

**City of Costa Mesa, Newport-Mesa Unified School District
and Costa Mesa United Grant Application
and Agreement for Sports Facility Improvements**

This Grant Application and Agreement is entered into by and between the City of Costa Mesa, a California municipal corporation, ("City") and Newport-Mesa Unified School District, a public school district ("Grantee" or "District"), with participation by Costa Mesa United, a non-profit organization.

1. This Grant Application and Agreement will be controlled by and pertains only to those facilities identified in the current Joint Use Agreement between the City of Costa Mesa and the Newport-Mesa Unified School District, for facilities located at **Estancia High School**.

2. Description of capital improvement project or fixed asset purchase ("Project") as requested by the site principal and approved by the Superintendent:

4 Vasa Swim Ergometer with power meter (\$7,996.00)

Tax (\$691.52)

Shipping & Handling (\$648.00)

Amount Requested: **\$9,335.52**
(Completed by District)

Amount Granted: **\$9,335.52**
(Completed by City)

3. Public use and benefit of Project as validated by Costa Mesa United :

The public use and benefit will comprise of providing a swim ergometer as a training tool to help improve proper stroke and technique outside of using the pool directly. Under proper training and supervision, this will allow multiple user groups the opportunity to utilize the equipment. This will include any and all organized leagues that utilize the facility and recreational users, if applicable.

4. Upon validation by Costa Mesa United that the project is of public benefit, and in consideration of the grant which shall be made, or caused to be made, by the City upon its approval of this Grant Application and Agreement, and the promises herein contained, the following understandings shall be binding:

5. Grantee represents that all information provided by it in this Grant Application and Agreement is true and accurate.

6. It is understood that this Agreement for sports facility improvements is subject to mutual approval by the District and the City on the dollar amount of the Grant. Thereafter, City shall fully fund Grant within 30 days of the mutual approval of this Grant Application and Agreement. District shall use all of the granted funds only for the Project. District shall use all of the granted funds only for the Project. Furthermore, the funding will be donated to the District, allocated to school budgets and expended in accordance with all rules and regulations regarding school district purchasing and the construction of facilities. All parties are in

agreement that no work may be contracted through the City or any third party separately for any project on a school district site.

7. District shall provide for the public use and benefit as described herein.
8. The public use and benefit shall be administered through the Joint Use Agreement currently existing between the City and Grantee.
9. Grantee shall make all records relating to the Project and its public use and benefit available to the City for reasonable inspection and review for compliance with this Grant Application and Agreement.
10. This Grant Application and Agreement is non-transferrable.
11. This Agreement constitutes the entire agreement between the parties with respect to the grant provided for herein and supersedes any and all other prior writings and oral negotiations. This Agreement may be modified only in writing and signed by the parties in interest at the time of such modification.

IN WITNESS WHEREOF, the parties hereto have caused this Grant Application and Agreement to be executed by and through their respective authorized officers, as of the date of the City's signature below. The City's signature shall constitute the grant award.

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

REDACTED

Superintendent

Dated: 3/10/15

CITY OF COSTA MESA CALIFORNIA

REDACTED

CEO of the City of Costa Mesa

Dated: 3/16/15

COSTA MESA UNITED

REDACTED

Date: 5/12/15

ATTEST:

REDACTED

City Clerk of the City of Costa Mesa

Date: 5/27/15

City Clerk of the City of Costa Mesa