



Claremont City Council

Agenda Report

File #: 4526

Item No: 14.

TO: CLAREMONT CITY COUNCIL
FROM: ADAM PIRRIE, CITY MANAGER
DATE: JANUARY 10, 2023

Reviewed by:
City Manager: AP
Finance Director: NB

SUBJECT:

AUTHORIZATION TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CLAREMONT UNIFIED SCHOOL DISTRICT PROVIDING RECORDED NOTICE OF THE EXISTENCE OF AN AGREEMENT BETWEEN THE CITY OF CLAREMONT AND THE CLAREMONT UNIFIED SCHOOL DISTRICT FOR USE OF CERTAIN PORTIONS OF THE LA PUERTA SCHOOL SITE (FUNDING SOURCE: GENERAL FUND)

SUMMARY

On February 1, 1979, the Claremont Unified School District ("District") and the City of Claremont ("City") entered into a 99-year land lease for the La Puerta Sports Park. Specifically, the District and City entered an Agreement for Use of Certain Portions of the La Puerta School Site, pursuant to which the District agreed to permit the City to develop, landscape, and utilize the real property located on the District's former La Puerta School Site property that is now the La Puerta Sports Park. The land lease will expire on January 31, 2078. The land lease is not currently recorded.

At the City's request, on December 15, 2022, the Claremont Board of Education approved a Memorandum of Agreement with the City that, if approved by the City Council, can be recorded against the title to the La Puerta Sports Park property to provide notice of the existence of the 99-year land lease ("Agreement"). The purpose of the Agreement is simply to provide constructive notice that the property is subject to a long-term use agreement. Approving this Agreement will not change the terms of the 99-year lease between the City and the District.

Staff recommends that the City Council authorize the City Manager to enter into the Memorandum of Agreement with the Claremont Unified School District to provide recorded notice of the existing long-term use agreement with the Los Angeles County Registrar-Recorder/County Clerk.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to enter into a Memorandum of Agreement with the Claremont Unified School District to provide constructive notice of the existing 99-year Agreement for Use of Certain Portions of the La Puerta School Site.

ALTERNATIVES TO RECOMMENDATION

In addition to the staff recommendation, there are the following alternatives:

- A. Request additional information from staff.
- B. Do not approve the Memorandum of Agreement.

FINANCIAL REVIEW

The cost for the City Attorney to prepare the Memorandum of Agreement is estimated at \$1,500 and the cost for staff to prepare this report is estimated at \$500. These costs are included in the operating budget of the Administrative Services Department.

ANALYSIS

On February 1, 1979, the Claremont Unified School District ("District") and the City of Claremont ("City") entered into an Agreement for Use of Certain Portions of the La Puerta School Site, pursuant to which the District agreed to permit the City to develop, landscape, and utilize the real property located on the District's former La Puerta School Site property. This 99-year land lease with the District is for La Puerta Sports Park, which the City maintains. The land lease will expire on January 31, 2078. La Puerta Sports Park is the City's primary soccer park built on 10 acres leased from the District. It is used nearly year-round by organized soccer groups within the City.

In June 2019, the Claremont Board of Education unanimously approved entering into an agreement with Trumark Homes to purchase the former La Puerta Intermediate School site, which is a 9.7-acre site located east of La Puerta Sports Park. The school closed in 1979 and the property was utilized intermittently for adult classes until the District put the property up for sale in 2013. The property owned by the District that includes La Puerta Sports Park and the proposed housing project is currently one parcel that will need to be subdivided for the proposed housing project to proceed.

In 2020, the City received an application for residential housing development for the 9.7-acre site located east of the La Puerta Sports Park. Initially, Trumark Homes' proposed housing project would have included approximately two acres of the La Puerta Sports Park property, which would have required the City to approve an amendment to the 99-year ground lease. However, based on community feedback, Trumark Homes revised its project proposal in 2021 to reduce the number of homes, increase the lot size, and remove the two acres of the park from the project. Trumark Homes' proposed changes to the Claremont General Plan and zoning affect only the approximately 9.7-acre site on which housing is proposed. The housing project would not use any of the La Puerta Sports Park site, which would retain its existing public land use designation and zoning.

At the City's request, on December 15, 2022, the Claremont Board of Education approved a Memorandum of Agreement with the City to allow the City and District to provide recorded notice of the existence of the long-term lease between the City and District for use of certain portions of the La

Puerta school site. The purpose of the Memorandum of Agreement is solely to provide constructive notice that the property is subject to a long-term use agreement. The Memorandum of Agreement will not change the 99-year lease between the City and the District. To change the lease, both parties (the Claremont Board of Education and the Claremont City Council) would need to agree to a lease amendment.

Staff recommends that the City Council authorize the City Manager to enter into the Memorandum of Agreement with the Claremont Unified School District to formally record the notice of the existing long-term use agreement with the Los Angeles County Registrar-Recorder/County Clerk.

LEGAL REVIEW

The Memorandum of Agreement has been reviewed and approved as to form by the City Attorney.

RELATIONSHIP TO CITY PLANNING DOCUMENTS

Staff has evaluated the agenda item in relationship to the City's strategic and visioning documents and finds that it applies to the following: Council Priorities and General Plan.

CEQA REVIEW

This item is not subject to environmental review under the California Environmental Quality Act (CEQA).

PUBLIC NOTICE PROCESS

The agenda and staff report for this item have been posted on the City website and distributed to interested parties. If you desire a copy, please contact the City Clerk's Office.

Submitted by:

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City Manager

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