



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: SEPTEMBER 15, 2009

ITEM NUMBER:

**SUBJECT:** WAIVER OF PERMIT FEE FOR IN-KIND SERVICES REQUEST

**DATE:** SEPTEMBER 2, 2009

**FROM:** CITY MANAGER'S OFFICE

**PRESENTATION BY:** THOMAS R. HATCH, ASSISTANT CITY MANAGER & PETER NAGHAVI, DIRECTOR OF PUBLIC SERVICES

**FOR FURTHER INFORMATION CONTACT:** CAROL C. PROCTOR, ANALYST - CITY MANAGER'S OFFICE (714) 754-5688

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## **RECOMMENDATION:**

That the City Council consider whether to approve a waiver of the Special Event Application Fee for both the Vanguard University Cross Country Team and the Orange Coast College Cross Country Team for cross country meets. The waiver of the fee would be for not more than two per year for each team/organization, and the respective team/organization would provide in-kind services/labor at Fairview Park that would offset the fee, as determined by the Department of Public Services.

## **BACKGROUND:**

The trails at the City of Costa Mesa's Fairview Park are used by individuals and groups on a daily basis. They are also used annually by various running organizations and by cross-country and track teams from various high schools and colleges. All groups that hold a large running event or meet must submit a Special Event Application to and receive approval by the City. A fee is required to be paid with that application (currently \$425). The existing Joint City-School District user agreement exempts both the Costa Mesa and Estancia High School cross country teams' events from having to apply for and receive a Special Event Permit.

Both Vanguard University and Orange Coast College Cross Country Team coaches have met with City staff as it relates to their cross country meets. Generally, these colleges each hold up to two meets per year at Fairview Park. The meets are not fund-raisers. Both coaches have respectfully requested a waiver of the Special Event Application fee for their meets, particularly due to budget constraints and because the meets are not intended as fundraisers.

## **ANALYSIS:**

Staff has met with both Vanguard University Cross Country Coach Bryan Wilkins and Orange Coast College Cross Country Coach David Fier. Various concepts were explored. An innovative alternative to providing the \$425 fee was for each school's cross country team, under the supervision of their respective coach, to provide in-kind services/labor at Fairview Park and other park locations, as determined by the Director of Public Services.

According to Peter Naghavi, Director of Public Services, the in-kind services for each Special Event Permit approved could include:

1. Grooming the new decomposed granite running trails at Fairview Park using a utility vehicle (Cushman or similar) and a "ball field screen drag;"
2. Checking the main 5K trail at Fairview Park for ruts, hole or other irregularities; and
3. Filling and packing the ruts with on-site soil, and attending to the ruts just prior to cross country season in September of each year.

These services would benefit both the City and the colleges. The City's Public Services labor force would be able to work on other projects. The Maintenance Services Division field crew is down by seven employees, due to retirements, and attrition is in effect. Both Vanguard University and Orange Coast College teams are very willing to provide the services. The services to be performed relate to maintenance of the venue they use and, therefore, it creates a certain gratification in ensuring a good job in performing the services. Finally, the in-kind services for the fee waiver will make for a strong community partnership between both the colleges and the City. Either college could elect to pay the permit fee if they no longer wanted to participate and City staff could discontinue this option of in-kind services as necessary.

Vanguard University has submitted and paid for a Special Event Permit Application for their upcoming Cross Country event on October 10, 2009. Should City Council approve the waiver, the University will be refunded and the in-kind services will be implemented.

**ALTERNATIVES CONSIDERED:**

1. Do not waive the Special Event Application Fees.
2. Create a different fee structure for the college cross-country meets.

**FISCAL REVIEW:**

The waiver of the current \$425 Special Event Application Fee, twice a year for both Orange Coast College and Vanguard University Cross Country Teams translates to \$1,700. However, the in-kind services are to equal or exceed that amount.

**LEGAL REVIEW:**

Both Orange Coast College and Vanguard University shall provide current proof of insurance that covers their team and staff for the in-kind services provided to the City. The insurance shall include an endorsement that notes the City of Costa Mesa as an additional insured, as required by the City.

**CONCLUSION:**

The City Council is requested to consider a waiver of the Special Event Application fee for both Vanguard University and Orange Coast College, as described in the aforementioned sections of this report.

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Waiver of Special Evt Fee 9-09

9-8-09

9:40 am