

FEE: \$ _____

APPLICATION FOR REVIEW, APPEAL OR REHEARING

Applicant Name ERIC BEVER

Address 77 FAIR DRIVE

Phone 714 754-5327 Representing* THE CITIZENS OF COSTA MESA

REQUEST FOR: REVIEW** APPEAL REHEARING

Decision of which review, appeal or rehearing is requested: (give number of rezone, zone exception, ordinance, etc., if applicable, and the date of the decision, if known.) PARKS COMMISSION ITEM 9A
FROM THE MEETING OF JUNE 24, 2009

Decision by: _____

Reasons for requesting review, appeal or rehearing: _____

1) THOSE AFFECTED BY THE DECISIONS TO ELIMINATE
"DROP IN" VOLLEYBALL AND BASKETBALL WERE NOT
NOTIFIED OF THIS HEARING. (GYM USERS)

2) SURROUNDING NEIGHBORS WERE NOT INFORMED OF
THE PROPOSED INTENSIFICATION OF USE, NOR OF
THE HEARING.

RECEIVED
CITY CLERK
JUL
2009 JUN 30 2 AM 10:53
CITY OF COSTA MESA
BY

Date: July 2, 2009 Signature: [Signature]

For office use only - do not write below this line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:
If review, appeal or rehearing is for person or body other than City Council/Planning
Commission, date of hearing of review, appeal or rehearing:

* If you are serving as the agent for another person, please identify the person you represent and provide proof of agency.
** Review may be requested only by City Council or City Council Member
Costa Mesa/Forms1/Application for Review-Appeal-Rehearing



PARKS AND RECREATION COMMISSION AGENDA REPORT

MEETING DATE: JUNE 24, 2009

ITEM NUMBER: 9a

SUBJECT: FACILITY USE PERMIT FOR DOWNTOWN RECREATION CENTER - REVISED

DATE: JUNE 23, 2009

FROM: ADMINISTRATIVE SERVICES DEPARTMENT / RECREATION DIVISION

PRESENTATION BY: JANA RANSOM, RECREATION MANAGER

FOR FURTHER INFORMATION CONTACT: ROBBY WAITE, ASSISTANT RECREATION SUPERVISOR

RECOMMENDATION

Consider request for a facility use permit for the use of the Downtown Recreation Center gymnasium by Aztec Basketball League for seven hours on Sundays for an initial six month term.

BACKGROUND

Rigoberto Bautista of Aztec Basketball Leagues is interested in using the gymnasium at the Downtown Recreation Center for seven hours on Sundays to run adult basketball leagues. Rigoberto has liability insurance for his organization and is able to provide a rider naming the City of Costa Mesa as an additionally insured and has recently obtained a Costa Mesa business license.

In recognition that some Costa Mesa residents might be displaced by this usage, Mr. Bautista has agreed to set up a Costa Mesa priority pre-registration period for Costa Mesa based teams that would like to play in the league. He currently has four teams that are primarily Costa Mesa residents.

DISCUSSION

If the Parks and Recreation Commission approve use of the gymnasium on Sundays by this league it would result in elimination of the adult open gym basketball and volleyball programs that are currently being held. The Sunday adult open gym basketball program is offered from 11:00 a.m. to 2:00 p.m. and has an average attendance of 9 participants per hour. The Sunday adult open gym volleyball program is offered from 3:00 p.m. to 6:00 p.m. and has an average attendance of 13 participants per hour. Since the two open gym programs are currently offered at the Downtown Recreation Center on Sundays no additional staff time would be required for the Aztec Basketball League use.

If the Commission approves the Facility Use Permit for Aztec Basketball League, it is anticipated that the League will utilize the gymnasium every Sunday for the remainder of the year.

Should the Aztec Basketball League fail to pay the required facility use permit fees in advance for each month of requested use, the gymnasium will be made available for the open gym programs.

FISCAL REVIEW

Eliminating the two adult open gym programs that currently operate on Sundays at the Downtown Recreation Center would result in loss of an estimated total of \$66 in revenue each Sunday. However, Aztec Basketball Leagues would pay the Commercial, Non-Resident rate of \$120 per hour for the use of the gymnasium which would result in \$840 in revenue each date used.

LEGAL REVIEW

A legal review is not required. A standard Facility Use Permit would be issued to the Aztec Basketball League upon payment in advance of the first month's fees.

ALTERNATIVES CONSIDERED

Alternatives to consider:

1. Approve use of the Downtown Recreation Center gymnasium by Aztec Basketball Leagues on Sundays.
2. Deny use of the Downtown Recreation Center gymnasium by Aztec Basketball Leagues on Sundays.
3. Operate a City basketball league on Sundays under a management contract (may or may not be with Aztec Basketball Leagues/Rigoberto Bautista).

CONCLUSION

Consider request for a facility use permit for the use of the Downtown Recreation Center gymnasium by Aztec Basketball League for seven hours on Sundays for an initial six month term and provide direction to staff.

JANA M. RANSOM
Recreation Manager

STEPHEN N. MANDOKI
Director of Administrative Services

ROBBY W. WAITE
Acting Recreation Supervisor



PARKS AND RECREATION COMMISSION AGENDA REPORT

MEETING DATE: MAY 27, 2009

ITEM NUMBER: 10b

SUBJECT: REQUEST FOR FACILITY USE PERMIT FOR THE DOWNTOWN RECREATION CENTER GYMNASIUM

DATE: MAY 15, 2009

FROM: ADMINISTRATIVE SERVICES DEPARTMENT / RECREATION DIVISION

PRESENTATION BY: JANA M. RANSOM, RECREATION MANAGER

FOR FURTHER INFORMATION CONTACT: ROBBY WAITE, ASSISTANT RECREATION SUPERVISOR, AT (714) 327-7560

RECOMMENDATION

Staff recommends that the Parks and Recreation Commission review and approve a request for issuance of a Facility Use Permit for the Downtown Recreation Center gymnasium to Rigoberto Bautista of Aztec Basketball Leagues for seven hours on Sundays for an initial six month term, beginning June 20, 2009, with an option for an additional six month term by mutual consent.

BACKGROUND

Rigoberto Bautista of Aztec Basketball Leagues is interested in using the gymnasium at the Downtown Recreation Center for seven hours on Sundays to run adult basketball leagues. Mr. Bautista has liability insurance for his organization and is able to provide a rider naming the City of Costa Mesa as an additionally insured. He has also obtained a Costa Mesa business license.

The gymnasium is currently open for drop-in volleyball and basketball on Sundays. Granting of this request would eliminate these programs.

DISCUSSION

Parks and Recreation Commission approval of the issuance of a Facility Use Permit for use of the gymnasium on Sundays would result in the elimination of the adult open gym basketball and volleyball programs that are currently offered. The Sunday adult open gym basketball program is held from 11:00 a.m. to 2:00 p.m. and has an average attendance of 9 participants. The Sunday adult open gym volleyball program is held from 3:00 p.m. to 6:00 p.m. and has an average attendance of 13 participants. The center will remain open for scheduled activities in other rooms/areas.

FISCAL REVIEW

Eliminating the two adult open gym programs that currently operate on Sundays at the Downtown Recreation Center would result in the loss of an estimated \$66 in revenue each Sunday, or an estimated annual revenue loss of \$3,430. However, Aztec Basketball Leagues would pay the Commercial Non-Resident rate of \$120 per hour for the use of the gymnasium, which would result in \$840 in revenue for each date used or annual estimated revenue of \$43,000.

LEGAL REVIEW

A standard Facility Use Permit will be issued for the dates requested by Aztec Basketball League. Use of facilities for outside leagues requires liability insurance in which the league has indicated will be provided to the specifications of the City.

ALTERNATIVES CONSIDERED

Alternatives to consider:

1. Approve request for Facility Use Permit for the Downtown Recreation Center gymnasium to Aztec Basketball Leagues on Sundays.
2. Deny request for Facility Use Permit for the Downtown Recreation Center gymnasium to Aztec Basketball Leagues on Sundays.
3. Approve request for Facility Use Permit of the Downtown Recreation Center gymnasium to Aztec Basketball Leagues on a limited number of Sundays.

CONCLUSION

Staff recommends that the Parks and Recreation Commission review and approve a request for issuance of a Facility Use Permit for the Downtown Recreation Center gymnasium to Rigoberto Bautista of Aztec Basketball Leagues for seven hours on Sundays for an initial six month term, beginning June 20, 2009, with an option for an additional six month term by mutual consent.

JANA M. RANSOM
Recreation Manager

STEPHEN N. MANDOKI
Director of Administrative Services

ROBBY W. WAITE
Acting Recreation Supervisor



LIGA AZTECA BASKETBALL

2422 S. Shelton Street
Santa Ana. CA 92707

March 5, 2009

To Whom It May Concern

I am writing this letter on behalf of Liga Azteca Basketball. Our League has been in existence for nearly 9 years using the Gyms in Santa Ana. Due to hours being reduced at Salgado Center and Jerome closing down for Remodeling we need to find another Facility that is able to accommodate us accordingly to our Leagues demand We are currently under process in relocating our Basketball League and hope to be able to operate in the City of Costa Mesa for our upcoming season.

Because of our increasing popularity our League is projected to be servicing about 40 + teams Youth participants over the age of 16 are also allowed to play we have a couple of teams from Costa Mesa, Lake Forest, Mission Viejo, Santa Ana and Anaheim we can definitely benefit from using your Facilities as many hours as possible to be able to accommodate all these teams and not risk loosing any of them.

I believe that our popularity is based on the following factors:

- Low registration costs – We offer the lowest registration costs in Orange County. (\$250). I have listed registration costs of other leagues in the surrounding cities.
- Certified referees – All referees officiating our games are certified referees who officiate high school and college games during the basketball season.
- Rule enforcement – We have structure rules of play and by-laws that we enforced on a continuous weekly basis. All teams are given a rules packet.
- High quality awards – Teams placing first, second and third place receive large team trophy, individual trophies, championship shirts and team uniforms, at no additional cost. Additionally the teams winning in their division will have their registration fee waived for the next season.
- Weekly standings – We provide team individuals with week-to-week standings which include wins, losses and team records.
- Spanish speaking scorekeepers and referees – Most of the players are Spanish speakers and many are limited English or non-English speakers. Most of the referees and the scorekeepers are Bilingual-Spanish. Having Spanish speaking referees allow increased communication during game with players. Here is how we compare to other Leagues as fast as Cost

Registration costs for surrounding leagues:

<u>League</u>	<u>Registration Cost</u>	<u>Games per season</u>
Liga Azteca	\$250	12 – 14 games, plus playoffs
City of Irvine (Recreation Dept.)	\$575	10 games, plus playoffs
Fast Action Basketball	\$475	10 games, plus play offs
Hoops Unlimited	\$450	10 games, plus playoffs
Salvation Army (Santa Ana)	\$425	10 games, plus playoffs
Ace 5-on-5 Basketball	\$490	8 games, plus playoffs
Huntington Beach (Recreation Dept)	\$480	8 games, plus playoffs
City of Brea (Recreation Dept)	\$475	8 games, no playoffs
Garden Grove Recreation	n/a	No league available
Orange Recreation	n/a	No league available
Tustin Recreation	n/a	No league available

Additionally, our league creates a family atmosphere were our weekly attendees often include family and friends. It is quite common to have children and wives cheer on their husband to victory. I would estimate that every regular season game usually brings an estimated 30 people. This estimate includes team players, their family and friends.

We will directly address team registrations, league schedule, referee assignments, playoffs and week-to-week operation of the league. We will do everything possible not to impact center staff.

If you have any further questions don't hesitate to call me or if you would like to meet with you at your earliest convenience I can be contacted at (714) 454-1603.

Thank you for your time. I hope we can make this work!

Respectfully yours,

Rigoberto Bautista
President

CC: Ruby Bautista
Vice President

MAYOR
Miguel A. Pulido
MAYOR PRO TEM
Lisa Bist
COUNCILMEMBERS
Claudia C. Alvarez
Carlos Bustamante
Alberta D. Christy
Mike Garcia
Jose Solorio



CITY MANAGER
David N. Ream
CITY ATTORNEY
Joseph W. Fletcher
CLERK OF THE COUNCIL
Patricia E. Healy

CITY OF SANTA ANA

20 Civic Center Plaza • P.O. Box 1988
Santa Ana, California 92702

March 25, 2009

To Whom It May Concern:

This letter is in reference to my experience with Liga Azteca Basketball. In the last 10 years, I had the opportunity to work with Liga Azteca on 2 different occasions while overseeing 2 different facilities with a basketball gymnasium.

I first worked with Liga Azteca from 2000-2003 when they were first starting to establish themselves. During this period, I was a Recreation Leader responsible for overseeing activities and reservations at Jerome Recreation Center. Liga Azteca rented the Jerome Center basketball gymnasium on a week-to-week basis for several hours every Sunday. Their use of the gymnasium enhanced our facility by providing adult oriented basketball programming at Jerome Center. They were very responsible organization that paid on time, provided the necessary set-up/clean and they also directly handled all inquiries regarding the league programming (registrations, league play, play-offs, championships, etc...). After I was re-assigned to oversee a different program, Liga Azteca remained using Jerome Center until October 2008. Their use of Jerome Center was temporarily placed on hold due to the Jerome Center facility going through a major renovation that is expected to last 10-12 months.

On November 2007, I was re-assigned as a Program Coordinator to oversee Salgado Community Center. Due to their growth, Liga Azteca approached me regarding the opportunity to use the basketball gymnasium at Salgado Center. Since I had a previous positive experience with them and also received continued positive feedback from Jerome Center staff, Liga Azteca was granted the opportunity to rent the gymnasium at Salgado Center. Their use was limited to pending gym time availability and they were also responsible for with the same set-up they had at Jerome Center such as paying on time, providing the necessary set-up/clean and also to continue directly handle all inquiries regarding the league programming (registrations, league play, play-offs, championships, etc...). On October 2008, I was once again re-assigned to coordinate a different program. However, Liga Azteca remains Salgado Center using the gymnasium without any issues and to my understanding will continue to use it in the future.

Again, my experience with Liga Azteca has always been positive. They have been a reliable customer and Liga Azteca also directly handles all inquiries and programming for their league.

If you have any questions or would like additional information, you can contact me at (714) 647-6552.

Professionally yours,

Enrique Marban, Program Coordinator
Santa Anita Youth Sports Initiative
Read • Have Fun • Get Fit • Be Respectful

MAYOR
Miguel A. Pulido
MAYOR PRO TEM
Claudia C. Alvarez
COUNCIL MEMBERS
P. David Benavides
Carlos Bustamante
Michele Martinez
Vincent F. Sarmiento
Sal Tinajero



CITY OF SANTA ANA
20 CIVIC CENTER PLAZA • P.O. BOX 1988
SANTA ANA, CALIFORNIA 92702

CITY MANAGER
David N. Ream
CITY ATTORNEY
Joseph W. Fletcher
CLERK OF THE COUNCIL
Patricia E. Healy

March 26, 2009

To whom it may concern

I'm writing this letter in regard's to Liga Azteca Basketball using/reserving the gym at Salgado Community Center for the past year. I was recently transferred to Salgado Community Center in November of 2008. I'm the Program Coordinator and responsible for the day to day function and responsibilities of the center. One of those responsibilities is taking payments and making deposit's for facility reservations and leisure classes, the Liga Azteca has always been on time and very responsible in making their facility reservation payments. If you have any questions please feel free to contact me at (714) 571-4267.

Thank You

Jesse Soto, Program Coordinator

CC: Larry Chavez, Recreation Supervisor

“Excerpts from the Minutes of the June 24, 2009 Parks and Recreation Commission Meeting”

9a. Facility Use Permit for Downtown Recreation Center

Ms. Jana M. Ransom presented the report. Mr. Robby Waite, Acting Recreation Supervisor, and Mr. Rigoberto Bautista, applicant, were also present to answer questions by the Commission.

Discussion between Vice Chairman Mike Brumbaugh and Ms. Ransom occurred on available options during the interim.

Discussion between Commissioner Kim Pederson and Ms. Ransom ensued on whether or not a community outreach was conducted with the groups and/or individuals currently using the facility.

Discussion between Commissioner Kim Pederson and Ms. Ransom took place on whether or not individuals that use the facility were notified about this agenda item.

Discussion between Chairman Kurt M. Galitski and Ms. Ransom occurred on the average number of residents that use the facility per day, and on whether or not there are available facilities for volleyball and/or basketball pick-up games as an alternate site.

Discussion between Chairman Kurt M. Galitski and Ms. Ransom ensued on the group status for the adult play at the Davis Softball Fields, and on the comparison between that group and the Aztec Basketball League.

Discussion between Chairman Kurt M. Galitski and Ms. Ransom took place on whether or not there are any problems that is of concern with the current adult groups, and on the deposit policy and liability insurance requirements for the adult groups.

Discussion between Commissioner Kim Pederson and Ms. Ransom occurred on whether or not there are available days, aside from Sunday, for the adult drop-in basketball and volleyball programs.

Discussion between Chairman Kurt M. Galitski and Mr. Waite ensued on the popularity of Sunday use versus other days for the adult drop-in basketball and volleyball programs.

Discussion between Chairman Kurt M. Galitski and Ms. Ransom took place on whether or not there were efforts made to promote the drop-in programs for residents on Sundays, and on whether or not there is a need to promote the drop-in programs at the facility.

Discussion between Chairman Kurt M. Galitski and Ms. Ransom occurred on the method to provide the existing adult drop-in basketball and volleyball user's proper notice, if the Commission considers granting a facility use permit, and to offer the adult users other available program schedules.

Rigoberto Bautista

President, Aztec Basketball League

Mr. Bautista addressed the Commission on the leagues request for a facility use permit for the Downtown Recreation Center gymnasium.

Discussion between Commissioner Terry Shaw and Mr. Bautista ensued on whether or not the league is interested in using the facility on a permanent or temporary basis.

Discussion between Commissioner Terry Shaw and Mr. Bautista took place on the organizational structure of the league, and on whether or not the league is a non-profit or profit organization.

Discussion among Commissioner Terry Shaw, Ms. Ransom, and Mr. Bautista occurred on how option three, under Alternatives Considered on the agenda report, will affect the league.

Discussion between Commissioner Kim Pederson and Mr. Bautista ensued on the age limit for members in the league, and on the number of teams that are residents of Costa Mesa.

Discussion between Chairman Kurt M. Galitski and Mr. Bautista took place on the number of teams that are Costa Mesa residents in the league.

Discussion among Chairman Kurt M. Galitski, Ms. Ransom, and Mr. Bautista occurred on the number of teams and games that the facility will accommodate on a Sunday.

Discussion between Chairman Kurt M. Galitski and Mr. Bautista ensued on the number of teams that will be using the facility, if the Commission decides to grant the request.

Public Comments:

1. Martin Millard
Resident, Costa Mesa
Mr. Millard voiced his concerns to the Commission on parking accommodations at the site.
2. David Stiller
Resident, Costa Mesa
Mr. Stiller addressed the Commission. He encouraged the Commission to approve the Aztec Basketball League's request.
3. Robert Graham
Resident, Costa Mesa
Mr. Graham voiced his concerns to the Commission on the ethnic make-up of the league.

Mr. Bautista said that the league welcomes everyone and that the league does not discriminate against anyone.

Discussion between Vice Chairman Mike Brumbaugh and Ms. Ransom took place on clarifying option number three, under Alternatives Considered, on the agenda report.

Discussion between Vice Chairman Mike Brumbaugh and Mr. Bautista ensued on the leagues preference under Alternatives Considered on the report.

Discussion between Chairman Kurt M. Galitski and Ms. Ransom occurred on the potential parking issues at the location.

Commissioner Terry Shaw provided the Commission with information on the Costa Mesa Historical Society's meeting schedule.

Discussion between Chairman Kurt M. Galitski and Ms. Ransom ensued on the fees charged for non-profit and profit organizations, and on the potential income for the City.

Discussion between Commissioner Terry Shaw and Ms. Ransom took place on available provisions for patrons with punch cards to use the facility on a Sunday, if the Commission grants the request.

Motion made by Commissioner Kim Pederson, seconded by Vice Chairman Mike Brumbaugh and carried five to zero, to approve a month to month facility use permit for the Aztec Basketball Leagues on Sundays until the City is able to operate a City basketball league on Sundays under a management contract, which may or may not be with the Aztec Basketball Leagues/Rigoberto Bautista.