



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 05/21/2024

DATE: May 16, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Use Agreement with Los Gatos-Saratoga Community Education and Recreation:
a. Authorize the Town Manager to Execute a First Amendment to Use Agreement with Los Gatos-Saratoga Community Education and Recreation for an Additional One-Year Period from July 1, 2024 to June 30, 2025; and
b. Authorize the Town Manager to Execute any Forthcoming Amendments During the Duration of this Agreement.

RECOMMENDATION:

Use Agreement with Los Gatos-Saratoga Community Education and Recreation

- a. Authorize the Town Manager to execute a First Amendment to Use Agreement with Los Gatos-Saratoga Community Education and Recreation for an additional one-year period from July 1, 2024 to June 30, 2025; and
- b. Authorize the Town Manager to execute any forthcoming amendments during the duration of this Agreement.

BACKGROUND:

Los Gatos-Saratoga Community Education and Recreation (LGSR), established in 1956, serves the residents of Los Gatos, Saratoga, Monte Sereno, and Santa Cruz Mountains communities by providing community education and recreation services. The Town has had a historical partnership with LGSR, including a lease agreement since 2009 and a programming agreement since 2014.

PREPARED BY: Meredith Johnston
Administrative Technician

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director, Parks and Public Works Director

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SUBJECT: Authorize the Town Manager to Execute a First Amendment to Use Agreement with Los Gatos-Saratoga Community Education and Recreation

DATE: May 9, 2024

BACKGROUND (continued):

The existing terms of the Use Agreement governing LGSR's utilization of specific Town Parks for programming are:

1. Use of Premises: LGSR to provide schedules for programming sessions.
2. Term of Agreement: One year with nine additional one-year periods.
3. Annual Use Fee: \$15,500, which includes provision for senior programming.
4. Facility Maintenance Fee: \$4.00 per participant.
5. Annual Use Fee Adjustment: Adjusted annually based on CPI changes.
6. Maintenance: LGSR responsible for site clean-up.
7. Facility Use Policies: LGSR to comply with all applicable provisions of the Los Gatos Town Code and park regulations.

DISCUSSION:

The proposed First Amendment to Use Agreement (Attachment 1) provides LGSR the continued use of certain facilities at Blossom Hill Park, Creekside Park, La Rinconada Park, and Oak Meadow Park (collectively, the "Premises") for an additional year.

The amended terms of the proposed First Amendment to Use Agreement upon which both parties agree are as follows:

1. Term of Agreement:
The amendment will extend the term of the agreement by an additional year, to June 30, 2025, with eight additional one-year periods remaining. The Town Manager would be authorized to execute future amendments extending the term of the Agreement for up to eight additional one-year periods.
2. Annual Use Fee:
Beginning July 1, 2024 LGSR shall pay the Town of Los Gatos \$16,042.50. The Annual Use Fee shall be considered full and fair compensation for use of the Premises for those days and times on the approved Annual Schedule.

CONCLUSION:

Authorize the Town Manager to execute a First Amendment to Use Agreement with Los Gatos-Saratoga Community Education and Recreation for an additional one-year period from July 1, 2024 to June 30, 2025 and authorize the Town Manager to execute any forthcoming amendments during the duration of this Agreement, including any future extensions.

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SUBJECT: Authorize the Town Manager to Execute a First Amendment to Use Agreement
with Los Gatos-Saratoga Community Education and Recreation

DATE: May 9, 2024

FISCAL IMPACT:

Approval of the First Amendment to Use Agreement with LGSR would result in annual revenue of \$16,042.50 beginning July 1, 2024. Each future year of the agreement the fee will increase as defined in the Agreement terms. Additional revenue will be derived from the Facility Maintenance Fee, which will be paid to the Town on a semi-annual basis.

ENVIRONMENTAL ASSESSMENT:

The recommended action is not a project defined under CEQA, and no further action is required.

Attachments:

1. Use Agreement with Los Gatos-Saratoga Community Education and Recreation
2. First Amendment to Use Agreement with Los Gatos-Saratoga Community Education and Recreation