



# **CITY COUNCIL AGENDA REPORT**

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MEETING DATE: SEPTEMBER 6, 2005

ITEM NUMBER:

**SUBJECT: FIELD USE RECOMMENDATIONS TO CITY COUNCIL**

**DATE: AUGUST 24, 2005**

**FROM: ADMINISTRATIVE SERVICES/RECREATION DIVISION**

**PRESENTATION BY: JANA M. RANSOM, RECREATION MANAGER**

**FOR FURTHER INFORMATION CONTACT: JANA RANSOM, RECREATION MANAGER, 754-5654**

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## **RECOMMENDATION**

The Parks and Recreation Commission recommends that the City Council approve and direct staff to implement the following actions with respect to field use issues:

- 1) Group 5 and Group 6 organizations' use of fields
  - Make no changes to Group 5 (youth groups with fewer than 51% Costa Mesa residents) organizations' use of fields
  - Make no changes to Group 4 status and limit Group 6 (adult groups with fewer than 90% Costa Mesa residents) organizations' use of fields as described in #2
- 2) Use of elementary schools
  - Permit no use of Newport Mesa Unified School District elementary schools located in Costa Mesa by adult soccer organizations
  - Restrict adult soccer use to Costa Mesa High School fields, Estancia High School fields, Parsons School field, and Davis School field leaving in place any previously negotiated and approved site restrictions
- 3) Year-round use of fields
  - Make no changes to year-round use of fields by any organization
  - Direct City staff (Recreation and Maintenance Divisions) to initiate and/or assist with development of rest and renovation periods at school and City fields that will ensure maintenance standards are met
- 4) Allocation of lit fields
  - Make no changes to current allocation formula used to allocate time on fields with lights
- 5) Joint Use Agreement with the Newport Mesa Unified School District
  - Support City staff efforts to revise existing Joint Use Agreement with Newport Mesa Unified School District with the City acting as the agent for community use
  - Support inclusion of maintenance standards in any re-worked Joint Use Agreement with Newport Mesa Unified School District

## **BACKGROUND**

At its meeting of July 19, 2005, City Council referred the above issues to the Parks and Recreation Commission and requested that Commission undertake whatever measures it felt appropriate in order to provide recommendations to City Council by September 6, 2005. These issues were discussed by the Commission at three meetings (June 22 Regular Meeting under New Business, July 27 Regular Meeting under Old Business, and at the August 10 Study Session). User Group representatives were notified of each of these meetings. The Commission additionally requested staff to let all other persons who had testified or interacted with the Recreation Division on field issues in the past know of the August 10 Study Session.

All of the above listed issues were discussed and additional testimony taken from 25 speakers was heard at the regular meeting of the Parks and Recreation Commission meeting held August 24, 2005.

## **DISCUSSION**

During the discussion at the regular meeting held July 27, 2005, many of the persons who addressed the Commission indicated that the issues of greatest concern were maintenance of Newport Mesa Unified School District fields and the critical lack of athletic fields with lights. Several speakers representing youth user groups stated that the current policies and procedures "weren't broken."

### Specific Issues

#### 1) Groups 5 and 6

Group 5 organizations are defined as youth groups with fewer than 51% residents. Group 6 organizations are adult groups with fewer than 90% residents. Group 5 organization requests are not filled until after Group 1 through 4 organizations' requests have been scheduled. Group 6 organizations' requests are processed only after all the other, higher priority groups receive fields. Exception is that adult groups have priority for use all day Sundays and after 8:00 p.m. on weekdays.

Group 5 and 6 organizations account for approximately 5,600 annual hours of use, or only 13% of all permitted field use. Revenue from field rental by these user organizations is just over \$170,000. Currently, there are no Group 4 organizations, where 90% of participants are residents, so elimination of Group 6 use, without modifying the definition to some lower percentage of residency, will effectively eliminate adult user groups from being able to reserve fields in Costa Mesa.

Staff recommended lowering the percentage needed to qualify as a resident adult user from at least 90% to at least 75%, which, while restricting access to fewer fields (issue #2), would enhance the incentive for groups to achieve this priority status level. This change would ensure that residents, youth and adult, are served first. The Commission decided against this change, as it would mean that adult groups could gain priority over youth groups with fewer than 51% Costa Mesa residents.

Commission additionally discussed modifying the Adult Priority Use of Sundays and weekdays after 8:00 p.m. but indicated that if Council adopts recommendations related to adult use of elementary schools that this issue would not be necessary.

#### 2) Use of elementary schools

The Parks and Recreation Commission recommended that adult soccer use be restricted to Costa Mesa High School fields, Estancia High School fields, Parsons School Field, and Davis School Field. Staff anticipates that there will be more requests for fields than there will be fields available. While it will make illegal use easier to identify, enforcement efforts will have to be increased.

The Commission removed from staff recommendation use of Balearic School fields and TeWinkle Park fields by Adult soccer groups. The rationale for removing Balearic was its proximity to surrounding houses (on two sides, the north side is separated from the fields by Balearic Drive, a parking lot and a large asphalt area); for TeWinkle Park it was the fact that the fields will be all softball and baseball, and adult soccer use of those outfields would not be a good idea).

In the event that Council directs staff to make this policy change, staff will consider the following factors to establish priority for use within the Group 6 classification: length of use of fields as an established user group, "strike" history (fewer strikes / higher priority), organization serves an underserved population (persons with disabilities, for instance). Staff would request that implementation of this change not begin until November 1, 2005.

From a public relations standpoint, staff believes that most neighbors of elementary school would support this decision. Many of the adult soccer organizations would have to seek additional fields outside of Costa Mesa. It should be noted that staff anticipate there may be some revenue loss associated with constraints placed upon use of fields by adult soccer groups.

### 3) Year-round use of Fields

Most youth and adult sports organizations/leagues are now year-round. Parks and Recreation Commission recommend that no changes be made in the policy to legislate use. However, since year-round use contributes to the deterioration of fields, the Commission recommends that Council direct City staff (recreation and maintenance divisions) to identify what rest and renovation periods need to be implemented in order to provide sufficient time for City and school fields to rejuvenate.

Additionally, a concerted effort to renovate fields to correct problems before they become severe should be investigated. Several of the youth sports user groups have expressed a willingness to participate with the City and the School District in terms of both money and labor. The Commission urged City Council ensure that acceptable maintenance standards be made a part of any revised Joint Use Agreement with the Newport Mesa Unified School District.

Last October the City and School District jointly assessed the condition of every School District field that is available for use under the existing Joint Use Agreement. The rating sheets for these fields, as well as the internal report and criteria, are attached (Attachment 1). Please see item #5 below for more discussion of the Parks and Recreation Commission's recommendations with respect to the Joint Use Agreement with the Newport Mesa unified School District.

### 4) Allocation Formula for Lit Fields

The City has lit athletic facilities at TeWinkle Park (after renovation, there will be three softball and one baseball field), The Farm Sports Complex (two lit soccer/utility fields out of six total soccer/utility fields), and Lions Park Davis Field (one lit softball field). There are two lit baseball fields (one soccer/utility "overlay" field) at TeWinkle School. As there simply are not enough lit fields, the necessity to implement an allocation formula based upon numbers of residents in Group 1 organizations at least provides a rationale for splitting up what is available. As additional lit fields come on line, the Recreation Division will continue to use the allocation formula to ensure equity to like groups.

*The only element that could possibly impact the allocation of lit fields at this point is to re-classify AYSO Region 97 (a "grand-fathered" Group 1 organization). The Parks and Recreation Commission requested staff to agendaize for a meeting in September or October a review of the policy of designating AYSO 97, a youth soccer organization that has approximately 800 Costa Mesa residents and 1,200 non-residents, as a Group 1 User organization. Conceivably, all of the Costa Mesa residents currently playing in those*

organizations could join other existing Group 1 organizations, in which case the demand for lit field time would still exist between one large organizations (AYSO Region 120) and a small one (Pop Warner football).

Although the amount of lit field time that any one group gets isn't nearly enough, at least the existing formula provides for an equitable way to ensure available lit field time is divided between like groups.

City staff makes every effort to honor historical use, but since the available lit fields are not equally spread to the various parts of the city, there will be territorial issues as long as fields are considered the domain of any one group. The user groups have been able, for the most part, to come to resolution on their own terms (again, acknowledging that the number of lit fields is inadequate). Further legislation of the allocation process could include going to a draft system and then giving organizations the right to retain or trade the allocations for a short time before permits are finalized. Staff's interest is only that the allocation, in the end, is fair and ensures precedence of Costa Mesa residents.

#### 5) Joint Use Agreement

In the existing Joint Use Agreement between the City and the Newport Mesa Unified School District, the City acts as the agent for the community, ensuring that access to fields is equitable. So while the City tends to bear the brunt of criticism for field use issues, the absence of the City's oversight via the JUA would be even less than ideal.

There have been inquiries as to whether a Costa Mesa group could reserve a Newport Beach school (one that is in the NMUSD). The answer is yes. There is a clause in the City of Newport Beach's Joint Use Agreement with the Newport Mesa Unified School District that basically says City of Costa Mesa cannot use schools in Newport Beach. The important distinction here is that this is a reference to CITY programs, and does not preclude community groups, resident within the District's boundaries, to be able to request and use schools located in Newport Beach.

Costa Mesa residents and Newport Beach residents would have equal priority for any District school if the School District were to become the entity making the decisions as to who gets to use their facilities. The existing Joint Use Agreement gives Costa Mesa residents priority at NMUSD schools located in Costa Mesa – because the City's Field Use and Allocation Policy becomes is the implementing legislation. So Costa Mesa residents have priority of use of school fields in Costa Mesa that are covered under the Joint Use Agreement.

There are problems with NMUSD fields, mostly related to irrigation, some due to the fact that the fields were not built to be athletic fields. Most were initially designed as playfields and are being used as athletic fields. The City and the District have renovated several fields, but Measure A construction has definitely set back District field maintenance. Until Measure A work is completed, field maintenance issues will take a back seat.

The proposed Joint Use Agreement calls for certain language changes and responsibility changes. The main semantics change is that ACTIVE USE AREAS now will include most outdoor areas (fields, parking lots, playgrounds) and FACILITIES will be considered most indoor areas or structures (pools, gymnasiums, auditoriums). Under the existing agreement the City permits ALL school usage after 4:00 p.m. (5:00 p.m. at the High Schools) weekdays, and anytime weekends and school breaks. The proposed agreement returns the permitting function of FACILITIES back to the School District. This change will allow the school to better schedule maintenance, monitor payments and hold user groups accountable (including their own users).

There are several "clean-up" and minor revisions, but the other main change in the proposed agreement calls for the School District to take back on-going field maintenance.

Under the existing contract, the City mows permitted fields once per week (weather permitting). Measure A construction has interfered with the City's ability to conduct routine maintenance.

The value of the City's participation in the existing agreement is estimated at approximately \$183,000, as the City pays for a maintenance contractor and City in-house staff do the aerating and fertilizing. The City's position in the proposed agreement is to participate in annual field renovations to bring fields up to mutually agreed upon, defined standards and for the School District to provide on-going maintenance.

The City of Newport Beach has a more traditional agreement with the Newport Mesa Unified School District, in part because Newport Beach has athletic fields of its own and has no need to act as the community's agent to use school fields. While it would save the City money to go back to this model agreement, the Parks and Recreation Commission and staff believe that Costa Mesa's youth and adult sports organizations' best interests would not be served.

Under the existing and proposed agreements, the use of the District's Costa Mesa schools is regulated by the City's Field Use and Allocation Policy. This policy provides for priority to be given to resident youth leagues and City-run programs. The policy also allows for certain youth groups, our Group 1 user organizations, to have field rental fees waived. The policy gives the City the ability to monitor use, hold groups accountable, to take disciplinary action, even to issue citations. In the absence of such an agreement, or one that simply calls for the City to be able to use School District facilities in exchange for the School District to use City facilities, the School District may refuse to issue permits – due to the negative impact to their facilities – but un-permitted use would likely occur in the absence of some enforcement/monitoring presence.

So while the proposed, or even the existing, Joint Use Agreements are not perfect, they guarantee that fields will be available for the community's use and that the use will be monitored for appropriate behaviors.

#### Additional comments/concerns/issues raised

The Parks and Recreation Commission urged Council to direct staff to place a high priority on moving forward with the feasibility studies to identify City and School District fields where permanent lights could be installed and to set aside funds to install lights in future years' budgets. Commission additionally urged Council to support efforts to evaluate State Surplus properties and direct staff to include funding plans for acquisition of some of those properties in future years' budgets.

### **ALTERNATIVES CONSIDERED**

#### Group 5 and 6 organizations use of fields

- 1) No longer allow Group 5 and 6 organizations to reserve and use fields in Costa Mesa
- 2) Designate specific time periods (i.e., July to December) when Group 5 and 6 organizations are not allowed use of City facilities
- 3) Change Group 4 status to groups with at least 75% residency requirement (from groups with at least 90% residency) to encourage more adult user groups to attempt to qualify as resident – see field restriction under #2
- 4) Modify Adult Organizations' use priority currently given for all day Sunday and after 8:00 p.m. on weekdays

#### Adult Soccer organizations' use of elementary schools

- 1) Make no changes to current permitting procedures

- 2) Add Balearic School fields and/or TeWinkle Park fields back into the fields approved for adult soccer use
- 3) Direct Recreation Division staff to implement City-run adult soccer leagues

#### Year-round use

- 1) Direct staff to schedule “across the board” periods of no field use (i.e., no field use in January, or between July 15 and end of August)

#### Allocation of lit fields

- 1) Modify the allocation formula methodology

#### Joint Use Agreement

- 1) Do not support proposed revisions
- 2) Revert to an agreement similar to City of Newport Beach agreement with NMUSD

### **FISCAL REVIEW**

As the number of opportunities for field use by Group 6 organizations (adult groups with less than 90% residents) will be fewer, staff anticipate that the revenue from fields will be \$50,000 to \$70,000 less than what was realized in FY2005 (which exceeded \$195,000), resulting in a reduced revenue projection of \$120,000 (from \$170,000). There is some possibility that Group 3 organizations (youth groups with 51% or more residents) and Group 5 organizations (youth groups with 50% or fewer residents) may utilize available hours at elementary schools, but staff have no way to judge how many “rentable” hours will be available or utilized at this time.

### **LEGAL REVIEW**

No legal review is needed for this item.

### **CONCLUSION**

The Parks and Recreation Commission recommends that the City Council approve and direct staff to implement the following actions on field use issues:

- 1) Group 5 and Group 6 organizations’ use of fields
  - Make no changes to Group 5 (youth groups with fewer than 51% Costa Mesa residents) organizations’ use of fields
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Recreation Manager

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Administrative Services Director

**Attachments**

- 1) [Field Rating Criteria and Evaluation of District Fields Memo \(October, 2004\)](#)
- 2) [Parks and Recreation Commission Report 08 24 05 Field Use Recommendations Report](#)
- 3) [Supplemental Information of Field User Group Definitions](#)
- 4) [Supplemental Information on Value of School Use of City Facilities](#)
- 5) [Supplemental Information Relating to the Open Space Masterplan](#)