faucets/toilets/urinals				-		-
Repair/replace bathroom paper dispensers				-		-
Repair/replace sinks/partitions				-		-
Paint/Touch up interior of bathrooms				-		-
Paint/Touch up exterior doors				-		-
Repair/replace concession roll up doors				-		-
Repair/replace concession counters				-		-
Repair/replace concession items due to wear/tear				-		-
Repair lights/battery/minor electric w/ Scoreboards				-		-
Paint/Touch up scoreboard stands				-		-
Paint/Touch up foul poles				-		-
				-		-
Notes associated with Major Repair Projects				-		-
Approx 12,000 sqft for each field.				-		-

Approx 45,000 sq ft/9=5000 sq yds x 6" thick x 105 lbs / 2000 = 1575 tons.

Consisting of well pump/casing/tank in the fenced area.

Consisting of all ballasts/housings/bulbs/capacitors (8 per pole).

Based on recent construction costs

Consisting of well pump/casing/tank in the fenced in area.

Condensing unit + air handler.

Replace with Nevco 1610 (1510 no longer avail) w/ controller/receiver.

Approx 52' L x 20' T Nylon replacement.

516 sq ft with 5/12 pitch.

Facility Life Expectation Evaluation

Interest / Discount rate: 2.0%

Asset / Item	Qty	UOM	Unit Cost	Extended Cost	Expected Service Life (Yrs)	Annual Payment Value
3013 sq ft with a 4/12 pitch.						
1800 sq ft with 1.5/12 pitch.						
182 sq ft with flat roof.						
480 sq ft with 2/12 pitch.						
100 sqft/each with 2/12 pitch.						
Total				2,056,365.98		114,778.98