

# NOTICE OF SPECIAL MEETING

Pursuant to Section 54956 of the Government Code of the State of California, a Special meeting of the **Tracy City Council** is hereby called for:

**Date/Time:**                **Monday, June 1, 2015, 5:00 p.m.**  
(or as soon thereafter as possible)

**Location:**                **Council Chambers, City Hall**  
**333 Civic Center Plaza, Tracy**

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Tracy City Council on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

1. Call to Order
2. Roll Call
3. Items from the Audience - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2015-052 any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Council Member to sponsor the item for discussion at a future meeting.*
4. DISCUSSION AND DIRECTION RELATED TO THE CONSTRUCTION OF LEGACY FIELDS PHASE 1
5. Adjournment



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Mayor

**Posted: May 28, 2015**

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6105), at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Tracy City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's office located at 333 Civic Center Plaza, Tracy, during normal business hours.

AGENDA ITEM 4

REQUEST

**DISCUSSION AND DIRECTION RELATED TO THE CONSTRUCTION OF LEGACY FIELDS PHASE I**

EXECUTIVE SUMMARY

On April 21, 2015, City Council approved the formation of a subcommittee to assist with the development of Legacy Fields Phase I. Since then, the subcommittee has met with Tracy Youth Soccer League, Tracy Babe Ruth and Tracy Little League to discuss pathways to construct fields using the \$5.1 million allocated by Council on March 3<sup>rd</sup>. The subcommittee also received request sheets from each league which outlines their needs and ideas to move the project forward.

DISCUSSION

Since April 30, 2015, the Council subcommittee has been actively working with Tracy Little League (TLL), Tracy Babe Ruth (TBR), and Tracy Youth Soccer League (TYSL) to find pathways to maximize the \$5.1 million Council committed to construct fields at Legacy Fields Phase I. These leagues currently have Property Development and Lease Agreements with the City.

The subcommittee and league representatives discussed in detail various ways to address the needs of each league in the areas of:

- Project scope and value engineering
- Bidding and defining the construction responsibilities
- Lease payments
- Construction timeline
- Exclusive use
- Development of future phases and funding for build out
- Maintenance

During this process, staff requested that each league identify key elements that would allow their organizations to proceed with facility improvements to their individual area as identified in their current Property Development and Lease Agreements. Each league will provide the subcommittee with requests sheets which will summarize these key elements. Attached are the leagues request sheets that were received. Staff requests that Council provide direction on construction of Legacy Fields.

Staff will have a PowerPoint presentation which will cover request sheets and go into other details of field scope and construction.

### STRATEGIC PLAN

This agenda item supports the Quality of Life Strategic Plan and specifically implements the following goal and objective:

Goal 2: Address city amenities and facility usage with an emphasis on accessibility and streamlined services.

Objective 2: Explore public-private facility initiatives geared towards a multi-use facility.

This agenda item also supports the Economic Development Strategic Plan and specifically implements the following goal and objective:

Goal 2: Attract retail and entertainment uses that offer residents quality dining, shopping and entertainment experiences.

Objective 2: Increase the entertainment and recreational opportunities and events that draw people into Tracy.

### FISCAL IMPACT

The fiscal impact to the General Fund may vary, depending on direction from Council.

### RECOMMENDATION

That the City Council discuss and provide direction on the construction of Legacy Fields Phase I.

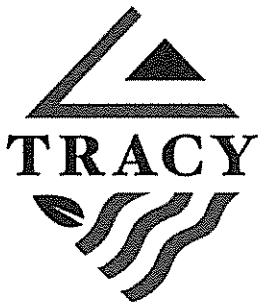
Prepared by: Brian MacDonald, Management Analyst II

Reviewed by: David Ferguson, Public Works Director  
Andrew Malik, Acting Assistant City Manager

Approved by: Troy Brown, City Manager

### ATTACHMENT

A. Construction of Legacy Fields Phase I Request Sheets



PUBLIC WORKS DEPARTMENT

MAIN 209.831.6300  
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www.ci.tracy.ca.us

## Construction of Legacy Fields Phase I

### Requests Sheet - Tracy Babe Ruth League (TBR)

Over the past month, City staff and the City Council Legacy Fields Subcommittee met with representatives from TBR to discuss ways to move forward the development of Legacy Fields Phase I. Staff requested that TBR identify key elements that would allow the organization to proceed with facility improvements to their individual area as identified in their current MOU. TBR was asked specifically what was most important to their organization in terms of constructing their fields, and what amenities were essential and should be included in the construction. Below is a summary of the information provided by TBR:

#### Funding

Construction Funding: TBR believes that if the City were to provide funds directly to their organization they may be able to construct more fields than what has initially been proposed.

TBR prefers that the City manages construction of the fields. This will ensure sustainable fields will be built. Construction funding is not proposed to be repaid to the City.

#### Future Funding for Build Out

TBR would seek to enter into an agreement that requires them to invest a fixed amount of money annually towards further development of the facility, such as an endowment. These funds would not be paid to the City but reinvested into the facility. The fixed amount would be in the range of the current field rental costs they are paying annually which is around \$25k per year. These funds will be used to build out the rest of the facility (concessions, restrooms, lighting, landscaping, fencing, etc.) including the two 90-ft fields in Phase 2.

#### Lease Payments

TBR intends to continue payment of their annual lease payment (\$2,197.50) that was previously negotiated into their current MOU. These funds are repaid to the Wastewater Fund for lease of the undeveloped property that is owned by the ratepayers.

#### Exclusive Use

Currently, TBR rents the Tracy Ball Park to accommodate their 13-15 year old players and rents the Tracy Sports Complex for all other divisions. With the limited number of fields available, TBR requests exclusive use of four fields at Legacy upon completion of construction.

#### Bidding

It is acceptable to TBR for the City to administer and manage the bidding process for construction; however the scope of the project must be agreed upon between the City and TBR prior to going to bid.

### Construction

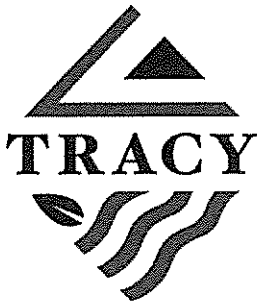
TBR has stated they will need at least 4 fields built at Legacy in order to no longer rent fields at the Tracy Sports Complex. TBR is working with City staff to agree on value engineering 3 fields in order to construct as much of a 4<sup>th</sup> field as possible. On the 4<sup>th</sup> field, TBR is proposing to complete the fields if the City can only build a portion such as the irrigation and drainage.

### Timing

Since TBR pays a high amount of rent (\$25k per season) for the Tracy Sports Complex, they would like these fields to be built as soon as possible. This will allow them to begin developing a new revenue source through rental of the fields for tournaments and private rentals. This revenue will help offset their costs for maintenance. Their practices start in February 2016 and games start in March 2016.

### Maintenance

In return for exclusive use, TBR is willing, and has indicated they have the ability to assume year-round maintenance of any fields constructed for their organization, per the original MOU. In the event TBR cannot find enough volunteers to maintain the fields year-round, they will hire a contractor to maintain fields using the revenue from rental of the fields and concessions.



## **Construction of Legacy Fields Phase I**

### **Requests from Tracy Little League (TLL)**

Over the past month, City staff and the subcommittee met with representatives from TLL to discuss ways to move forward the development of Legacy Fields Phase I. Staff requested that TLL identify key elements that would allow the organization to proceed with facility improvements to their individual area as identified in their current MOU. TLL was asked specifically what was most important to their organization in terms of constructing their fields, and what amenities were essential and should be included in the construction. TLL serves approximately 900 youth and has stated they have lost ten fields over the past nine years and are in dire need of fields. Below is a summary of the information provided by TLL:

#### Funding

Funding from City - distribute City funds to all Leagues with existing MOU's for construction management of fields with oversight from the City (oversight committee). Leagues can continue to fundraise.

Cost Recovery – Leagues with existing MOU's should pay back funding from the City. This provides a path to exclusivity, along with the Leagues maintain the fields

Qualify the Leagues – Leagues with existing MOU's would complete an application to verify number of players, field needs, verify non-profit status prior to receiving funding for construction.

Identify funding requirements and request funding plan. Prior to distribution of funds to any Leagues with existing MOU's, City to request documentation of estimated construction costs per field.

#### Lease Payments

TLL intends to continue payment of their annual lease payment (\$3,048) that was previously negotiated into their current MOU. These funds are repaid to the Wastewater Fund for lease of the undeveloped property that is owned by the ratepayers.

#### Exclusive Use

TLL wants to maintain exclusive use of the fields per their current MOU agreement and will continue to assume maintenance fields in return for exclusivity. Cost recovery would provide a path to exclusivity which is a major component.

#### Maintenance

TLL requests that all leagues establish a Co-Op for Maintenance wherein maintenance activities will be shared throughout the site. This will establish a structure that will address the ongoing maintenance obligations.

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### Construction Scope and Timeline

Bidding: TLL request to management administration and oversight of construction. TLL has a contractor procured that can construct the remainder of their fields.

TLL has completed construction of one field and another under construction. TLL believes they have successfully reengineered the scope of construction so that only the necessary amenities are included. The remaining amenities can be added as funding becomes available.

TLL believes that using their adjusted scope, sufficient funding would be available to construct all phase I fields at the site.

It is imperative to TLL that the fields be completed in time for the 2016 season.

TLL has also suggested expanding Phase I, and including a learning center and other leagues into Phase I.

### Outside Non-Profits

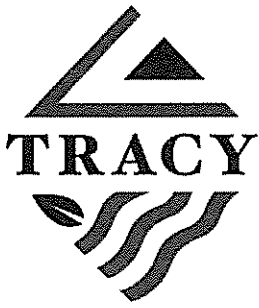
TLL supports the City and the leagues continuing to work with Jr. Giants and Cal North to explore future opportunities.

### MOUs

TLL proposed to rescind or modify and create a separate agreement for the payback of City funds borrowed for construction, and to maintain the terms of their existing MOU.

### Funding for Phase II

If the development of Phase I is successful, the Leagues will ask for more money for Phase II.



## Construction of Legacy Fields Phase I

### Requests Sheet - Tracy Youth Soccer League (TYSL)

Over the past month, City staff and the City Council Legacy Fields Subcommittee met with representatives from TYSL to discuss ways to move forward the development of Legacy Fields Phase I. Staff requested that TYSL identify key elements that would allow the organization to proceed with facility improvements to their individual area as identified in their current MOU. TYSL currently serves approximately 1,800 youth. As the youth soccer community continues to grow, the demand for field time has increased beyond field availability in Tracy. TYSL was asked specifically what was most important to their organization in terms of constructing their fields, and what amenities were essential and should be included in the construction. Below is a summary of the information provided by TYSL:

#### Expansion of Fields

Currently, TYSL has 4 fields under their MOU. They are requesting to add the 4 additional soccer fields that were vacated by Tracy Futbol Club (TFC). TYSL would pay the \$150/acre lease for the 4 TFC fields in return (9.55 acres = \$1,432.50 per year). TYSL is open to creating a deadline to build fields on the former TFC site. If they cannot build fields in a specified amount of time, they would forfeit the TFC fields back to the City.

#### Funding

TYSL provided a number of options related to funding and constructing the fields:

TYSL proposed to construct the fields, without paying prevailing wage as assumed under their current MOU. Under this scenario TYSL would request the City extend infrastructure in the public right-of-way to serve Phase 2.

TYSL is amenable to the City constructing 8 fields, not 4 and paying the City a higher lease of approximately \$25,000 payment and maintaining the fields to retain exclusive use. Currently, TYSL pays approximately \$15k – \$17k to rent fields from the City. Upon completion of soccer fields at Legacy, those funds could be redirected to the City to payback funds borrowed for construction.

Bidding: Under the above scenario, TYSL does not object to the City administering the bidding process, as long as the project scope is agreed upon in advance.

TYSL believes that if the City were to build the fields, it would guarantee that the fields were built with quality and are safe, playable and sustainable.

TYSL has indicated that ongoing discussions continue with Cal North to form a partnership to build a soccer complex at Legacy Fields, and they are working on a five year plan to construct 24 fields.



#### Future Funding for Build Out

TYSL would seek to enter into an agreement that requires them to invest a fixed amount of money annually towards further development of the facility, such as an endowment. These funds would not be paid to the City but reinvested into the facility. The fixed amount would be in the range of the current field rental costs they are paying annually to the City and TUSD, which is around \$25k per year. These funds will be used to build out the rest of the facility (concessions, restrooms, lighting, landscaping, fencing, etc.).

#### Lease Payments

TYSL intends to continue payment of their annual lease payment of \$150/acre (\$1,455) that was previously negotiated into their current MOU. These funds are repaid to the Wastewater Fund for lease of the undeveloped property that is owned by the ratepayers.

#### Exclusive Use of Fields

TYSL has expressed that it is imperative to maintain exclusive use of the fields. During the off season, TYSL would manage programming and possibly make the fields available for tournament play.

#### Construction of Fields

TYSL requests the City to construct 4(8) fields now. Through value engineering these fields, TYSL would like to see if the City can construct more than 4 fields, pending available funding. Even with the expansion of fields at the Legacy site, if only 4 fields are constructed TYSL would still require 4 fields at the Sports Complex and Plascensia fields until 8 fields at Legacy are developed.

#### Timeline for Construction

It is important for TYSL to have enough fields to accommodate their season, which runs from August thru November. There are many outstanding issues related to development of fields and potential partnerships with CalNorth, available funding from partners and overall project scope (specifications) are at the forefront. TYSL would continue to rent fields as they currently are, and they are aware that there will be a rate increase effective January 1, 2016.

#### CalNorth

In phase II In the perfect model, CalNorth will help TYSL construct all of their fields and the City would invest City funds into further expansion of the public infrastructure needed for Phase 2. In the long-term, this is the most viable option for TYSL and CalNorth, as CalNorth is seeking to finance the construction of 24 fields and would need the City to build the public infrastructure. City staff will be preparing an estimate for Council to determine the cost of expanding public infrastructure (parking, rough grading, and utilities). In the event the CalNorth partnership does not come to fruition, TYSL would like the City to build fields.

#### Maintenance

TYSL states they have the resources to maintain the fields and believe these efforts should be factored into consideration by the City in granting exclusive use during their regular season as indicated above.