



CITY COUNCIL AGENDA REPORT

MEETING DATE: MAY 20, 2014

ITEM NUMBER:

SUBJECT: RENEWAL OF THE USER AGREEMENT WITH THE HARBOR SOARING SOCIETY

DATE: MAY 8, 2014

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: RAJA SETHURAMAN, TRANSPORTATION SERVICES MANAGER

FOR FURTHER INFORMATION CONTACT: FARIBA FAZELI, CITY ENGINEER, (714) 754-5335

RECOMMENDATION

- 1) Approve the recommended changes proposed by the Parks and Recreation Commission to the User Agreement with the Harbor Soaring Society (Attachment 1).
- 2) Approve the Parks and Recreation Commission's recommendation to renew the User Agreement with the Harbor Soaring Society for five years.

BACKGROUND

The Harbor Soaring Society (HSS) is a radio controlled soaring club committed to promoting and improving the enjoyment of radio-controlled aircraft flying in Orange County. HSS is an Academy of Model Aeronautics (AMA) gold-rated charter club. All members of HSS belong to the AMA, which provides each flyer with \$2,500,000 in liability insurance.

For over thirty years, HSS has been using a portion of Fairview Park, between the end of Canyon Drive and the restroom, to fly radio-controlled aircraft. This area was designated as a launch/land site for silent flyers in the approved Fairview Park Master Plan (Attachment 2).

HSS made a presentation to the Fairview Park Citizens Advisory Committee on March 5, 2014 outlining their use of the park and renewal of the User Agreement (Attachment 3). Committee members inquired about the length of the renewal and received the report. At the March 27, 2014 Parks and Recreation Commission meeting, Chairman De Arakal proposed changes to the agreement for the Commission's review. The item came back to the Commission at their April 24, 2014 and the commissioners voted 5-0 to renew the HSS agreement for five years with proposed changes.

ANALYSIS

In 2007, a permit system was developed by the City and required amendments to the Costa Mesa Municipal Code for its proper establishment and enforcement. The permit system includes a permit application, rules and regulations, field rules, and the Academy of Model Aeronautics (AMA) Safety Code. With the creation of a model aircraft permitting process, anyone wanting to fly a radio-controlled model aircraft at Fairview Park registers with the Recreation Division and obtains a permit for a fee of \$25.00. A total of 275 permits were issued to the public in 2013. The number of permits issued thus far in 2014 is 148.

With the passage of the permit process in 2007, after review by the Parks Commission, the City Council approved a User Agreement between HSS and the City for the group's use of Fairview Park.

The agreement allows HSS to use the launch/land site at Fairview Park and ensures that all members and the organization are insured. HSS oversees the use of the launch/land site and maintains the graded site by clearing weeds, mowing, and removing loose impediments. In 2013, the Parks and Recreation Commission recommended the agreement be renewed for one year. The City Council confirmed this and renewed the agreement on May 7, 2013. The Public Services Department administers the agreement and meets with the club's president at the site on a regular basis to walk the area and review any proposed HSS improvement projects.

Over the years, HSS has improved the flying field and performed several community service projects in the park. The club assisted a local Eagle Scout with the construction of a frequency board for use by the model aircraft flyers, installed a battery charging station, and graded a portion of the field to move the launch/land site further from the bicycle trail. Club member volunteers assisted staff with the installation of ten interpretive signs along the trails, provided staff with aerial photographs for use in grant applications, and performed an annual clean-up of the upper mesa. HSS members also provide free model aircraft flying lessons during the week and for special events.

HSS requests that the agreement be renewed for a five-year term. The five-year term allows the club to plan longer term improvement projects and eliminates the need to bring the renewal for approval to the Parks and Recreation Commission and the City Council on an annual basis. Terms of the agreement state that either party may cancel the agreement with or without cause by providing a thirty (30)-day notice.

ALTERNATIVES CONSIDERED

No alternatives were considered regarding this item.

FISCAL REVIEW

No fiscal review is required.

LEGAL REVIEW

The City Attorney's office has reviewed and approved the proposed changes to the agreement.

CONCLUSION

The Parks and Recreation Commission recommended at their regular meeting of April 24, 2014 that the City Council review the proposed renewal of the HSS agreement for a term of five years.

ERNESTO MUNOZ
Public Services Director

FARIBA FAZELI
City Engineer

ATTACHMENTS: 1 - [Proposed Agreement with the Parks and Recreation Commission's Recommendations](#)
 2 - [Fairview Park Master Plan](#)
 3- [Existing User Agreement](#)

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 File