

## Legislation Text

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Presenter/Contact

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**SUBJECT:**

Discuss and consider approval for the City Manager to execute a contract with Derek Howorth (or his LLC) for the management of the Das Rec Swim Team.

**BACKGROUND / RATIONALE:**

With the opening of Das Rec came the opportunity to create a competitive, year-round swim team that would operate under the banner of USA swimming. Since the opening of Das Rec, it has been the most frequently requested program by our guests.

A committee was convened to help staff with the process, which included a representative of the Dolphins, the NBISD Swim Coach, a New Braunfels swim parent, a New Braunfels swimmer, and a Councilmember. The committee met several times to discuss the process and provide feedback to staff.

A solicitation was issued to obtain contracted services to support the creation and management of the Das Rec Club Swim Team. There were four (4) responses received on December 12, 2018. The committee ranked the responses identifying Mr. Howorth's proposal as the top candidate.

Staff has successfully negotiated the terms of the contract and are recommending Derek Howorth's team for the contract. Mr. Howorth's team includes three qualified coaches with experience in the Olympics, coaching National Top 16 swimmers and 25+ years swimming and coaching involvement.

The major provisions of the contract are as follows:

- Term of three years, with two annual options to renew for a potential total of five years.
- The City of New Braunfels will retain a percentage of the program revenue on the following scale:
  - Year one: 6% of gross revenues, \$600 per swim meet session
  - Year two: 8% of gross revenues, \$800 per swim meet session
  - Year three: 10% of gross revenues, \$1,000 per swim meet session
  - Year four and five: Subject to negotiation
- Team Howorth will have use of seven lanes of the Das Rec competition pool, leaving one lane open at all times for members.
- Use of the Das Rec competition pool must not interfere with the use by NBISD. NBISD has contractual use of the pool during certain hours. Any schedule changes must be agreed upon

by Team Howorth, NBISD and Das Rec staff.

- Additional services are available to Coach Howorth, like private lessons for swim team members and the creation of a summer swim program. Those opportunities will be coordinated with Das Rec staff and pool availability and are subject to the gross revenue requirements.
- Compliance with all USA Swimming rules and regulations.
- City will have a role in selecting the team name.
- Mr. Howorth will provide the City with an Annual Report detailing the financial position of the business, participation numbers, results of a required annual survey of parents and participants, and other information as requested by the City.

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

Yes	<b>City Plan/Council Priority:</b>	Strategic Priorities: Effective Management - Maintain an ongoing program to provide exemplary customer service.
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**FISCAL IMPACT:**

The City will collect 6-8 percent in gross revenues of the program over the initial three year term of the contract. These revenues are intended to cover the direct and indirect costs incurred by the facility.

**COMMITTEE RECOMMENDATION:**

The community member evaluation team recommended award of the contract to Derek Howorth (or subsequent LLC). The Parks and Recreation Advisory Board unanimously recommended approval of the contract by City Council at their meeting on May 21, 2019.

**STAFF RECOMMENDATION:**

Staff recommends approval of a contract with Derek Howorth (or subsequent LLC) for the management of the Das Rec Swim Team.