

CITY OF UNALASKA
UNALASKA, ALASKA

RESOLUTION 2023-24

A RESOLUTION OF THE UNALASKA CITY COUNCIL AUTHORIZING THE CITY MANAGER TO SIGN THE FY24 COMMUNITY SCHOOLS AGREEMENT BETWEEN THE CITY OF UNALASKA AND THE UNALASKA CITY SCHOOL DISTRICT

WHEREAS, the City of Unalaska and the Unalaska City School District operate under a Community Schools Agreement to provide school facility use for community activities; and

WHEREAS, the purpose of the Community Schools Agreement is to provide a framework of policies and procedures governing the school facility and to provide sufficient funding to ensure continued availability of those facilities, including the aquatic center; and

WHEREAS, the City of Unalaska has provided funding annually for the operation of the Community Schools Program; and

WHEREAS, the FY24 Community Schools Agreement provides for additional City funding amounting to 40% of the UCSD maintenance budget in the amount of \$730,000 as authorized by the City Council for FY24 for the use of the UCSD facilities; and

WHEREAS, the term of the Community Schools Agreement is July 1, 2023 to June 30, 2024, and will automatically renew each year unless changes are requested by either the City of Unalaska or the School District.

NOW THEREFORE BE IT RESOLVED that the Unalaska City Council approves the Community Schools Agreement between the City of Unalaska and the Unalaska City School District as presented, agrees to fund the program for a total amount not to exceed \$730,000, and authorizes the City Manager to sign the agreement on behalf of the City of Unalaska.

PASSED AND ADOPTED by a duly constituted quorum of the Unalaska City Council on May 23, 2023.

Vincent M. Tutiakoff, Sr.
Mayor

ATTEST:

Marjie Veeder, CMC
City Clerk

Community Schools Agreement Between the City of Unalaska And Unalaska City School District 2024 FY

I. COMMUNITY SCHOOLS MISSION STATEMENT

The mission of the Community Schools Program is to provide for use of school facilities for community activities.

II. PURPOSE OF THE COMMUNITY SCHOOLS JOINT AGREEMENT

The purpose of this agreement is to clearly define areas of responsibility of the Unalaska City School District (UCSD) and the City of Unalaska for community use of school facilities and to provide fair compensation to UCSD for the additional costs it accrues by allowing the community to use its facilities.

III. AGREEMENT

A. CITY OF UNALASKA

UCSD and the City of Unalaska agree that the City of Unalaska will operate the Community Schools Program in the UCSD Aquatics Center through the City Department of Parks, Culture and Recreation. The Aquatics Center includes the natatorium (the swimming pool and surrounding area), the chemical/pump room, the male and female locker rooms, the family locker room, the staff locker rooms, the fitness room, the pool manager's office, the pool staff office, two janitor's closets, the laundry/storage room, the sauna, the mezzanine area, and the lobby area.

The City of Unalaska shall maintain Commercial General Liability insurance, which covers the operation of the UCSD Aquatics Center, with limits of at least \$1,000,000 per occurrence and \$2,000,000 aggregate. This insurance shall include an endorsement naming UCSD as an Additional Insured with relation to coverage of the operation of the Aquatics Center. The insurance shall include a waiver of subrogation in favor of UCSD. The City of Unalaska shall provide evidence of this insurance to UCSD in the form of a certificate of insurance.

The City of Unalaska shall carry statutory Workers' Compensation insurance as required by the State of Alaska with Employers Liability with the following minimum limits:

Bodily Injury by Accident	\$1,000,000 each accident
Bodily Injury by Disease	\$1,000,000 each employee
Bodily Injury by Disease	\$1,000,000 policy limit

The Workers' Compensation insurer shall agree to waive all rights of subrogation against UCSD, its administrators, officers, elected officials, employees and volunteers for losses arising from work related to this agreement.

B. UCSD

UCSD and the City of Unalaska agree that UCSD will operate the Community Schools Program in its school facilities, with the exception of the Aquatics Center, which is operated by the City of Unalaska.

UCSD shall maintain All Risk including Earthquake and Flood insurance for all School Real and Business Personal Properties on a Replacement Cost basis and shall name the City of Unalaska as an Additional Insured as the City's interest may appear. UCSD shall provide evidence of this insurance to the City of Unalaska in the form of a certificate of insurance.

UCSD shall maintain Commercial General Liability insurance with limits of at least \$1,000,000 per occurrence and \$2,000,000 aggregate for all School and Community activities in all school facilities except for the Aquatics Center as those facilities are defined in this agreement. This insurance shall include an endorsement naming the City of Unalaska as an Additional Insured. This insurance shall include a waiver of subrogation in favor of the City of Unalaska. UCSD shall provide evidence of this insurance to the City of Unalaska in the form of a certificate of insurance.

UCSD shall carry statutory Workers' Compensation insurance as required by the State of Alaska with Employers Liability with the following minimum limits:

Bodily Injury by Accident	\$1,000,000 each accident
Bodily Injury by Disease	\$1,000,000 each employee
Bodily Injury by Disease	\$1,000,000 policy limit

The insurer shall agree to waive all rights of subrogation against the City of Unalaska, its administrators, officers, elected officials, employees and volunteers for losses arising from work related to this agreement.

C. COMPENSATION FOR USE OF FACILITIES

The City of Unalaska agrees to pay UCSD \$730,000 which is forty percent (40%) of UCSD's maintenance budget as approved by the City Council for the FY24 budget cycle for use of the UCSD school facilities. These payments are to cover UCSD's additional costs for maintenance and operations, cleaning, utilities, supervision, and scheduling of personnel resulting from community use of UCSD's school facilities.

These payments will be made to UCSD by the City of Unalaska in twelve equal monthly installments.

D. ADDITIONAL TERMS

This agreement will be in force for the period of July 1, 2023 to June 30, 2024. This agreement will be automatically renewed for subsequent one-year periods, unless changes are requested by either the City of Unalaska or UCSD. This agreement will not be automatically renewed if either party notifies the other party that it will not continue the agreement. Notice shall be in writing and delivered to the other party at least thirty (30) days before the agreement will be automatically renewed.

If a dispute arises from this agreement, the City Manager and the UCSD Superintendent shall first try to resolve the dispute. This does not limit the availability of legal remedies to either party.

Adopted this _____ day of _____, 2023.

City Manager

UCSD Superintendent

MEMORANDUM TO COUNCIL

To: Mayor and City Council Members
From: William Homka, City Manager
Date: May 23, 2023
Re: Resolution 2023-24: Authorizing the City Manager to sign the FY24 Community Schools Agreement between the City of Unalaska and the Unalaska City School District

SUMMARY: Council approved Resolution 2023-14 establishing the sum to be made available to the Unalaska City School District, which includes \$730,000 to be provided to the Unalaska City School District (UCSD) for the FY24 Community Schools Program. The funding covers 40% of the cost for eligible line items within the UCSD maintenance budget. The maintenance dollars provide additional district funding outside the local funding cap set by the state legislature. Administration recommends approval of Resolution 2023-24 which authorizes the City Manager to sign the FY24 Community Schools Agreement.

PREVIOUS COUNCIL ACTION: In 1998, through Resolution 98-37, the City Council approved the first formal Joint Community Schools Agreement between the City and UCSD. This resolution reflected the City taking over operations of the swimming pool.

At its April 25, 2023 meeting, the City Council adopted Resolution 2023-14 establishing the sum of money to be made available to UCSD for the FY24 school year, including appropriations for the Community Schools Program and 40% of the district's maintenance budget at \$730,000.

At tonight's meeting, the second reading of Ordinance 2023-03, the FY24 Budget is before council for final approval. The budget allocates a total of \$730,000 for the Community Schools Program and 40% of the district's eligible maintenance related costs.

BACKGROUND: The City has funded a community schools program since the early 1990s. The program allows the community to use the facility for classes, sports, meetings, craft shows, fundraisers, concerts, and other activities and events when school is not in session. The funding helps pay for the cost of the program, including maintenance and operations, cleaning, utilities, supervision, and scheduling a school representative to remain available at the school while the event is in progress.

In 1998, in addition to funding the Community Schools Program, the City took over the maintenance costs and operation of the aquatic center. Council Resolution 1998-37 formalized this change to the program. That same year, a Community Schools Agreement was formalized through a document signed by UCSD and by the City.

During the FY02 budget cycle, Council approved the District's request for additional school funding over the local funding cap set by the state legislature. That funding was accounted for in the FY02 Community Schools Agreement as building maintenance costs. Council has continued to authorize the additional funding to UCSD for the Community Schools Program each year.

DISCUSSION: The attached FY24 Community Schools Agreement outlines the administration of the program, including management of the aquatic center by the City through PCR. It also shows the level of funding to be provided by the City to UCSD for use of the facilities by the community. There have been no changes recommended to the program for this year.

The program and the FY24 agreement have been discussed as part of the school district's budget development process. The agreement has been reviewed by the Superintendent of Schools, and is scheduled to be approved by the Unalaska City School District Board of Education at their May 17, 2023 meeting.

FINANCIAL IMPLICATIONS: During the course of FY24, the City will provide UCSD with a total of no more than \$730,000 to be paid in twelve equal monthly installments for the Community Schools Program and maintenance.

LEGAL: Attorneys, auditors, and insurance brokers for the City and UCSD reviewed and assisted in the development of the process used in the annual renewal of the Community Schools Agreement in an attempt to ensure the agreement meets legal, financial, and liability requirements.

STAFF RECOMMENDATION: Administration recommends that Council adopt Resolution 2023-24-26 as presented.

PROPOSED MOTION: Resolution 2023-24 is included on the consent agenda and will be included in the motion to adopt the consent agenda. If any council member wishes to discuss the resolution and agreement, a request can be made to move the item to the regular agenda.

CITY MANAGER'S COMMENTS: We are funding at the maximum allowed and this same figure was presented when Council approved the school funding request through Resolution 2023-14.

ATTACHMENT: Community Schools Agreement for FY24.