

ITEM #:	<u>23</u>
DATE:	<u>08-27-24</u>
DEPT:	<u>ADMIN</u>

COUNCIL ACTION FORM

SUBJECT: COST SHARING FOR THE DEMOLISHMENT OF THE AMES MUNICIPAL POOL

BACKGROUND:

The City Council referred the attached email from Julious Lawson, the previous Superintendent of the Ames Community School District, requesting that the City share in the cost of asbestos abatement and demolition of the Ames Municipal Pool.

In the mid-1960's, the City of Ames paid for the construction of an indoor pool on leased land at the Ames High School site pursuant to an agreement dated May 4, 1965. Subsequently, this agreement was either replaced in total or amended primarily to extend the term of the land lease.

A major provision contained in these agreements was a requirement that the City and School District share the costs of capital improvements, operations, repair, maintenance, and replacement of the pool and building. Over the life of the building both parties contributed millions of dollars to assure that the facility would accommodate the City's recreational swim programs and the School District's competitive swim programs. In order to make room for the new high school, the final amendment to the joint agreement terminated the land lease in 2022.

It should be noted that none of the agreements included an obligation for the City to pay all, or any, amount of money to clear the site once the land lease is terminated. This omission does not appear to be an oversight, since many land leases involving City buildings on land leased from other government entities clearly specify how the City's building will be disposed of when the land lease terminates. **Therefore, there is no legal obligation on the part of the City to honor this request for financial assistance.**

Mr. Lawson's rationale for the City's contribution is based on the fact that, "For more than 50 years, the District and City have enjoyed sharing the costs for the pool facility equally. It is the desire and request of the Ames Community School District that both entities honor the shared cost concept for the abatement and demolition of the Municipal Pool Facility."

Also, attached is an itemized bill totaling \$79,456.96 for the asbestos abatement and demolition of the Municipal Pool building.

ALTERNATIVES:

1. Based on the fact that the City has no legal obligation to reimburse the Ames Community School District for the half of the expenses incurred for asbestos removal and demolition, the City Council can decide to respectfully reject the request.
2. The City Council can decide to reimburse the Ames Community School District for some amount less than the \$79,456.96 requested.

3. The City Council can decide to reimburse the Ames Community School District for the total amount requested. While not specifically budgeted, the \$79,456.96 can be funded out of the Park Development Fund which has a current balance of \$551,378.

CITY MANAGER'S RECOMMENDED ACTION:

Over the years, the City of Ames and the Ames Community School District have enjoyed an excellent cooperative relationship and partnered on a number of projects that benefitted the residents of our community. For example, believing that the grade school properties serve as de facto neighborhood parks, the City of Ames previously provided funding for playground equipment at these school locations. Realizing that Ames Community School students represent the majority of the participants in the City's recreational program, the Ames School District has made their gyms available for the City's recreation programming for a nominal cost per participant per program (\$1.25).

Since there is no indication that the School District intends to increase these gym costs and both parties shared in the cost of operations and capital improvements over the long life of the indoor pool, a case can be made that the City of Ames should continue our cooperative venture and approve this request. Therefore, it is the recommendation of the City Manager that the City Council support Alternative #3 and thereby approve the request to reimburse the Ames Community School District in the amount of \$79,456.96 with funding from the Park Development Fund.

ATTACHMENT(S):

[Pool \(002\).pdf](#)