

BOARD AGENDA ITEM

F-4

Meeting Date: April 12, 2011

Item Title: Update on the Emma Hood and Encinal Swim Centers

Item Type: Information

BACKGROUND: This past October, the District was forced to close the swim centers after learning that they were out of compliance with state and federal laws which required that pool drains to have covers. The District faced millions of dollars in fines as a result of its non-compliance.

Since closing the swim centers, the District has worked closely with the County to make the necessary repairs to the drains. As a result, the County inspected and certified both swim centers to re-open. Emma Hood re-opened in November and Encinal in late January. As a condition of its approval, the County has required the District to submit a plan to bring both swim centers into compliance with all applicable codes.

Although both the District and the City have been aware of ongoing maintenance and repair issues with the swim centers, their forced closure served to focus both agencies' attention on their condition.

On March 11, 2011, the District released the Needs Assessment Study for both swim centers.

This report seeks to update the Board and the Community on the condition of our pool facilities and to obtain direction from the Board as to next steps.

FISCAL IMPLICATIONS: Potential of \$328,820 to \$4,348,849

RECOMMENDATION: Receive information from staff report, provide feedback.

AUSD Guiding Principal: #5-Accountability, transparency and trust are necessary at all levels of the organization.

Submitted by: Robert Shemwell, Chief Business Officer *Rollie Lyle*
FOR ROBERT SHEM WELL

Approved for Submission to Board of Education

KV
Kirsten Vital, Superintendent

Update on Emma Hood and Encinal Swim Centers

Maintenance, Operations & Facilities

April 12, 2011

Introduction

Tonight's Presentation is to provide an overview of the current operational and financial issues for maintaining both pool facilities, including:

- Current code violations and compliance-related issues as identified by the County Health Department
- Suggested needed improvements
- Suggested improvements and repairs for cost effective long-term maintenance and operations

Staff is seeking direction from the Board to address the following:

- Maintenance and operation of safe and compliant facilities
- Short-term plan to operate and maintain the pool facilities
- Long-term plan to address District and community needs for swim facilities

Background Emma Hood and Encinal Pools

- **October:** Swim centers are closed due to non-compliance with state and federal laws requiring pool drains to have covers.
- **November:** City Council and School Board discussed the future of the swim centers and directed staff to begin working on an operating agreement, whereby the City would agree to operate the pools, bring them into compliance and ensure their continued availability for the entire Alameda community.
- **November/January:** County inspected and certified both swim centers to re-open, and, as a condition of certification, required the District to submit a plan to bring both swim centers into compliance with all applicable codes:

“The responsible party, either the school district or city parks, must provide the Department with its long range plan for the pool complex. This plan shall identify the intent to either bring the complex up to existing codes or to close the pools, and included within the plan shall be a timeline with major decision points.” (Alameda Health Department)

Overview

District Budgets associated with Maintenance Operations and Facilities

District Maintenance Funds cannot support Capital Improvements to Pools.

General Fund: Funds associated with all aspects of maintaining facilities, grounds, and school sites. This includes all staffing, supplies, and utilities. This is budgeted to zero balance each year.

Deferred Maintenance: Funds associated with all wear-and-tear items that need systematic routine repair. State matched to provide maintenance incentive for adequate learning facilities. ***State does not allow pools in deferred maintenance.***

Special Reserve Fund Capital Outlay: Funds utilized to make large scale capital improvements and renovations to school facilities. District may need Reserve Funds to off-set TRAN borrowing (necessary to meet short-term obligations such as payroll).

Overview Cont.

Pool usage is currently broken down as follows:

25% AUSD

25% Alameda City

50% Community Groups

Annual Costs for Operating Both Swim Facilities	AUSD	Alameda City	Alameda Community Groups	Total
Utilities and miscellaneous operational repairs	\$165,000			\$165,000
Annual operational costs		\$163,820		\$163,820
Income from Community Group rental			(\$20,000)	(\$20,000)
Total Operational Costs				\$308,820

Overview Cont.

Code Violations: Items that should have been rectified as part of a long-term maintenance program, or addressed when upgrading or repairing

Maintenance and Operation Repairs: Items that need replacement in order to keep the pools operational. New filtering systems are needed at a cost of \$120,000.

Needs Assessment Estimated Repair Summary*	Emma Hood	Encinal
Code Violations: Gutters, Pool Finish, Water Inlets, Co-mingled Water, Chain Link Fence, Water Leaks, Disabled Access	\$713,000	\$859,000
Maintenance and Operation Repairs: Deck Replacement, Filter Systems, Underwater lights, New Pool Piping	\$378,000	\$584,000
Total Cost Estimates	\$1,091,000	\$1,443,000

*Estimates do not include locker-room/shower facilities

Overview Cont.

Budgets Associated With MOF

District Budgets for Maintenance, Operations and Capitol Improvements	Operating Budget	Long-range Maintenance
General Fund: MOF Administration, Custodians, Utilities, Tradesman, Maintenance Staff, Ground Staff, Grounds, Supplies, General Repairs and Maintenance of all School Facilities	\$8,200,000	
Deferred Maintenance: Floor Covering, Painting, Electrical, Classroom Lighting, Roofing, Plumbing, HVAC, Wall Systems, Paving, Underground Toxic Tank Removal, Asbestos and Lead Clean-up		\$1,600,000
Special Reserve Fund Capital Outlay: Renovation of School Facilities, Large Scale Capitol Projects		\$3,900,000

Overview *Cont.*

Budgets Associated With MOF, *Cont.*

Projects that Require the Use of the Following Funds

Deferred Maintenance		Special Reserve Fund Capital Outlay	
School Roofing –Haight, Chipman, EHS, AHS	\$3,300,000	Pay off long-term COPS Portable Rentals	\$1,500,000
Flooring	\$200,000	New Lock System District-Wide	\$525,000
Lighting	\$100,000	New Clock and Bell System District-wide	\$980,000
Interior and Exterior Facility Painting	\$7,000,000	Bay Farm Portables Replace or Repair (4)	\$900,000
Paving of Lots and Yards-Bay Farm	\$150,000	Ruby Bridges Acoustical Upgrades (MPR)	\$50,000
Resurfacing of Lots , Yards, Parking Lots	\$1,400,000	AHS Acoustical Upgrades (Main Gymnasium)	\$60,000
Asbestos Abatement	\$50,000	Auto Shop Conversions	\$120,000
Window Glass Replacement District-wide	\$100,000	Alameda High School Window Replacement	\$1,200,000
		Window Abatement	\$400,000
TOTAL	\$12,300,000	TOTAL	\$5,735,000

Note: These are estimated costs.

Recent Discussions: Emma Hood and Encinal Pools

March 15, 2011: School District, Coaches and Community Partners Meeting

Discussion of the Needs Assessment Study

Discussion on the need to plan in the event pools become inoperable

Discussion regarding the need for community support in developing both a short-term plan and a long-term solution for the pools

- Would the district be open to third party maintenance and operation agreement?
- Could we seek grant funding to complete required repairs?
- Could we solicit the community for a bond to build new pools?
- Could we operate one facility?

Recent Discussions: Emma Hood and Encinal Pools Cont.

March 29, 2011: City/School Subcommittee Meeting

District provided City staff with draft operating agreement as agreed. City shared that its current budget deficit prevents the City from entering into the agreement discussed at the November subcommittee meeting.

City and District agreed that, based on the Needs Assessment Study, the pools require substantial capital improvements.

Neither City nor District have available funds to make necessary capital improvements.

Recent Discussions: Emma Hood and Encinal Pools Cont.

March 29, 2011: City/School Subcommittee Meeting *cont.*

Discussion of a possible short-term maintenance agreement between the agencies to address immediate issues:

- Expired joint use agreement does not accurately represent current usage; expired agreement requires AUSD to pay 60% and the City to pay 40% of maintenance with AUSD responsible for 100% of capital improvement costs.
- Community frustration over blurred lines of accountability and the need for one point of contact
- The possible need to increase user fees to accurately reflect proportionate use of the pools
- Need for each agency to obtain approval from their governing bodies

Two Options

Option 1: 2 Phases

First Phase: Operate and maintain both pool facilities under a short-term agreement with the City to begin no later than July 2011.

Second Phase: Support a community-led task force in developing a long-term solution to meet the needs of the District's programs and those of Alameda's swimming community. This long-term solution must address the County's requirement that the District submit a plan of action to bring the pools into compliance.

Option 2: Develop alternative swimming venues for school athletic programs and close both pools facilities on or before June 30, 2011.

Option 1: Short-Term Agreement & Pursue Long-Term Community Solution

Phase 1: Short Term Operating & Maintenance Agreement

- If City and District can agree on a short-term operating and maintenance agreement, the agreement will detail each agency's responsibility for maintaining and operating the pool facilities.
- Either AUSD or the City could agree to operate the pools under this agreement, with each agency contributing to maintenance costs.
- User fees for the pools need to be evaluated and possibly increased to cover a pro-rata share of maintenance and operating costs.
- Currently, City operates the pools under an expired joint use agreement. AUSD pays 60% of maintenance costs and the City pays 40%. These percentages do not accurately reflect the parties proportionate use of the pool.
- A new short-term agreement is needed by July 1, 2011 to continue operating the pools, while a long-term solution is developed with the community. The District must provide a plan to the County on or before August 30, 2011.

Option 1: *Cont.*

Phase 2: Long-Term Community Solution

A community lead task force would need to provide a long-term solution which addresses the following goals:

- Clear agency accountability for the maintenance and operation of the pool facilities – whether AUSD or the City assumes responsibility
- Maintenance and operation of safe and compliant facilities
- Identification of sufficient funds to operate and maintain pool facilities within an operational budget that does not rely on AUSD to subsidize external programs - current operating costs are approximately \$329,000/year
- Identification of sufficient funds to perform critical capital improvements, without depleting the District's funds to maintain schools, in order to meet the needs of the County Health Department, California Building Codes and High School Athletic Code Requirements
- A timeline and project plan to accomplish these goals

Option 2: Close Both of the Pool Facilities

- Without sufficient funding to operate and maintain the pools, the District, City Parks and Recreation Department and community groups would need to secure alternative locations to meet their swimming needs.
- Absent a short-term agreement and a long-term plan, the liability risks, necessary capital improvements and on-going maintenance costs are a financial hardship on the District.