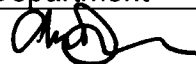




POLICY AND PROCEDURE

Subject: Youth Field Sports Recreation Partnerships	Index: Recreational Facilities & Programs Number: 702-5
Effective Date: 7-18-2023	Prepared By: Beaches, Parks & Recreation Department
Supersedes: Same Policy: 12-20-2011	Approved By: City Council 

1.0 PURPOSE:

- 1.1 It is the purpose of this Policy to set forth and make clear the requirements and criteria for recreational sports partnerships between the City and any organization/association (hereinafter "Applicant") intending to provide recreation-based athletic opportunities to the youth of San Clemente and request fee reductions for the use of City fields.

2.0 ORGANIZATION AFFECTED:

Beaches, Parks & Recreation Department

3.0 REFERENCES:

- 3.1 San Clemente Municipal Code: Section 12.28.010 Use of Designated City-Owned Facilities

4.0 POLICY:

- 4.1 The City desires to encourage and promote youth sports on a year-round basis within the city limits, and to make the best and most efficient use of the City's amenities, fields, and facilities. Partnering with select outside organizations/associations for recreation programs allows service to a larger portion of the community than only City-provided programs. The benefit of the sports partnership is to:
- 4.1.1 Provide reduced rental rates; and
 - 4.1.2 Provide field allocation priorities; and limited support services, which may include site preparation and maintenance, and periodic field improvements as needed.
- 4.2 The objective of this policy is to create clear written allocation procedures, policies, and guidelines that:
- 4.2.1 Fairly distribute available fields;
 - 4.2.2 Maximize playing time;

- 4.2.3 Incorporate "turf recovery periods" to maintain high-quality, safe fields;
 - 4.2.4 Outline field/park use regulations; and
 - 4.2.5 Communicate financial issues and recovery policy.
- 4.3 A partnership agreement made pursuant to this policy shall be known as an "RS Partnership", will carry the additional designation of Tier I, Tier II, Tier III, or Tier IV, and shall be subject to all the requirements set forth herein and any additions, amendments or revisions hereto. Only a limited number of RS Partnerships will be granted representing standard prevalent sports, as determined by the Beaches, Parks and Recreation Commission, and the City Council.

5.0 PROCEDURE:

5.1 Minimum Requirements and Criteria for RS Partnership.

- 5.1.1 The Applicant must meet the following minimum requirements and criteria for any RS partnership:
- a. Be currently registered and active with the State of California as a not-for-profit community organization under Section 501(c)(3) or (c)(4) of the Internal Revenue Code.
 - b. Not be the subject of any pending investigation by any government or administrative agency, whether at the City, County, State, or Federal level, and demonstrated history of adherence to City rules, policies, and allocations.
 - c. Carry appropriate commercial and liability insurance with limits no less than the amount determined by the City per incident, including appropriate additional insured endorsements in favor of the City.
 - d. Demonstrated ability and willingness to contribute player fee per participant per season as outlined in Section 5.3.
 - e. Organization must have an open enrollment policy regardless of skill level.
 - f. All coaches and/or team trainers are to be 100% volunteer-based. See "Trainers" under Section 6.10.
 - g. Organization must have a minimum play rule of 50% play for all participants with each player given equitable playing time regardless of skill level.
 - h. Demonstrated scholarships provided for those in financial need. See Section 5.1.4 for additional details.
 - i. Organization must have current policies concerning non-discrimination, no alcohol, and no illegal substances.

5.1.2 In addition, the Applicant must qualify for one of the four levels of partnership detailed below:

- a. **Tier I:** The Applicant must have provided the sports program within the City of San Clemente for at least three years, and currently have at least 300 participants, 90% of whom reside in the City. Games, tournaments, and practices must be conducted within San Clemente boundaries.
- b. **Tier II:** The Applicant must have provided the sports program within the City of San Clemente for at least three years, and currently have at least 300 participants, 85% of whom reside in the City. Games, tournaments, and practices must be conducted within San Clemente boundaries
- c. **Tier III:** The Applicant must have provided the sports program within the City of San Clemente for at least three years, and currently have at least 200 participants, 80% of whom reside in the City. Games, tournaments, and practices must be conducted within San Clemente boundaries
- d. **Tier IV:** The Applicant must have provided the sports program within the City of San Clemente for at least three years, and currently have at least 100 participants, 70% of whom reside in the City.

5.1.3 Appeals and/or exceptions shall be reviewed at the discretion of the Beaches, Parks & Recreation Director, or his/her designee to the minimum requirements provided for in Section 5.1.2 (a) – (d). Any exceptions shall be reviewed by the Department and forwarded to the Commission and Council for final recommendation.

5.1.4 Organization Scholarship Program.

- a. RS Partnership Organizations shall offer and maintain a scholarship program that provides relief for San Clemente households who demonstrate financial hardship.
- b. The Scholarship Program shall provide financial relief towards the league registration fees, for a minimum of 2% of the total number of players per year.
- c. Requirements for financial hardship are to be determined at the discretion of the Organization.

5.2 Process for Evaluating Application for Partnership Status

5.2.1 All requests for RS Partnership shall be submitted first to the Beaches, Parks and Recreation Department (hereinafter

“Department”). Applications will be accepted twice per year at a time determined by the City and based on the primary season of each sport as specified below:

RS Partner Application Period	Timeline
Cycle #1 (Fall/Winter Sports)	
Cycle #1 – Application Period	April 1-30
Cycle #1 – Administrative Review	May 1-31
Cycle #1 – Commission Review & Approval	June (2 nd Tues.)
Cycle #2 (Spring Sports)	
Cycle #2 – Application Period	August 1-31
Cycle #2 – Administrative Review	September 1-30
Cycle #2 – Commission Review & Approval	October (2 nd Tues.)

- 5.2.2 The Applicant shall include in their packet the completed application form and all supporting documentation, including but not limited to:
- a. City RS Partnership Application;
 - b. Proof of current 501(c)(3) or (c)(4) status;
 - c. Commercial and liability insurance declaration pages;
 - d. Applicant articles, bylaws, and other charter documents;
 - e. Proof sufficient to establish the financial hardship requirement, including the required budget form and two years of tax returns, and profit/loss statements, audited financial statements, balance statements;
 - f. Statistical data and rosters of the most recent primary season to support participant population and residency requirement for RS Partnerships. Refer to “Resident” definition in Section 6.0.
- 5.2.3 Organizations that meet the minimum requirements as stated in this policy shall be forwarded for review to the Beaches, Parks and Recreation Commission (hereinafter “Commission”).
- 5.2.4 Commission shall review the application packet, the Department staff report, and any additional information provided by the Applicant or others. Commission may consider whether the Applicant has satisfied the minimum requirements outlined in Section 5.1, whether a partnership is warranted in light of the policies and purposes outlined in Section 4, and whether a partnership is in the best interests of the City and its residents. In making its recommendation to City, Commission may also consider whether Applicant deserves partnership, or a particular level of partnership, notwithstanding the requirements outlined in Section 5.1.2.

5.2.5 If Commission recommends to the City Council disapproval of the request for RS Partnership, or any specified level of partnership, Commission shall briefly include in the Minutes the reasons therefore. City Council shall make the final determination.

5.3 Field Use Discounts and Fees

5.3.1 All Organizations are responsible to pay for field use fees and field light fees. RS Partner Organizations will be eligible for the following discounts:

	Tier I	Tier II	Tier III	Tier IV
Field Rates (Hourly)	90%	85%	80%	70%
Clinics/Tournaments	50%	35%	25%	25%
Light Fees	No Discount	No Discount	No Discount	No Discount

5.3.2 RS Partners shall pay a field maintenance fee of \$5 per participant, per season based on the previous year's fall/spring rosters.

5.3.3 Fees are due on the first of each month. Organizations that are in default by more than 15 days will be charged a late payment fee of 10% on all outstanding field reservation fees. Organizations that are in default for more than 30 days will be charged the field rental rate (without RS Partner discount) applicable for all current charges and the RS Partnership and applicable discounts will be suspended until the account is paid in full.

5.3.4 Notwithstanding anything to the contrary in this Policy, all field rental fees will be based on an approved Beaches, Parks & Recreation Department Fee Schedule which is adopted and approved by the City Council. RS Partners will receive discounted rates based on the approved field rental rate in place at the time of the rental. This Policy and the discounts provided herein shall not be effective until the Beaches, Parks & Recreation Department Fee Schedule is updated and approved by City Council.

5.4 Field Allocation Process

5.4.1 Each Organization shall submit a Field Allocation Request Form and Participant roster from previous season by the dates listed below. Organizations missing these deadlines will be allocated any remaining fields on an "as available" basis only.

Fall Allocation	Due June 1
Winter Allocation	Due September 15
Spring Allocation	Due November 15
Summer Allocation	Due March 15

5.4.2 The City allocates and prioritizes field use based on the following criteria:

- a. Recreation activities sponsored or conducted by the City of San Clemente.
- b. RS Partner Organizations with priority given to Organizations in Tier I followed by Tier II, Tier III, and Tier IV, respectively.
- c. Not-for-profit organizations or individuals that are established as frequent renters.
- d. Commercial entities or organizations located in San Clemente.
- e. Commercial entities or organizations not located in San Clemente.

5.5 Non-Use of Allocated Fields

It is City policy that user Organizations turn in unused fields for reallocation. An Organization that has been allocated field space and does not intend to use it regularly shall notify the City so that the field may be reallocated or otherwise used. Failure to do so may result in the forfeiture of fields for the remainder of the season.

5.5.1 Notice of non-use shall be received by March 1 for spring and September 1 for fall so the field may be reallocated.

5.5.2 Unless written notice is received, an Organization will be billed for all allocations at the regular field rental rate applicable. Field use fees will not be retroactively adjusted.

5.5.3 All fields that are turned back into the City for reasons of non-use will be reallocated to other interested organizations.

5.5.4 Exceptions to this policy will be made on a case-by-case basis, only with prior written notification to City staff regarding special circumstances.

5.6 Violations of RS Partnership.

5.6.1 The City utilizes a "three-strike" policy for violations of the RS Partnership Agreement. The following penalties shall be imposed when RS Partners fail to comply with the requirements set forth above. Offenses will be by season unless otherwise stated in written warnings.

- a. First Offense: Verbal warning with written memo notifying of the violation; if the situation is resolved, no further action is taken.

- b. Second Offense: Written warning. A representative of the City, as determined by the Director, shall also meet with the offending coach (if applicable), the Organization President, and at least one other member of the Board of Directors.
- c. Third Offense: Minimum penalty is the loss of one field for the next season; maximum penalty is loss of status as a RS Partner for the next season in which the Organization participates. Penalty shall be determined by the Director. After penalty has been served, Organization may reapply for use of City fields and RS Partner status for their next season.
- d. Appeal process: Appeals shall be submitted to the Director within 10 days of penalty. Appeals shall be forwarded to the Parks, Beaches & Recreation Commission for discussion. The Commission's decision is final.

5.6.2 Violation examples include, but are not limited to:

- a. False documents submitted to the City, including but not limited to the falsification of rosters and proof of residency.
- b. Use of field that has been closed due to inclement weather or for safety or maintenance reasons.
- c. Use of fields prior to or beyond permitted time.
- d. Subletting, loaning, or trading fields with other groups or organizations.
- e. Failure to return unscheduled fields to the "inventory of fields" held by the City.
- f. Driving vehicles on fields without written permission noted on permit.
- g. Utilizing areas outside the boundaries of a permitted field.

5.6.3 City reserves the right to cancel or suspend field/facility permits for games, practices, and other usages based upon user groups violating the City Municipal Code or any terms of the Partnership Agreement.

5.6.4 The Beaches, Parks & Recreation Commission ultimately determines continued membership. Failure to comply with the requirements and responsibilities listed will result in the Commission revisiting membership status.

5.7 RS Partnership Expectations and Longevity

5.7.1 All RS Partners shall adhere to all the policies and procedures of City, and cooperate with the Department and City staff to

ensure that the purpose of the partnership is met. RS Partners shall provide City representatives with access at all times to review or monitor the sports program. RS Partners shall not discriminate against its employee, volunteers, or participants on account of race, religion, national origin, ethnicity, sexual orientation, or gender (except where gender is a bona fide issue for the program).

- 5.7.2 Applicant and all participants, parents, spectators, coaches, and volunteers agree to abide by the City Participant Code of Conduct: All persons shall act with respect towards other persons, and respect their privacy and personal safety. Physical or verbal abuse of any kind will not be tolerated. All persons shall treat public and private property and equipment with respect. Program rules and regulations shall be observed at all times. The RS Partner maintains responsibility for all of its coaches, volunteers, agents, parents, spectators, and players affiliated with the organization.
- 5.7.3 The City may, at any time, temporarily suspend or revoke a RS Partnership status and forward to the Commission and/or the City Council for reconsideration of partnership status.
- 5.7.4 The City Council may, at any time, and without cause, suspend or revoke an Applicant's RS Partnership status.
- 5.7.5 Usage must be made within the allotted permit time. Permit time schedules and charges must include set-up time. Permit will be considered canceled and fees forfeited if user is not at the facility 60 minutes after the beginning of the time for which permitted.
- 5.7.6 The City Council may grant the Department and/or Commission authority to extend RS Partnerships for a period of time up to five years if doing so would be in the best interests of City, its residents, and the Applicant.

6.0 DEFINITIONS:

- 6.1 "City": The City of San Clemente and/or the City Beaches, Parks & Recreation Department, as appropriate.
- 6.2 "Frequent Renter": An Organization or individual who rents fields from the City more than 4 times per quarter.
- 6.3 "Non-Profit": Organizations must meet all criteria as identified by the Internal Revenue Service (IRS). The organization must submit a Letter of Determination or Letter of Affirmation from the IRS that indicates non-profit 501(c)(3) or (c)(4) status. The organization must maintain current non-profit 501(c)(3) or (c)(4) status for the duration of the allocated Field Use Permit.

- 6.4 "Organization": Those Organizations that have submitted all required documentation with the City and been awarded partnership status in Tier I to IV.
- 6.5 "Organized Play": Two or more persons engaging in a competitive athletic activity, skill development, or training/coaching session such as but not limited to soccer, baseball, softball, or football.
- 6.6 "Participant": Individuals who are fully registered with the Member Organization. Non-players such as coaches, officials, and staff shall not be considered Participants.
- 6.7 "Primary Season": For the purposes of this policy, the sport in season will have priority for allocations and determine the period eligibility for submission of application(s). Spring season (February – June): Baseball, Softball, Rugby; and Fall season (August – December): Football, Soccer; Winter season (November – March): Lacrosse
- 6.8 "Recreation League": A league with the following characteristics: (1) the use of tryouts, invitations, recruiting, or similar process to roster players to a Team is prohibited; (2) the League accepts as participants any eligible youths subject to reasonable terms on registration; and (3) League rules require that each player must play at least one-half (50%) of each match/game except for reasons of injury, illness, or discipline.
- 6.9 "Resident": Persons with primary residency within the boundaries of the City of San Clemente. Upon submission of the Application, rosters must include each participant's name, address, email address, and phone number. For each San Clemente resident, a copy of a current utility bill (trash, water, gas, or electric) no more than three (3) months old must be submitted. Upon request photo identification is required. The City reserves the right to conduct random audits to establish residency.
- 6.10 "Trainers": Paid trainers or coaches may be employed for clinics that are open to the entire Organization membership; Trainers may not be used by individual players or teams. An individual participant may hire a trainer for personal purposes provided that the trainer applies for and receives a rental permit through the City.
- 6.11 "Youth Status": Persons 19 years of age or under at the start of the season.