

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 11/2/99**Reference No.:** CB-64-1999**Proposer:** Planning Board**Draft No.:** 2**Sponsors:** Esteppe, Hendershot, Russell, Shapiro, Bailey, Gourdine, Maloney, Scott, Wilson**Item Title:** An Act approving the lease between M-NCPPC and the Junior Tennis Champions Center, Inc. for 11.6 acres of land located on Paint Branch Parkway, as part of the Paint Branch Stream Valley Park.

Drafter: Bruce Crawford
Administrative Specialist**Resource** Richard Romine
Personnel: M-NCPPC

LEGISLATIVE HISTORY:**Date Presented:** 9/28/99**Executive Action:** 11/16/99 S**Committee Referral:** 9/28/99 PZED**Effective Date:** 11/16/99**Committee Action:** 10/12/99 FAV**Date Introduced:** 10/12/99**Public Hearing:** 11/2/99 1:30 P.M.**Council Action:** 11/2/99 ENACTED**Council Votes:** JE:A, DB:A, IG:A, TH:A, WM:A, RVR:A, AS:A, PS:A, MW:A**Pass/Fail:** P**Remarks:** _____

10/12/99: CB-64 was amended on the floor; DR-2 was introduced**PLANNING, ZONING AND ECON. DEV. COMMITTEE REPORT****DATE:** 10/6/99

Committee Vote: Favorable, 4-0 (In favor: Council Members Russell, Bailey, Gourdine and Hendershot)

Staff suggested to the Committee that the second item on the agenda, CB-64-1999, should be discussed in conjunction with CB-57-1999 because it is companion legislation. Council Member Russell, Chairman of the Committee, agreed to this suggestion. CB-57-1999 is legislation amending the County's portion of the Maryland-National Capital Park and Planning Commission (M-NCPPC) Capital Budget for Fiscal Year 1999-2000 and the Capital Improvement Program

for Fiscal Year 2000-2005 to authorize one project, the Junior Tennis Champion's Center.

CB-64-1999 is legislation approving the lease between M-NCPPC and the Junior Tennis Champion's Center Foundation for 11.6 acres of land on which the Junior Tennis Champion's Center will be located.

The Junior Tennis Champion's Center is estimated to cost \$5.5 million, with 100% funding provided by a developer contribution. The proposal for the Center includes the construction of a 27-court indoor-outdoor tennis complex. The primary purpose for the center will be to train high-potential student athletes to better develop their potential and enable these students to better compete for college scholarships and, potentially, professional careers. Those students will be accepted into the program on the basis of merit, and will not be turned away because of inability to pay for the program.

The lease for the Junior Tennis Champion's Center is for twenty (20) years, with the possibility of two ten- (10) year extensions. The lease also calls for the payment of a basic rent annually to M-NCPPC of \$25,000. Additionally, if the Center generates an operating profit in a given year, the Center must pay an additional rent to M-NCPPC equal to 50% of this operating profit. The presence of operating profit will be determined through an annual independent audit. The Junior Tennis Champions Center, Inc. will also be liable for any and all taxes due. As part of the lease arrangements, the developer will advance funds, not to exceed \$200,000, to improve the entryway to the College Park Airport and Museum. Such improvements will include landscaping, decorative pavement, lighting and signage. M-NCPPC has agreed to budget funding in future Capital Improvement Programs, beginning in FY2001, to reimburse the developer for these expenses. Although outside use will be restricted at certain times, the County's school system, M-NCPPC and the City of College Park will be able to use the facility free of charge.

The Legislative Officer and the Office of Law have determined that CB-57-1999 and CB-64-1999 are in proper legislative form. The Office of Audits and Investigations has determined that there should be no negative fiscal impact on the County as a result of enacting these bills. The County Executive supports both bills and provided the following comments. "The Junior Tennis Champions Center will complement the mixed-use environment in which it is to be developed. Construction and operation of this nationally significant facility will be funded completely by private sector contributions and will enhance the array of high-quality athletic/recreational facilities available to the residents of Prince George's County."

Paul Rodbell, representing Kenneth Brody, founder of the Junior Tennis Champions Center, spoke in support of both Council bills. Mr. Brody also addressed the Committee informing the Members of the highlights of the Center and responded to questions by the Members concerning its daily operation and utilization by the County school system and County residents.

Staff informed the Committee of an amendment necessary on line 15, page 2 to change "sixteen (16)" to "fifteen (15)." This amendment is in accordance with the description and justification for this project in the FY2000-2005 Capital Improvement Program. This amendment is reflected in Draft-2 of the legislation.

BACKGROUND INFORMATION/FISCAL IMPACT**(Includes reason for proposal, as well as any unique statutory requirements)**

Section 5-110 of the Regional District Act requires that a lease of park lands for a term of between 20 to 40 years be approved by legislative act. The Commission proposes to lease 11.6 acres located on Paint Branch Parkway, as part of the Paint Branch Stream Valley Park, for development as an indoor/outdoor tennis complex that will provide a year-round tennis training program for student athletes. The proposed bill approves the provisions of the proposed lease.

CODE INDEX TOPICS: