

**University of Colorado Student Government**

**Legislative Council**

**April 3, 2014 80 LCB 17 — Field Swap**

Sponsored by: Alex Mitoma Representative at Large

David Bretl Representative at Large

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Samuel Rhoades Chair, Recreation Board

Ellesse Spaeth Vice Chair, Recreation Board

Authored by: Alex Mitoma Representative at Large

**A Bill to Transfer Full Authority and Ownership of Franklin Field in Trade for Full Authority and Ownership of the Athletics Department Lower Athletics Practice Fields**

**Bill History**

In Fall 2013, University of Colorado Athletics contacted the Recreation Services department, a CUSG cost center, about an exchange of campus property. Athletics, provisional of future facility development, has offered to transfer full authority and ownership of the department’s lower athletic practice fields—the indoor practice “bubble” and the two adjacent natural turf fields—in exchange for full authority and ownership of Franklin Field. Currently, Franklin Field serves as a venue for events, practices, and activities for Recreation Services, as well a source of revenue via rentals. The “bubble,” while not in ownership of Recreation Services, is utilized extensively for Intramural Sports games and Club Sports practices at the expense of rental fees to Athletics. Terms of this agreement have been negotiated by the Recreation Services department and University of Colorado Athletics with the goal of cost neutrality. Specific terms of the contract are viewable in “Contractual Agreement: Recreation Services and Intercollegiate Athletics,” which is included as an appendix.

**Bill Summary**

This bill seeks to approve the contractual agreement between Recreation Services and University of Colorado Athletics, ensuring that Recreation Services can continue to provide opportunities for, and meet the growing demand, of students.

**THEREFORE BE IT RESOLVED by the Legislative Council of the University of Colorado Student Government, that:**

**SECTION 1:** CUSGrecognizes and approves the Recreation Services department’s agreement to transfer full authority and ownership of Franklin Field in trade for full authority and ownership of the Athletic department’s lower athletic practice fields in accordance with “Contractual Agreement: Recreation Services and Intercollegiate Athletics.”

**SECTION 2:** All instances of “Franklin Field” in 61LCB#11 “Recreational Facilities Improvement Initiative” shall be stricken and replaced with “lower athletic practice fields,” as defined in “Contractual Agreement: Recreation Services and Intercollegiate Athletics.” All requirements from 61LCB#11 shall apply to the lower athletics practice fields.

**SECTION 3**: This bill shall take effect upon passage by the Legislative Council and upon either obtaining the signatures of two Tri-Executives or the lapse of six days without action by the Tri-Executives.

**Vote Count**

**04/03/2014 Passed on 1st reading Acclamation**

**04/17/2014 Amended Section 2 Acclamation**

**04/17/2014 Passed on 2nd reading Acclamation**

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Chris Schaefbauer Juedon Kebede

President of Student Affairs Legislative Council President

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Ellie Roberts Marco Dorado

President of Internal Affairs President of External Affairs

DRAFT **(03/30/14)**

**Contractual Agreement: Recreation Services and Intercollegiate Athletics**

**This contract is entered into by and between the University of Colorado Athletic Department, Boulder campus, and the Recreation Services Department, Boulder Campus. The terms of this agreement shall begin on \_\_/\_\_/14.**

**Description of properties pertaining to this agreement**

*Lower Athletic Practice Fields*The synthetic turf field/outdoor lights, and the “Bubble”, including the two adjacent natural turf fields.

*Franklin Field*the Recreation Services field east of Folsom Stadium

**The specific terms of this contract are as follows**

1. The Recreation Services Department agrees to transfer full authority and ownership of Franklin Field in trade for full authority and ownership of the Athletic Departments lower athletic practice fields.

1. Athletics agrees to settle all remaining debt attributed to Franklin Field.
2. Recreation Services agrees to take full ownership of the bubble, which is paid in full, and also agrees to pay all ongoing associated operational cost. (amended 3/25/14)
3. Athletics agrees to provide outdoor lighting and a score board to the lower athletics fields, by using the existing lighting and scoreboard structure from Franklin Field. In addition, Athletics agrees pay to have the lights and scoreboard installed and to provide the power source required to make them operational. (Amended 2/24/14 per Don Misch’s recommendation)
4. The Pump house which supplies University ditch water to the lower fields currently requires repair and a pump replacement in order to make it functional. Recreation Services will not incur any costs associated with the repairs and pump replacement, which must be completed prior to fields transfer. (amended 3/25/14)
5. Irrigation water for the lower fields will be provided by the University at no charge to the Recreation Services Department. (amended 3/25/14)
6. Recreation Services agrees to a lease the lower indoor field to the Athletic Department when the bubble is assembled, Monday through Friday 7:00am – 6:00pm. Athletics will pay 60,000 to Recreation services in perpetuity with Recreation Services having the option to change the fee every 2 years based on market demand or rising inflation. (amended 3/31/14 by Sam)
7. During the construction phase of Franklin Field, a shared use MOU/agreement will be established and agreed upon by both parties prior to the final agreement of this contract.
8. Athletics Agrees to restore the lower recreation fields upon completion and occupancy of Franklin Field.
9. Both the Athletic Department and Recreation Services agree that this field exchange agreement is completely independent of the North of Boulder Creek Master Plan regarding any space allocated to Recreation Services or the Athletic Department.
10. Parking will not be permitted on the lower fields at all after Recreation Services assumes full ownership and authority of the fields.

This contract may not be modified in any manner unless in writing and agreed to by both the Recreation Service department and the Athletic Department. This document and any attachments hereto constitute the entire agreement between Recreation Services and the Athletic Department. This shall also be binding upon Recreation Services and the Athletic Department, and their successors.

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Vice Chancellor for Student Affairs

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Senor Assistant Vice Chancellor Health and Wellness

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Athletic Director

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Senior Vice Chancellor, Budget and Finance

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Colorado University Student Government, President

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Colorado University Student Government Recreation Board Chairman

First draft: Gary Chadwick 2/24/14

Amended 3/04/14: Gary Chadwick

Amended 3/25/14: Gary Chadwick