



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of July 11, 2009**

DATE: June 24, 2009

SUBJECT: Arlington Public Schools / Arlington County Government Memorandum of Understanding for Aquatics Management between Arlington County Government and Arlington Public Schools.

C. M. RECOMMENDATIONS:

1. Authorize the County Manager to sign the Memorandum of Understanding (MOU – Attachment #1) between the Arlington County Board (“County”) and Arlington County School Board (“APS”), on behalf of the County Board to set forth general policies and procedures related to the operation and use of the Arlington indoor swimming pools located within or adjacent to the three high schools. The accompanying Aquatics Operations Procedures (AOP – Attachment #2) provide details of the operational agreement between APS and County and will serve as an implementation guide for the new management agreement established by the MOU.
2. De-appropriate \$316,979 revenue and expense (101.85701), 3.0 permanent FTEs and 12.2 temporary FTEs from the Department of Parks, Recreation and Cultural Resources for FY 2010.
3. Reallocate \$286,988 within the Department of Parks, Recreation and Cultural Resources (101.85701) from direct expenses for swimming pool operations to contractual services for payment to the Arlington County Public Schools (101.85701).
4. Increase by \$603,967 the FY 2010 appropriation to the Arlington Public Schools, Community Activities Fund for use by APS in operating and maintaining the Pools during the FY 2010 fiscal year. This represents the net tax support for the community swim and pool rentals program within the DPRCR FY 2010 expense budget, as well as the pool revenue which will now be collected directly by APS.

ISSUES: This authorizes the County Manager to sign a Memorandum of Understanding with Arlington Public Schools to revise the agreement for operating the indoor swimming pools in the County and transfers the funding and responsibility for managing the operation of the pools during community use time exclusively to APS.

County Manager: _____

Staff: Laura Lazour, Department of Parks, Recreation and Cultural Resources

SUMMARY: The Aquatics Committee of the Sports Commission, PRCR, and APS worked cooperatively to establish a revised MOU for the management of aquatics operations. The MOU establishes the relationship between the County and APS as one of collaboration to maximize the efficient and cost-effective use of the Pools. This MOU expands the APS responsibilities to include the management of the operations of the swimming pools during school and community use hours. The County continues to be responsible for the programming and delivery of community aquatic instruction, competitive swimming, and water fitness programs.

The adopted FY 2010 County and School budgets did not include the transfer of responsibility or funding from the County to the Schools for the management and operation of the pools during community use time. It is recommended that the County Board adjust the FY 2010 appropriation of both the County and Schools to reflect the shift in responsibility and cost/revenue as a result of the proposed MOU.

BACKGROUND: The County and School Boards charged the Aquatics Committee (AC), consisting of five appointees from each board and a chair appointed by both boards, with leading the public process and collaborating with staff as they develop an MOU for review by both Boards. It was a shared intention of both Boards to have an updated MOU for the operation of the three (3) county swimming pools and to ensure (1) the whole range of pool users are sufficiently engaged in the process leading to adoption of an updated final agreement; and (2) that both Boards are able to adopt a revised MOU prior to the opening of the new pool at Washington-Lee High School.

DISCUSSION: Based on community input, which was summarized in the April 10, 2009 interim report from the AC to the County Board and the School Board (Attachment #3), as well as careful review of the collaborative process followed by APS/PRCR and consultation with the AC on the terms within the MOU and AOP, the AC recommends that the County Board and the School Board endorse these agreements and instruct the County Manager and Superintendent to sign them. The process of developing the MOU had the participation of the Aquatics Committee of the Sports Commission, which, in addition to their own feedback, also facilitated community input by hosting an aquatic forum and helping staff develop a community survey. The combination of the larger facility at Washington-Lee and the management structure resulting from this MOU, will allow APS to be more responsive to the community requests for more access to open and lap swimming, and expanded operating hours. The new Washington-Lee pool is projected to open on July 12, 2009. The School Board adopted the MOU on June 16, 2009.

Transfer of Funds

For FY 2010, effective July 1, 2009, the County will transfer \$286,988 to APS [community activities fund] for use by APS in operating and maintaining the Pools. \$286,988 represents the net tax support provided for the community swim and pool rentals program within the PRCR in FY 2010. This amount reflects the total budgeted pool expense amount of \$603,967 minus the projected revenue budgeted for community swim and the pool rental use programs in the amount of \$316,979, which will now be collected by APS. This appropriation shall be in addition to all

amounts budgeted for the schools and the Community Activities Fund by the County Board when it approved the FY 2010 budget on April 28, 2009. APS and the County acknowledge that the actual financial impact of operating the pools, including the new Washington-Lee pool, in FY 2010 and future years is not known at this time. Therefore, the transfer of funds to the Schools in FY 2010 is based upon both the revenue and expenditures of current operations, and it is expected to be sufficient. However, during the development of the FY 2011 Budget and future budgets, APS and the County agree to work collaboratively to provide for pool operation and maintenance through future budgets. As part of that process, School and County staff will evaluate both the revenue and the expenditures for all three pools, and will recommend changes to the transfer amount, if appropriate.

Transfer of Personnel

Two (2) full-time permanent County aquatics employees will be offered employment by APS in the capacity of full-time permanent employees. (The third full-time position is currently vacant). Compensation and benefits for the two (2) full-time permanent County aquatics employees transferring to APS will continue at or above the current County levels. The two current full time permanent employees will remain in the County retirement plan and will retain all benefits afforded by this plan, including retirement service credit. These employees will continue payroll deduction for the employee's share and APS will pay the employer's share. The County will pay employees for accrued vacation leave at 100% of its value, and will pay out sick leave per its administrative regulations. Employees will receive bonus days on July 1, 2010 based on total APS and County years of service.

Temporary County aquatics hourly at-will employees must apply for temporary APS aquatics hourly at-will positions at APS' hourly rates if they desire to be employed by APS

FISCAL IMPACT: The FY 2010 operating expenses and revenue for the Department of Parks, Recreation, and Cultural Resources will each decrease by \$316,979. The total FTE count for DPRCR will also decrease by 15.2. DPRCR will make a payment of \$286,988 to APS for the net maintenance and operational costs of the swimming pools under the Community Activities Fund.

ATTACHMENTS:

Attachment #1 – Proposed Memorandum of Agreement

Attachment #2 – Proposed Aquatics Operations Procedures

Attachment #3 – The Aquatics Committee Recommendations