



Costa Mesa Bark Park Foundation
PMB - 153
1835 Newport Blvd., A - 109
Costa Mesa, CA 92627

TO: THE COSTA MESA PARKS AND RECREATION COMMISSION
FROM: THE COSTA MESA BARK PARK FOUNDATION
SUBJECT: FUNDRAISING PROPOSALS FOR COSTA MESA BARK PARK

DATE OF HEARING: JUNE 27, 2007

The Costa Mesa Bark Park Foundation (The Foundation) hereby submits the following report in support of their requests for certain fundraising assistance including the following:

- I. The Foundation be allowed to pursue the feasibility of other fundraising opportunities including a sponsorship program;
- II. The Foundation be allowed to utilize one-half of the parking lot they currently share with the Skate Park for its August 11, 2007 Bath' Stille Day Fundraiser, and for future fundraisers, if necessary.

I. REQUEST THAT THE FOUNDATION BE ALLOWED TO PURSUE SPONSORSHIP FOR BARK PARK

INTRODUCTION/HISTORY

The development of a leashless dog park in Costa Mesa was a collaboration between the City and a group of interested citizens. From the beginning, the understanding between the parties was that a dog park would be opened only if it could be funded and maintained completely with donated money and that there would always be a volunteer committee in place to raise these funds. With this understanding the Bark Park was opened in October of 1994 and it has survived for over twelve years on funds donated by park users and raised at fundraising events. All funds raised during the first six years the park was opened were held in the City's General Fund and allocated to Bark Park expenses as needed.

The original park, although treasured by all who used it, was plagued with problems resulting from old fencing and receding grass and mud problems caused by an ancient and overtaxed sprinkler system and the hilly contours of the park. Bark Park was in grave need of a renovation and – to that end – the City allocated \$150,000 as a one-time gift to the dog park in 1999. In addition, the Bark Park Volunteer Committee committed all of the funds it had saved over the last 5 or 6 years to renovation efforts.

Prior to final allocation of the \$150,000 gift and the beginning of renovation, the City instructed the Bark Park Volunteer Committee to become a 501 (c) (3) non-profit corporation – which they did on -- and take control of the funds previously held in the Costa Mesa General Fund. Also, the Committee was asked to sign a LETTER OF UNDERSTANDING (LOU) setting out the duties and responsibilities of both the City and the newly formed Bark Park Foundation for Bark Park. (A copy of this Letter of Understanding was attached to City Staff's report filed May 23, 2007 with the Commission, marked Attachment 4.)

Under the terms of the LOU, The Foundation was to be responsible for the cost of anything and everything that had to do with the planting and maintenance of grass as well as the cost of “dog bags”, amenities such as benches and a portion of the water bill.

During the renovation, the Foundation used every dime they had raised since 1994 – approximately \$25,000 -- to pay for professional rototilling, soil amendment, hydroseeding and other expenses related to installing a completely new lawn at Bark Park.

The renovated Bark Park was opened in December 2000. After 7 years of hard use – the park is utilized by hundreds of dogs and their owners a day – the grass is, again, in need or renovation.

THE NECESSITY FOR OTHER FUNDRAISING OPTIONS:

There is no harder working volunteer group than the Bark Park Foundation. For twelve years this group has successfully raised the funds necessary to keep the dog park operating but it is an exhausting, ongoing process. Despite flyers and articles in the quarterly newsletter, most park users remain under the impression that the City pays expenses for the park and so it is a constant battle to get the donations we need from park users.

Donated funds alone are not nearly enough, so the Foundation has to put on fundraising events every year – sometimes as many as four a year. These events are very stressful and tiring for the (almost always over the years) small group of volunteers but there is no other option to raising the funds needed, as the LOU signed by the Foundation bans them from more lucrative – and less labor intensive – ways of raising money such as advertising. Although not specifically banned in the LOU, early requests by the Foundation to seek out a sponsor over the years were always turned down. Up until now, enforcing the ban on advertising in City parks was completely understandable as there was no advertising in any of Costa Mesa’s public parks and the City clearly did not feel they wanted to allow the Bark Park to be an exception to this general ban.

But with the opening of the skate park, things have changed. The City has made an exception to its ban on advertising and sponsorship. In order to offset the cost and expense of the new skate park, the City entered into an “Agreement for Naming Rights and Sponsorship of the City of Costa Mesa Skateboard Facility in TeWinkle Park” with Volcom. Under the terms of this agreement the City receives \$30,000 annually in exchange for exclusive sponsorship of the skate park. Volcom is allowed under this agreement to do a considerable amount of advertising including, but not limited to:

- Naming the park the VOLCOM SKATE PARK OF COSTA MESA and allowing name and artwork on the entryway/monument sign;
- One-Quarter page advertisement in the City’s Recreation Brochure;
- A link on the City website;
- Banners on all the light poles inside the park;
- Signage on portable bleachers if installed by the City;
- Signage on any shade shelter installed;
- Logo installed on the cement “bowls”

Clearly, this agreement between the City and Volcom sets a precedent allowing advertising and sponsorship for a venue that is “high maintenance” and specific use oriented.

The Bark Park Foundation firmly believes that Bark Park falls into the same category as the Skate Park in this regard. It is a facility that is heavily used for one specific purpose and requires unusually costly maintenance and repairs.

Since the Skateboard Park opened and we learned of the sponsorship arrangement with Volcom, we have asked the City for permission to look for a sponsor for the dog park on several occasions. The only response to our requests has been from Donna Theriault and she has repeatedly told us that sponsorship for Bark Park was not something the City wanted to pursue. We believe this is unfair and that sponsorship for the dog park could work every bit as well as it does for the skate park. It would only require that the City and the Foundation work together on the project -- and we would certainly like to opportunity to try. And if not sponsorship, what about other advertising options?

WHY WE NEED/WANT A SPONSOR

As previously stated, the Foundation works as hard as humanly possible to raise funds for the dog park but despite all this hard work, our bank account over the year has never exceeded \$25,000 and, in fact, usually hovers around \$20,000 to \$22,000. This is not enough money for us to begin and maintain a re-planting and maintenance program for the grass at Bark Park.

In their May 23, 2007 report to the City, Staff included a copy of a report (their Attachment 1) The Foundation prepared for submission to City Council to request allocation of funds to the Bark Park. In the report – which was never given to the Council – the Foundation discusses its plan for re-planting Bark Park and estimates they need \$55,000 in addition to the funds they have raised. A sponsorship agreement – similar to the Volcom agreement -- added to our current balance of \$22,000 would be enough to start the re-planting project and easily enough to maintain things into the future.

Additionally, there are things we would like to do at Bark Park that we have never had the luxury of being able to afford. The park needs to be locked on a regular basis – we are experiencing a lot of vandalism -- but we are unable to do this as it opens at dawn and there is no one there on a regular basis to unlock. We would love to hire someone to not only unlock the park in the AM but also to wash down the entranceways to alleviate the urine smell, clean up and restock the dog bag holders. We would also like more benches, possibly a drinking fountain and other amenities. There are just a lot of ways we could use the extra money to enhance everyone’s dog park experience.

FOUNDATION ACCOUNT VS. GENERAL FUND

The reason we are constantly being given that we would not be allowed to pursue a sponsorship agreement is that the funds would have to be deposited in the General Fund rather than in our accounts. People seem to think this is some sort of objectionable obstacle for the Foundation. It is not.

Of course we know that the park belongs to the City and we know that the Agreement would have to be between the interested entity and the City NOT the Bark Park Foundation. Understandably, therefore, the money would be deposited into the General Fund, earmarked for Bark Park and administered by the City. This is exactly the way the park was run the first 6 years of its existence. We raised the funds, the money was deposited into the General Fund, it was earmarked for the dog park by the City and used to pay Bark Park bills at the request of the Volunteer Foundation. We were provided monthly accountings.

We realize this is a little bit different (earmarking and accounting) than just dumping the funds into the General Account as they are done with Volcom but, again, this was handled successfully in this manner for the first 6 years of Bark Parks existence so why should it be roadblock to sponsorship now?

This arrangement was changed at the request of the City and we understand that it is not ideal as it is more work for the City. But the City takes on this responsibility for the skate park and we respectfully suggest that they give the dog park the same consideration. Again, we have past experience with this arrangement and it is acceptable to us so should not be used as the sole excuse for not allowing the dog park to seek a sponsor. We would continue to raise funds and accept and administer donations for our routine expenses through the Foundation account.

HELP GETTING THE “BALL ROLLING”

Although, ultimately, the City will be the one to negotiate and consummate any agreement for sponsorship of the Bark Park, the Foundation can be a great help in getting things started. What we would like to do right away is:

- Prepare a list of companies/entities that we feel may be interested in a sponsorship arrangement. Emphasis would be placed on companies that have something to do with dogs or pets and companies that have community ties.
- Send out a letter inquiring as to any interest they may have. The letter would request they contact the Foundation should they wish to further pursue the matter but it would remain clear at all times that any contract struck would be with the City. The letter would also solicit information as to what type of arrangement would be of interest to them. (A sample letter is attached hereto as Exhibit A. It is only a draft and we welcome any suggestions for changes or additions.)
- We would then prepare a list of interested parties and submit it to the City.
- Hopefully, at this point, we could meet with the City to go over options and offer any further assistance we could provide. We are willing to do as much of this work as possible. We want to be as involved as the City will allow.

CONCLUSION

The City was highly motivated to enter into a Sponsorship agreement for the skate park as they are on the hook for all its expenses. We understand that they are not motivated in the same way to enter into the such agreement on behalf of the dog park as someone else – the Foundation – is in charge of paying the bills. Despite the extra work involved, however, Bark Park deserves to have the benefit of the extra funds that would result from such an arrangement and we need it. Again, let us emphasize that we are willing to do as much of the work on this project as the City will allow making the process as painless for them as possible.

We thank you for any assistance you can give us in getting the “ball rolling” on a Sponsorship agreement – or other such agreement – for Bark Park.

EXHIBIT A



Costa Mesa Bark Park Foundation
PMB - 153
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Costa Mesa, CA 92627

DATE _____

RE: SPONSORSHIP OPPORTUNITIES AT THE COSTA MESA BARK PARK

Dear _____:

The City of Costa Mesa and the Costa Mesa Bark Park Foundation are currently seeking a sponsor for the Costa Mesa Bark Park. Sponsorship of this hugely popular leash-free dog park will present a unique opportunity for a company such as yours to get its name before the thousands people who use Bark Park on a weekly basis.

The Costa Mesa Bark Park was opened in 1994 and is located at the corner of Arlington and Newport Avenue in TeWinkle Park – just across the parking lot from the new Volcom Skateboard Park. The Skate Park is the only other sponsored park in the Costa Mesa park system. One of the longest running dog parks in Orange County, Bark Park is utilized by dog owners and lovers from all over the South Orange County area. The Bark Park Foundation estimates that hundreds of dogs visit Bark Park each day during the week and three times that many each day on the weekends. A FACT SHEET is attached hereto for your reference. You can see that the dog park has had a long and successful history and we look-* forward to an equally long and successful future.

Right now the Bark Park Foundation is sending letters to parties we think might be excited by this rare opportunity. If you are interested in any type of a sponsorship, advertising or naming agreement with the City of Costa Mesa for Bark Park, please write us back with some of your ideas. You are welcome to visit the dog park any time and if you would like a guided tour by one of the Foundation members – or have any questions whatsoever, please call us at 714-733-4101 and we will have someone return your call.

We look forward to hearing from you.

Sincerely,

PAT ALLEN, President
THE COSTA MESA BARK PARK FOUNDATION

EXHIBIT A