Attachment 2

ATHLETIC FIELD USE AND ALLOCATION POLICY

SUMMER 2015

Costa Mesa

Table of Contents

I.	Introduction	2
II.	Statement of Philosophy	2
III.	Definition of Terms	2
IV.	Priority Group Classifications	3
V.	Process for Obtaining/Maintaining Permits	5
	a. League Splits and New Leagues	5
	b. Permit Cancellation	6
	c. Field Exchange, Sublease, Non-Use	7
	d. Disciplinary Action for Field Policy Violations	7
VI.	Field Allocation Process	9
VII.	Field Allocation Formula	9
VIII.	Fees	10
	a. Fee Payment	10
	b. Fee Waiver	10
IX.	Financial Recovery Policy	11
X.	Tournaments	12
XI.	Maintenance Issues	12
	a. Rest and Renovation	12
	b. Turf Preservation	12
	c. Athletic Field Lining/Marking	13
	d. Field and Facility Closures	13
	e. Field Modifications	13
	f. Inclement Weather Guidelines	13
XII.	Appeals Process	15
XIII.	Other Information	15
	a. Snack Bar and Barbeque Use	15
	b. Vendors/Concessionaries	16
	c. Traffic and Parking	16
	d. Restrooms	16
	e. Banners/Signage/Advertisement	16
	f. Portable Lights	17

ATHLETIC FIELD USE AND ALLOCATION POLICY

I. Introduction

The City of Costa Mesa Parks and Community Services Department, Recreation Division, hereinafter referred to as "City," coordinates and issues permits for the use of athletic fields in the City and at Newport Mesa Unified School District (NMUSD) sites in Costa Mesa when school is not in session to organizations and the general public for cultural, social and recreational activities and programs. The City and the NMUSD work cooperatively in accordance with a Joint Use Agreement.

The purpose of this policy is to outline procedures and allocation priorities for the permitted use of the City and NMUSD athletic fields within the City of Costa Mesa.

Athletic fields are allocated and permitted in two (2), six-month periods from February through June and from July through January as availability allows. The City will monitor proper use of allocations and permits. Priority will be given to Costa Mesa user groups and non-profit organizations. The City may charge to recover public costs to operate, maintain, supervise, and administer the use of schools, parks and athletic facilities. Submission of an Application and Agreement Request does not constitute approval.

Requests for additional use or programs not covered by the Athletic Field Use and Allocation Policy should be addressed in writing to the Recreation Manager. The Assistant CEO will interpret the Athletic Field Use and Allocation Policy. An appeal of any Recreation Manager decisions are covered in Section XII, Appeals Process.

II. Statement of Philosophy

The City of Costa Mesa is dedicated to creating partnerships with local youth sports organizations to ensure there is ample opportunity to participate in athletics at various ability levels. Our primary role in these partnerships is to provide athletic opportunities and to make certain our fields remain safe and of high quality. The permitting/allocation process provides an organization the exclusive use of a field to the exclusion of all others. The objective of this policy is to create clear and written procedures and allocation policies that:

- Fairly distribute available fields
- Maximize playing time
- Incorporate "turf recovery periods" to maintain safe, quality fields
- Communicate financial issues and recovery policy
- Outline field use regulations

III. Definition of Terms

Resident Percentage Status

Resident Percentage Status is important in determining an organization's Priority Group Classification. Resident Percentage Status will be determined from the group or organization's prior season's actual rosters (fall season for fall season, spring season for spring season). Team Rosters, player addresses, picture ID, utility bills, report cards, school ID, etc. may be required by City staff to verify residency status, and City reserves the right to conduct random audits to establish residency. Teams will be required to have proper forms on hand to prove local residency and must be prepared to provide documents to the

Recreation Department upon request. Special residency status will be reviewed by the Assistant Chief Executive Officer and a recommendation will be forwarded to the Parks and Recreation Commission for approval or denial.

Local Resident

Local Resident is defined as persons living within the Newport Mesa Unified School District (NMUSD) or attend a public or private school within the NMUSD boundaries.

Youth Status

Youth status is defined as persons 19 years of age or under at the start date of permit.

Non-Profit Status 501(c)(3)

To qualify as a non-profit user, the organization must meet all criteria as identified by the Internal Revenue Services (IRS). The organization must submit a Letter of Determination or Letter of Affirmation from the IRS that indicates non-profit 501(c)(3) status and are required to submit 990 forms and other appropriate documentation, including but not limited to, financial records and tax returns demonstrating the non-profit status. Visit www.irs.gov for additional information on non-profit status.

Audit

Audit – The City of Costa Mesa reserves the right to conduct audits of a team or organization at any time. During an audit each organization/coach is to state the name of each participant on their roster, provide verification documents for each participant, and sign off on the roster form. Each group is to cooperate with staff while audits are conducted and during the process of collecting rosters and verification documents. Examples of these documents is listed under Additional Considerations on page 8.

IV. Priority Group Classifications

An organization's Priority Group Classification determines their priority for field allocations (i.e. Group 1 has first priority for field allocations, Group 2 has second priority for field allocations, and so on). Priority use of fields will be given to traditional primary season sports and by Priority Group Classification. (See Section VII, Sport Season Priority.)

Group 1

Organizations must meet all of the following:

1. Organizations, or portions of organizations, must assign registrants to teams in an effort to make the teams in each division of equal playing experience and talent (not assigned to teams of different talent levels), and
2. Organizations must be recreational in nature and have an "everyone plays, no child is turned away" philosophy requiring that each player suited-up and able to play is entered into games for a significant period of time (i.e. ½ of game or 2 of every 5 innings or 2 of 4 quarters, etc.), and
3. Organizations must submit a Letter of Determination or Letter of Affirmation from the IRS that indicates a non-profit 501(c)(3) status certificate, and

4. Organizations must maintain an affiliation with a national, state or local sport governing body. Those national or state bodies must have governance over the organization, including all requirements for training per each league's manual, background checks and disciplinary actions, and
5. Organizations must have 75% or greater local residents, for priority use of City fields; 50% local residents for priority use of NMUSD fields; or organizations that have special residency status per City Council/Parks and Recreation Commission discretion.

NOTE: Organizations that have both recreational and select teams will have Group 1 user status. Groups that compensate local, executive, administrative staff and/or board members shall be excluded from the Group 1 status.

Group 2:

1. Newport Mesa Unified School District related programs
2. NMUSD has priority use at NMUSD elementary and junior high sites prior to 4:00 p.m. and prior to 5:00 p.m. at NMUSD high school sites on weekdays.

Group 3

Organizations that must otherwise meet all Group 1 requirements EXCEPT one of the following:

1. They have 90% or greater local residents for priority use of City and NMUSD fields, or
2. They have at least 90% or greater local residents in which tryouts are held in order to place registrants according to their ability on competitive teams (select, travel, etc.); applicants may be turned away; or not every player suited up and not able to play in every game, or
3. They compensate local executive/administrative staff and/or board members for their service to the league. Organizations that fall under this classification shall be charged field use fees and would receive third priority field allocations.

All select/travel games must have at least one team from the Group 3 organization on the field, or fee assessed for that field will be at the Group 5 rate.

Group 4

Adult programs, organizations or events with at least 75% local residents and/or work within Costa Mesa city limits. Group 4 organizations shall have fourth highest priority for use of City and School District fields, except on Sundays when they shall have second highest priority after City adult programs.

Group 5

Youth programs, organizations or events with less than 90% local residents.

Group 6

Adult Programs, organizations or events with less than 75% but more than ~~25%~~ 10% local residents and/or work within Costa Mesa city limits. Group 6 organizations shall have lowest priority for use of City and School District fields except on Sundays when they shall have third highest priority after City adult programs and Group 4 adult programs.

Field Allocations at Jack Hammett Sports Complex

Due to the limited facility and parking capacity at JHSC, the number of participants/spectators may be limited and/or the field request may be reviewed by other City departments for safety and Costa Mesa Municipal Code violations.

V. Process for Obtaining/Maintaining Permits

Requests to use City and/or NMUSD athletic fields located in Costa Mesa are made through the City of Costa Mesa Parks and Community Services Department located on the third floor of City Hall, 77 Fair Drive, Costa Mesa, (714) 754-5300. Any group of ten (10) or more individuals (Costa Mesa Municipal Code, SEC. 12-53) that wishes to utilize an athletic field must complete all applicable forms and documents.

Athletic fields are allocated and permitted in two (2), six-month periods from February through June and from July through January as availability allows. Each organization is required to sign and submit the following documents (available in the Recreation Department) by the first week of August for the February 1 – June 30 use period and by the first week of January for the July 1 – January 31 use period:

1. Application and Agreement Request of Use for City of Costa Mesa and Newport Mesa Unified School District Athletic Field
2. Field User Information Sheet
3. Athletic Field Use Rules and Regulations
4. Public Liability and Property Damage Insurance in an amount no less than $1,000,000 per occurrence, naming City of Costa Mesa as Additionally Insured
5. Hold Harmless and Indemnity Agreement
6. A current list of board members with current contact information
7. Player rosters identifying local residents
8. Non-profit groups must also supply a IRS 990 or 990EX form

Permits will be issued according to Priority Group Classifications. Submittal of documents does not constitute approval. Every effort will be made to accommodate user groups' requests for use of fields. Deadlines must be met or field permits may be denied.

a. League Splits and New Leagues

New Leagues or organizations planning to petition for Group 1 status or leagues anticipating a split to form a new league must submit to the Recreation Manager, six months prior to the estimated starting date for such new league, the following:

1. Application and Agreement Request for Use for City of Costa Mesa and Newport Mesa Unified School District Athletic Field
2. Bylaws
3. Player roster identifying local residents
4. Names and addresses of Board of Directors (if applicable) with current contact information
5. Documentation of affiliation with a national, state or local sports governing body
6. Letter of Determination or Letter of Affirmation from the IRS, including a copy of the league's current financial statements on file (IRS Form 990 or 990EX) that demonstrate the organization's nonprofit 501(c)(3) status, if asking for non-profit status

It will take six months to determine if facilities are available and what the impact of a new league will have on facilities. Staff will review application of an organization petitioning as a new league, for a higher priority classification or an organization petitioning for Group 1 status in November and May of each year. The recommendation will be reviewed by the Assistant Chief Executive Officer or his/her designee. Submittal of the Application does not guarantee that an organization will be allocated fields.

The Assistant Chief Executive Officer's decision is final. If approved, new leagues may be given a lower priority than existing leagues or in order to maintain adequate field rest and renovation periods.

If a current Group 1 organization does split up, both organizations must submit required documentation listed above with current official rosters to the Recreation Manager six months prior to anticipated split. These current rosters will be compared to the previous season's rosters in order to accurately allocate fields based on necessity.

A change in the organization's name, parent or affiliated national, state, regional or local organization (provided the former organization's name is not also being used), may not constitute it as a new organization or user and the City must be notified of any such name changes. If the organization provides bona fide materials to the Recreation Manager that demonstrates only a name change and the makeup of the organization stays the same, then the organization shall not be considered new.

An organization choosing to expand its league with a new section with a different name, must submit materials that prove the new section is part of the same non-profit number, has the same insurance carrier, and is governed by the same Board of Directions and Bylaws. Failure to notify the Recreation Manager of changes in an organization could result in forfeitures of fields.

Submittal of documents does not constitute approval. Every effort will be made to accommodate user group's requests for use of fields. The Assistant Chief Executive Officer may at anytime declare a moratorium on league splits or new leagues based on field availability or field conditions.

b. Permit Cancellation

Permits may be cancelled and/or rescheduled. Permits canceled by the City or due to inclement weather may be rescheduled as availability allows or may be refunded in full. Permits cancelled by the user at least 10 working days prior to the event will be refunded all but 25%. No refunds will be issued if permitted use is cancelled with fewer than 10 working days' notice.

The City of Costa Mesa may cancel or re-assign use of City or NMUSD fields for any of the following:

1. City and/or NMUSD begin work involving any of the facilities.
2. When the health and safety of participants are threatened due to impending conditions, including but not limited to, rain, muddy conditions, smog alerts, maintenance issues, lightening and earthquakes.
3. Non-adherence to Athletic Field Use and Allocation Policy or City ordinance or Athletic Field Use Rules and Regulations.
4. NMUSD cancels use of fields under the direction of their administrative office.
5. Tournaments and special events hosted by the City and/or Group 1 organizations throughout the year.

c. Field Exchange, Sublease, Non-Use

Users may not exchange or sublease fields under any circumstance. Exchange or sublease of fields will result in revocation of permits for all parties. Any organization that has been permitted to use a field and determines that they will not need to use it shall notify the City. Non-use of field for a total of three times may also result in revocation of the permit of the allocated field. All user groups 1 – 6 may be billed for fields that they have reserved and have not used.

d. Disciplinary Action for Field Policy Violations

The City utilizes a "three-strike" policy for violations of Field Use Allocation Policy that occur within one calendar year of first violation. Violations deemed by City to be of a serious nature may result in immediate termination of permits and field use.

First Offense: Verbal or written warning to the user group/individual and restitution for damages/costs if applicable.

Second Offense: Verbal and written notice of three-day suspension and restitution for damages/costs if applicable.

Third Offense: Verbal and written notice of termination of any existing permits, loss of future rental/allocation privileges and restitution for damages/costs if applicable.

Violation examples include, but are not limited to:

1. *Use of field that has been closed due to inclement weather or for safety or maintenance reasons.*
2. *If an organization has a field permitted at 9:00 a.m. and the teams start to practice or play games prior to 8:30 a.m.*
3. *If permitted User #1 allowed non-permitted User #2 to use their permitted field without City approval, this violation would constitute as a strike against both users.*
4. *After permitted use the organization fails to maintain restrooms and/or leaves trash and litter on the premises.*
5. *Failure to return unscheduled fields to the "inventory of fields" held by the City.*
6. *Driving vehicles on fields without written permission noted on permit.*
7. *Adding additional fields (either adding to outside boundary or splitting a field within boundaries to create more than two additional fields) to site without written permission.*
   See note on page 9.
8. *If a field has been permitted and subsequently prepped by City and the permitted user group does not show.*

VI. Field Allocation Process

Allocation of fields will follow the guidelines of this document. These allocations are not intended to interrupt the field assignments for teams and/or organizations during the course of a season that has already started.

Sport Season Priority (Exhibit A – Page 17)

- A sport in its traditional season will have priority field use over an out-of-season sport.

- Spring sports (baseball, softball) have priority in the spring.
- Fall sports (soccer, football) have priority in the fall.

Additional Considerations

- Fields will be allocated by Priority Group Classification.
- Fields will be allocated to teams/organizations based on percentage of verifiable total local residents in relation to all teams in that Priority Group Classification
- The City will attempt to accommodate emerging sports that fall within the Group 1 category.
- Verification of local residency will be established by providing such documentation requested by the City including team rosters, player addresses, picture ID, utility bill, report cards, school ID etc. City reserves the right to conduct random audits to establish residency. Teams will be required to have proper forms on hand to prove local residency and must be prepared to provide documents to the Recreation Department upon request.
- With regards to sports that play year-round (with a primary and off-season play), the primary season of each sport will determine whether the field is considered a baseball/softball or a soccer/football field on multiple use sites.
- In an effort to provide balanced sports opportunities on athletic fields, the Recreation Manager has the authority to limit exclusive use at athletic facilities and to make minor changes to group priorities if deemed necessary.
- Allocation requests during off-season play will be reviewed after allocations are granted for the primary season sports. Fees may be charged for allocations granted for off-season play.
- Teams and organizations may be required to provide schedules to show that all of the allocated fields are being utilized. If an allocated field(s) is not utilized by the designated organization/teams a total of three times during a season or reserved period of use, the field(s) will be reassigned. Teams/organizations will be notified by City staff when it has been determined that a field(s) is (are) not being used (and prior to the reassignment).
  In addition to the fields being reassigned, lack of use of the field may also result in the revocation of the permit for the allocated fields. The team or organization will be billed and the fields will be reassigned.
- The City reserves the right to cancel an allocation to accommodate the needs any City sponsored/co-sponsored tournaments and/or special events.
- A field use permit (authorizing use of City or NMUSD fields) will be issued after all requirements have been met. A request for field use does not constitute approval.
- All field users must have a copy of their permit available for inspection by City staff and/or Park Rangers.
- Requests for additional use, programs or facilities not covered by Athletic Field Use and Allocation policy should be addressed in writing to the Recreation Manager.

VII. Field Allocation Formula

In order to resolve a discrepancy between organizations in the same Priority Group Classification, the following allocation formula will be used to determine the amount of field use that will be allocated to each organization. This formula shall be applied to all requests for lighted fields.

Fields will be allocated within each Priority Group Classification to organizations based on the percentage of verifiable local residents registered with that organization in relation to the total number all registered local residents in all organizations in that Priority Group Classification combined.

Verification of local residency will be established by providing such documentation requested by the City including team rosters, player addresses, picture ID, utility bill, report cards, school ID etc. City reserves the right to conduct random audits to verify residency.

The total number of all local residents registered in all organizations within that Priority Group Classification will then be determined. Each organization's local resident number will be divided by the total of all local residents registered to determine the percentage of use to be allocated to each group.

An example of this would be:

Baseball Group A has 750 local residents Baseball Group B has 900 local residents

Total local residents registered in both organizations is 1,650

750 divided by 1,650 equals 45%. Group A would receive 45% of the field time available. 900 divided by 1,650 equals 55%. Group B would receive 55% of the field time available.

VIII. Fees

All fees are per hour, per field unless otherwise noted. Fees may be waived at the discretion of City Council.

Utility and Ball Field Fees:

<table>
<tr><th>Group 1</th><th>Group 2</th><th>Group 3</th><th>Group 4</th><th>Group 5</th><th>Group 6</th></tr>
<tr><td rowspan="2">Fees Waived Per City Council</td><td rowspan="2">Fees Waived Joint User Agreement</td><td>Youth, Non-Profit $25</td><td>Adult, Non-Profit $25</td><td>Youth, Non-Profit $35</td><td>Adult Non-Profit $35</td></tr>
<tr><td>N/A</td><td>Adult, Private $77</td><td>Youth, Private, $239</td><td>Adult, Private $239</td></tr>
</table>

ATHLETIC FIELD USE AND ALLOCATION POLICY

Tournaments and Large Event Deposits: (Refundable)

One (1) field with 20 or more participants	$100
Two (2) fields	$100
Three (3) – six (6) fields	$300
Seven (7) or more fields	$500

Extra Fees:

Softball/Baseball Field Prep	$40 per Field
Permanent Lights	$15 per Hour per Field
Portable Lights (2 Unit Minimum)	$10 per Unit per Hour

NOTE: Fields may not be split into more than two without written permission from the Assistant Chief Executive Officer and noted on permit. Should the Assistant Chief Executive Officer deem it necessary due to extenuating circumstances, fields may be temporarily split more than twice.

a. Fee Payment

Groups assessed a fee will submit 50% payment at least 10 working days prior to the requested use. Continuous monthly usage will be invoiced at the end of each month of usage and payment must be received prior to due date. A maintenance fee may be required by the City to maintain and/or repair athletic fields. Full payment is required at least 10 working days prior to one-day use or special events.

b. Fee Waiver (Group 1 and Group 2 only)

Only organizations that meet the requirements for Group 1 status may apply for waiver of field and/or light use fees. Requests for fee waiver for use of athletic fields must be submitted in writing to the Recreation Manager. Requests will be presented to the Parks and Recreation Commission for a recommendation to City Council. The fee waiver process takes a minimum of 6 – 8 weeks. Group 1 user organizations receiving fee waivers shall be considered to be co-sponsored by the City of Costa Mesa.

Group 2 user organizations (NMUSD affiliated groups) must provide notice of affiliation from District Deputy Superintendent before fee waiver shall be granted under provisions of the City – School Joint Use Agreement.

User groups with fee waivers may be billed for fields that they have reserved and have not used for a total of three times.

IX. Financial Recovery Policy

As the city continues to grow and facilities age, City must develop a financial system to support our community investment while maintaining the high level of service currently provided. The City will continue to provide basic services funded entirely by general taxpayers; however, those benefitting from special services (which create additional City expenses) must contribute financially. The City acknowledges that the community benefits when youth are engaged in sports activities. The recovery policy is intended for the participants to supplement, rather than supplant the investment of the general taxpayers.

The recovery policy strives to:

- Amortize the capital investment and cover maintenance operational costs of a field.
- Pay for and augment operation/maintenance costs for a field where tax appropriations support the basic service.
- Control use of the field.
- Assess a portion of the costs of the field to users who may not be tax supporters.
- Enable Parks and Community Services to provide fields for which funds might not otherwise be available.

The primary purpose of this policy statement is to develop an understanding that the pricing of services is a conscious procedure that requires continual investigation and review by City.

X. Tournaments

All general rules and reservation procedures as specified in the Field Use and Allocation Policy are applicable during tournaments. Additional provisions for tournaments are stated in this section.

Tournament applicants must complete an Application and Agreement Request, sign the Athletic Field Use Rules and Regulations and review the Tournament Orientation Checklist with City staff at least 30 days prior to the tournament date. The Application and Agreement Request form, Athletic Field Use Rules and Regulations and Tournament Orientation Checklist are available in the Parks and Community Services Department. Submission of these forms does not constitute approval. Approval is given according to this policy, after deposits and fees are paid and when a permit is issued. Tournament applicants must receive City approval to sell food, use food trucks or use a snack bar and/or barbeque. This approval must be noted on the use permit prior to use.

Tournaments canceled by the City or due to inclement weather may be rescheduled as availability allows or may be refunded in full. Tournament permits canceled by the user at least 10 working days prior to the event will be refunded all but 25%. No refunds will be issued if the tournament is canceled with fewer than 10 working days' notice.

Game times and field use must follow all policies outlined in the Athletic Field Use and Allocation Policy and all Athletic Field Use Rules and Regulations.

For Inclement Weather closures during Group 1 or Group 3 organizations' tournaments, playoffs and other large scale events, please see Inclement Weather Policy under Section XI.

For deposits related to tournaments, please see Fees under Section VIII.

City reserves the right to have a tournament reviewed by other City departments to minimize the impact on neighbors, fields, parking, traffic, etc. City also reserves the right to deny a tournament based on field availability, rest and renovation schedules and staffing levels.

XI. Maintenance Issues

The City requests that individuals and groups refrain or limit their use of heavy traffic areas during practices, regardless of weather, to assist in providing the best field conditions possible, i.e., goal areas, pitching areas, etc. Any user failing to comply with this policy, established guidelines and notification to refrain from use requests for field closures are subject to pay for all damages or costs occurring to the facility and the termination of field use permit.

a. Rest and Renovation (Exhibit A – Page 17)

An annual rest and renovation program is scheduled at all sites to maintain field sustainability. In addition, City may close fields one day per month to perform maintenance activities. The City attempts to be flexible in accommodating user groups but ultimately, the health and safety of the user and the condition and playability of the fields take priority. This may require the closure of fields or facilities, denial of use of a field, and/or making alternate sites available for athletic use. The Rest and Renovation period shall be consistent with the number of days agreed upon by Maintenance Services and Recreation. No organization/team shall play on fields closed for renovation or repair.

b. Turf Preservation

Cooperation from user groups is needed for the preservation of the turf on City and NMUSD fields by following these guidelines:

- Field use, especially practices, should be conducted in such a way that the action takes place on different selections of turf, thus reducing excessive turf damage in one area. Organizations should rotate use of areas and when possible, stay off fringe or bare areas to limit erosion and further damage.
- Turf divots should be replaced at end of each day to help re-root grass.
- No tarps or material which may damage the grass may be placed on the turf. Any turf coverings used must be made of a breathable material.
- Do not use fields during or after a heavy rain, or when fields are wet or muddy (see Inclement Weather Policy that follows)
- Soccer practices are NOT to be held on the infield area of a softball or baseball diamond.
- Remove all equipment at the conclusion of each day.
- Do not overcrowd fields by scheduling multiple games in areas reserved. Allow distance between fields for safe passage of spectators and participants.
- Report hazards to the Parks Maintenance Division at 714-327-5123.
- Report immediate emergencies (broken water lines, gushing sprinkler heads, etc.) to the Park Maintenance Division at 714-327-5123. When calling, be prepared to fully identify yourself, your location (park/school), and the specific nature of the emergency so that staff can bring the appropriate repair equipment.
- No vehicles are allowed on City or NMUSD fields or property, other than parking lots, without written permission noted on the use permit issued by City.

c. Athletic Field Lining/Marking

- Lining of City or NMUSD fields is prohibited without it being approved by City and noted on field permit. Line colors must be approved by City.
- Burning lines on the City or NMUSD fields is prohibited.
- Any user failing to comply with established guidelines and notification requests are subject to pay for all damages occurring to the facility and termination of field use permit.

d. Field and Facility Closures

Fields and facilities may be closed at the discretion of the Recreation Manager and/or Maintenance Services Manager or their designated representatives. Closures are kept to a minimum when fields and facilities remain in a playable condition. Priority is given to maintenance needs, rest and renovation periods and sustainability for all fields, for both City and NMUSD fields. The City may close fields or facilities when the City engages in work involving any of the fields or facilities or when the health and safety of participants are threatened due to impending conditions, including but not limited to, rain, muddy conditions, smog alerts, maintenance issues, lightening and earthquakes.

e. Field Modifications

Any permanent modifications or improvements shall become the property of the City of NMUSD.

NMUSD Fields:

Once reviewed by City staff, requests to modify or improve any NMUSD facility will be submitted for review to the NMUSD. Please see NMUSD Site Modification Request Form (available in the Parks and Community Services Department). The field modification process will take a minimum of 6 to 8 weeks. No temporary or permanent structures or equipment shall be erected on City or NMUSD field or facility unless approved by the City and NMUSD. All projects, once completed, must be dedicated for public/community use. Submission of a request to modify or improve a site does not constitute approval. Approval will be given according to City and/or NMUSD policy. Approval will be provided in the form of a written document and will outline the scope of the project as approved.

City Fields:

Requests to modify, resize or add multiple-use fields, or make improvements to a City field shall be submitted with conceptual drawings to the City (Parks and Community Services Department) and may be reviewed by the Parks Maintenance Division and/or Planning Division, then presented to the Parks and Recreation Commission for a recommendation to City Council. City Council decision is final. Users may not modify a field that is being used by more than two organizations/teams without approval noted on request from each group president or without provision being made for use of another field(s) through the City. Fields modified for multiple use will be billed appropriate to use.

f. Inclement Weather Guidelines

City and NMUSD athletic fields have been designed and are maintained for the enjoyment and use of Costa Mesa residents. The purpose of this section is to guide the use of athletic fields, to prevent injuries

and damage to the playing surface brought upon by inclement weather and/or unsafe playing conditions. An effective field maintenance program is essential for safe, quality fields and sport complexes. User groups are asked to help by accepting and adhering to these rules. Groups who use the athletic facilities are expected to assist in protecting their participants and fields during periods of rain or inclement weather.

The City of Costa Mesa reserves the right to cancel or suspend field use permits when field conditions could result in injury to players or cause damage to the fields. Permits may also be canceled when the health and safety of participants are threatened due to impending conditions, including but not limited to, rain, muddy conditions, smog alerts, maintenance issues, lightening and earthquakes.

Procedure:

During inclement weather, the City's maintenance staff will assess the playability of all City-owned and NMUSD fields to determine if use will occur. The Recreation Manager or designated representative shall have the authority to close any/all fields within the City of Costa Mesa.

Criteria for Establishing Field Playability:

The following information is the City's and NMUSD's policy regarding the use of fields in wet condition. These policies and procedures apply to all sports and activities conducted on a grass field, turf area, or infield:

<u>Baseball and Softball In fields – Brick Dust</u>

Infield will be deemed unsafe and unplayable when any of the following conditions are present:

- There is standing water within the base paths.
- Your feet slip as you walk through the infield.
- The depth of your footprint is greater than one inch.
- Any of the above conditions are present within the pitching area.

<u>Soccer, Utility, Baseball and Softball Out Fields – Turf</u>

Outfields and turf areas will be deemed unsafe and unplayable when any of the following conditions are present:

- There is standing water within the majority of a single playing position (playing positions will be determined based on the user group).
- Your feet suction to the ground as you walk within the majority of a single playing position (playing positions will be determined based on the user group).
- Your footprints fill with water in the majority of a single playing position.
- The depth of your footprint is greater than two inches in the majority of a single playing position.
- Grass can be easily dislodged from the fields during play.

The following procedures are to be followed regarding the use of fields when there has been rain, over-watering, or other serious conditions:

- If it has rained within the preceding 24 hours, groups scheduled to use public fields must call the Mudline at 714-754-5041. The Mudline is designed to relay same-day information regarding field closures and playability, except in the case of extreme conditions or scheduled maintenance. The Mudline message will be updated by 3:00 p.m. Monday – Friday any by 7:30 a.m. Saturday and Sunday. City personnel will make determination of field conditions/closures, and the decisions are not negotiable.
- The City may declare a field subject to "re-inspect." Re-inspect fields should be evaluated by the user group at practice/game time for playability. The user group must employ the playability criteria used by City staff and outlined above.
- In the event that the Mudline has not been updated or is unavailable, user groups are expected to make educated, responsible decisions regarding field condition playability. The groups should employ the playability criteria used by City staff (as outlined above) and take into consideration the current and future quality of the turf.
- Groups witnessing misuse of fields by other scheduled or unscheduled users are advised to contact the Costa Mesa Police Department at 714-754-5252.

Failure to follow these guidelines will result in cancellation of existing permit(s) and/or loss of rental/allocation privileges and/or a strike against the organization. NOTE: Fields will be inspected by City staff for misuse during inclement weather.

XII. Appeals Process

An appeal to the Assistant CEO of a Recreation Manager or staff decision must be submitted in writing with justification within ten (10) working days from the decision. The decision of the Assistant CEO is final.

XIII. Other Information

a. Snack Bar and Barbeque Use

All organizations using fields or hosting an event utilizing a snack bar and/or barbeque must receive City approval and have same noted on use permit. Only Groups 1 and 2 will be granted approval for snack bar use; however, staff has discretion over approval of Groups 3-6 for snack bar use. Portable barbeques utilizing charcoal briquettes, or a similar type heat source may only be used at those City parks that have "hot coal" receptacles for disposal of used hot coals. These "hot coal" receptacles are clearly marked and are normally located near picnic shelters or picnic areas. Portable barbeques using hot coals should only be used in close proximity to "hot coal" receptacles for ease of disposal.

Personal, portable BBQs utilizing propane or similar type gas canisters for the fuel source are allowed in all developed, passive areas of all City parks, with the following exceptions:

1. Within one hundred feet (100') of undeveloped or brush areas
2. Within fifty feet (50') of residential properties
3. On or within ten feet (10') of any walkways or travel ways
4. Within parking lots
5. Within public rights-of-way
6. On or within twenty-five feet (25') of any fields, courts, or other facilities designated and/or intended for competitive sporting games.

7. Within fifty feet (50') of tot lot/children play areas, except where City-provided BBQs may be located.
8. Within twenty feet (20') of any tree trunk
9. Within twenty feet (20') of any tree branch/foliage that is less than ten (10') feet from the ground.

b. Vendors and Concessions

User groups operating concessions are considered first party vendors. A business license is NOT required for first party vendors; however food sales must meet Orange County Health Department codes and requirements. Insurance requirements are met as a condition of field use. First party vendors must receive City approval for concession operations and have permission noted on their field use permit. First party vendors are highly encouraged to attend a Food Handling class conducted by the City of Costa Mesa twice per year.

Outside companies (other than the user groups i.e. concessionaires or food truck vendors) are considered second party vendors and are allowed at tournaments and special occasions only. Second party vendors are obligated to obtain a City of Costa Mesa business license and are required to furnish a certificate of Commercial General Liability Insurance with coverage no less than $1,000,000 per occurrence. "Product Liability" coverage should be included and the City of Costa Mesa must be listed as "Additionally Insured."

All second party vendor food preparations and sales have to meet Orange County Health Department codes and requirements. Vendor information, business license, and certificate of insurance must be submitted to the City no later than two weeks prior to the event.

c. Traffic and Parking

User groups must inform their participants and spectators to park in facility parking lots and public parking areas. If needed, user groups should post directional signs to assist participants and spectators to appropriate parking areas. When traffic and/or parking are an issue, or during post-season tournament play, the user group or organization must provide volunteers to direct participants and spectators to designated parking areas. It is the users' responsibility to alleviate traffic and parking issues. No vehicles are allowed on City or NMUSD fields or property, other than parking lots, without written permission noted on the use permit issued by the City.

d. Restrooms at NMUSD Sites

NMUSD will provide restroom access at all school facilities during permitted use at no additional cost to the organization. No portable toilets are allowed on school property without the written consent from NMUSD. Please use NMUSD Site Modification Request Form when proposing the use of portable restrooms. (Form is available in the Parks and Community Services Department.)

e. Banners/Signage/Advertisement

A separate and specific Banner Policy is available in the Parks and Community Services Department. Banner Permit Request Forms are also available in the Parks and Community Services Department.

f. Portable Lights

A separate and specific Portable Light Policy is available in the Parks and Community Services Department.

Exhibit A: Sports Season Priority and Rest and Renovation

Jack Hammett Sports Complex

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rest and Renovation		Spring Sport Priority Use		Rest and Renovation (End of May- Beg. of Aug.)				Fall Sport Priority Use			Rest and Renovation (End of Dec. - Mid Feb.)

Tewinkle Sports Complex – Softball

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rest and Renovation	Spring Sport Priority Use Softball						Rest and Renovation (Mid Aug. - Mid Sep.)		Fall Sport Priority Use Softball		Rest and Renovation (Mid Dec. - End of Jan.)

Tewinkle Sports Complex – Baseball

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rest and Renovation	Spring Sport Priority Use Baseball					Rest and Renovation (End of Jul. - Mid Sep.)			Fall Sport Priority Use Soccer		Rest and Renovati on (End Dec. - End

Lions Park – Davis Field

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Rest and Renovation (Beg. of Jan. - Beg. of Feb.)		Spring Sport Priority Use Baseball				Rest and Renovation (Beg of Jul. - Mid Aug.)		Fall Sport Priority Use Soccer			

Fairview Development Center

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Spring Sport Priority Use Soccer					Rest and Renovation (Beg of Jun. - Mid Jul.)		Fall Sport Priority Use Soccer				

Newport Mesa Unified School Districts

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Spring Sport Priority Use Baseball/Softball					Rest and Renovation (Beg of Jun. - Mid Aug.)			Fall Sport Priority Use Football/Soccer			

Balearic

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Spring Sport Priority Use Soccer							Rest and Renovation (Beg. of Aug.- Mid Sep.)		Fall Sport Priority Use	Rest and Renovation (Mid Nov. - Mid Dec.)	

*The City reserves the right to set aside additional time during the year for turf recovery, improvement and maintenance.

*Schedules are subject to change