



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
December 12, 2019

Department Administration

Director Approval Kelly Passauer

AGENDA ITEM Consider authorizing a Memorandum of Understanding with Independence-USD 446 recreation Commission regarding property east of the 800-900 block of North Penn Avenue and west of the 800-900 block of North Park Blvd.

SUMMARY RECOMMENDATION Approve the Memorandum of Understanding

BACKGROUND On October 23, 2019 the Commission discussed a proposed new soccer complex with the Independence Recreation Commission in the area of Central Park on North Penn Avenue and the ballfields on North Park Blvd. After discussions, the City Attorney was directed to prepare a memorandum of understanding that would allow the Independence Recreation Commission to make the proposed improvements (including ADA requirements), and also maintain the property.

BUDGET IMPACT The improvements would be funded by the Independence Recreation Commission.

SUGGESTED MOTION(S) I move to authorize the Mayor to sign the Memorandum of Understanding with the Independence Recreation Commission.

SUPPORTING DOCUMENTS Memorandum of Understanding Prepared by the City Attorney

MEMORANDUM OF UNDERSTANDING

This Agreement is entered into by and between the **City of Independence, Kansas**, a municipal corporation, hereafter CITY, and **Independence-USD 446 Recreation Commission**, hereafter IRC, as follows:

1. **Property:** The property which is subject to this Memorandum of Understanding (MOU) is owned by CITY and is located roughly between the skateboard park which is located just east of the 800-900 block of North Penn Avenue, and the youth baseball and softball facilities located in the 800-900 block of North Park Blvd. To the extent required, a legal description will be provided at a later date by mutual agreement of the parties.

2. **Development:** IRC wishes to develop the property for youth soccer activities sponsored and operated by IRC. The property is currently heavily wooded and overgrown and will take considerable work in order to convert it to an appropriate area for youth activities. CITY hereby gives IRC permission to undertake studies, inspections, testing, and formulating plans for development of the property for youth soccer activities.

3. **Revenue Neutral:** Conversion of the property for youth soccer activities shall be done in such a manner as to be revenue neutral to CITY. Unless otherwise agreed in advance by CITY, all expenses will be the responsibility of IRC.

4. **Pre-existing Documents:** To the extent they exist, CITY shall share with IRC all pre-existing plans and documents in existence which had something to do with the property which is the subject of this MOU.

5. **Construction Stage:** This MOU anticipates there will be two stages, a planning stage and then a construction stage. CITY has given IRC permission to move forward with the planning stage. Before IRC begins with the construction stage, CITY must give its approval to the overall plan in the initiation of construction.

CITY OF INDEPENDENCE, KANSAS

Date

By: _____
LOUIS YSUSI, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk

**INDEPENDENCE-USD 446 RECREATION
COMMISSION**

Date

By: _____
BRENT JULIAN, Executive Director