



# AGENDA REPORT

## CITY OF SAN CLEMENTE

### City Council Meeting

910 Calle Negocio  
2nd Floor  
San Clemente, California  
www.san-clemente.org

Meeting Date: 7/18/2023

Agenda Item: 7B

**Department:** Beaches, Parks and Recreation

**Prepared By:** Samantha Wylie, Beaches, Parks & Recreation Director

**Subject:**

**CONSIDERATION OF A RESOLUTION ADOPTING AN UPDATED RECREATION FEE SCHEDULE AND A RESOLUTION REPEALING AND REPLACING POLICY AND PROCEDURE 702-5 RECREATION SPORTS PARTNERSHIPS**

**Summary:**

The youth sports partnership policy provides direction on discounted rates to qualified non-profit sport groups and supports the facilitation of the field allocation process. The existing partnership process document was approved by City Council in 2015 (Attachment 5), however the updates were not incorporated into the adopted Policy and Procedure Manual, resulting in inconsistencies in the application of the policy (Attachment 4). Due to the significant changes to both the structure and the content of the existing policy, as outlined in the background section of this report, staff and the Beaches, Parks and Recreation Commission recommend the City Council repeal and replace in full Policy and Procedure 702-5 entitled "Recreation Sports Partnership". The purpose of the policy is to provide a framework and guidelines for the implementation and administration of youth field sports partnerships. A corresponding update to the City's fee schedule would also need to be adopted. (Attachment 2.)

**Background:**

At its meeting on December 13, 2022, the Beaches, Parks & Recreation Commission reviewed several applications for youth sports partnership. After discussion and recommendations, the Commission approved the establishment of a youth sports subcommittee ("Subcommittee") to review and make recommendations for revisions to the existing youth sports partnership policy (Attachment 3).

Under this direction, the Subcommittee and staff met and reviewed policies from similar agencies across Southern California while taking into consideration the specific needs and sports structure within San Clemente. The Subcommittee sought to ensure a stronger policy that allowed for groups to be successful regardless of partnership level.

At its April 11, 2023 meeting, the Beaches, Parks and Recreation Commission reviewed and recommended approval (7-0) of the proposed policy updates presented by staff on behalf of the Subcommittee. The proposed policy is included in Attachment 3.

Significant changes to the policy include, but are not limited to:

- Retitling the policy to specify field sports.
- Restructure the partnership levels to include a fourth level. The proposed policy renames the

levels to Tier I, Tier II, Tier III, and Tier IV and adjusts field rental discounts. A synopsis of the tiers and corresponding discounts are summarized in Table 1 below.

- Establishment of a player fee (\$5/season) to support the ongoing field maintenance needs and offset costs.
- Determination of timelines for applications and allocation periods.
- Definitions of volunteer-based organization versus paid coaches/trainers.
- The requirement to have a scholarship program that provides aid to at-need San Clemente families to cover the costs of registration fees.

*Table 1 - Partnership levels, current policy vs. proposed policy*

Current Policy			Proposed Policy		
Level Title	(%) Residency	Discount	Level Title	(%) Residency	Discount
Platinum	90%	90%	Tier I	90%	90%
Gold	80%	70%	Tier II	85%	85%
Silver	70%	55%	Tier III	80%	80%
--	--	--	Tier IV	70%	55%

If Council approves the modification in partnership tiers and discounts, Resolution No. 23-72 (Attachment 2) would modify the existing fee schedule for Beaches, Parks & Recreation to reflect the discounted rates above. The proposed fees do not exceed the cost of service. Note, this action would not update any rentals fees; however, in FY 2023-24, the BP&R Department will be undertaking a fee and cost of services study to review rates. A report will return to Council in early 2024.

**Council Options:**

- Conduct the public hearing; adopt Resolution 23-71 repealing and replacing Policy and Procedure 702-5; and adopt Resolution 23-72 updating the recreation fee schedule.
- Conduct the public hearing and adopt Resolution 23-71 and Resolution 23-72 with modifications.
- Continue the Item with direction given to staff.
- Conduct the public hearing and do not adopt the Resolutions.

**Fiscal Impact:**

Because discounts are being provided on fees that do not exceed the cost of service, there would be unknown fiscal impacts at this time. The City currently has three partner organizations who meet the Tier I (Platinum) requirements and the City Council has made an exception for another that did not meet the residency requirement of 90% at the time of partnership award. This organization would

have met the requirement for Tier II.

***Environmental Review/Analysis:***

This is not a “project” under Section 15378 of the State CEQA Guidelines and not subject to CEQA per Section 15061(b)(3).

***Recommended Actions:***

Staff Recommendation

Staff and the Beaches, Parks and Recreation Commission recommend that the City Council:

1. Conduct the public hearing.
2. Adopt Resolution No. 23-71, which would repeal and replace Policy and Procedure 702-5 Youth Field Sports Recreation Partnership; and
3. Adopt Resolution No. 23-72, which would amend the recreation fee schedule and repeal Resolution No. 16-23.

***Attachment:***

1. Resolution 23-71, Youth Sports Policy
2. Resolution 23-72, Amended Fee Schedule
3. Proposed Policy and Procedure 702-5 “Youth Field Sports Recreation Partnerships”
4. Existing Policy and Procedure 702-5, Effective 12-20-2011
5. Recreation Partnership Policy, Approved June 16, 2015

***Notification:***

AYSO, Region 111  
Elite Soccer League  
San Clemente Girls Softball  
San Clemente Little League  
South Coast Youth Football  
Published in the San Clemente Times July 6 and July 13, 2023

RESOLUTION NO. 23-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REPEALING POLICY AND PROCEDURE 702-5 RECREATION SPORTS PARTNERSHIPS AND ADOPTING A NEW POLICY AND PROCEDURE 702-5 YOUTH FIELD SPORTS RECREATION PARTNERSHIPS

WHEREAS, it is appropriate to update the policies and procedures implemented by the City Council from time to time; and

WHEREAS, the City desires to provide accessible and diverse youth sports programming for the citizens of San Clemente; and

WHEREAS, the City Council has determined this can be accomplished through partnering with local not-for-profit sports organizations by providing discounted rates to qualified groups and aid in the facilitation of the field allocation process; and

WHEREAS, the City Council has determined a policy is necessary to provide a framework and guidelines for the implementation and administration of youth field sports partnerships; and

WHEREAS, these changes require an amendment to an existing resolution.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve as follows:

Section 1. The above recitals are true and accurate and considered findings by the City Council and incorporated into the body of this Resolution.

Section 2. City Council Policy and Procedure 702-5, with an effective date of December 20, 2011, is repealed in its entirety and replaced with City Council Policy and Procedure 702-5 as set forth in Exhibit "A" attached hereto and made a part hereof as though fully set forth herein.

Section 3. Any other Resolutions or actions in conflict herewith are hereby rescinded and repealed to the extent of such conflict.

Section 4. The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions and replace City Council Policy and Procedure 702-5 with the language adopted by this Resolution.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE       ) §  
CITY OF SAN CLEMENTE    )

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 23-71 was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

Approved as to form:

\_\_\_\_\_  
Elizabeth A. Mitchell, City Attorney

## Exhibit "A"

**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;
  - 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
  - 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 <sup>nd</sup> 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 <sup>nd</sup> 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:

	<b>Tier I</b>	<b>Tier II</b>	<b>Tier III</b>	<b>Tier IV</b>
Field Rates (Hourly)	90%	85%	80%	55%
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 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.

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 which 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.

RESOLUTION NO. 23-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA, REVISING THE POLICIES  
AND FEES GOVERNING THE RENTAL OF THE SPORT  
FIELDS AND AMENDING RESOLUTION NO. 16-23

WHEREAS, the City of San Clemente operates and maintains a number of recreation buildings throughout the City that are open to the general public seven days a week; and

WHEREAS, various provisions of State and local law authorize the City to levy fees and charges for services provided by the City in amounts which do not exceed the reasonable cost of providing such services; and

WHEREAS, the fees are designed to offset the cost to maintain and operate these facilities and should be modified on a regular basis to keep pace with the maintenance and operational costs; and

WHEREAS, on July 18, 2023, the City Council held a duly notice public hearing and received and considered staff and public comment on revising the policies and fees governing the rental of the City's sport fields; and

WHEREAS, following such public hearing, the City Council adopted Resolution No. 23-71 on July 18, 2023, revising the policies and fees governing the youth sports partnership policy and use of city fields, which amended Resolution No. 16-23, which changes have been incorporated into Exhibit "A" to this Resolution; and

WHEREAS, these changes require an amendment to an existing resolution; and

WHEREAS, the updated fees do not exceed the reasonable cost of providing the services.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby find, determine and resolve as follows:

Section 1. The above recitals are true and accurate and incorporated herein fully as findings.

Section 2. The facility, field and program fees for Recreation are hereby revised as set forth in Exhibit "A" attached hereto and made a part hereof as though fully set forth herein.

Section 3. Any other Resolutions in conflict herewith are hereby rescinded and repealed to the extent of such conflict.

Section 4. Except as set forth in Section 5 of this Resolution, this Resolution shall become operative and immediately.

Section 5. All fees and rental applications received by the Department of Beaches, Parks and Recreation prior to the adoption of this Resolution shall not be affected by this Resolution, and shall therefore be subject to the fees and rental rates in effect prior to the adoption of this Resolution.

Section 6. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 18<sup>th</sup> day of July, 2023.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) §  
CITY OF SAN CLEMENTE    )

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 23-72 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 18th day of July, 2023, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

Approved as to form:

\_\_\_\_\_  
Elizabeth A. Mitchell, City Attorney

## Exhibit "A"

<b>FACILITY RENTAL RATES</b>		
The following is a list of available discounts.		
25% discount for San Clemente residents and businesses.		
75% discount for San Clemente based non-profit organizations.		
50% discount for non-resident non-profit organizations.		
<b>OLE HANSON BEACH CLUB</b>		
<i>Facility</i>	<i>Capacity</i>	<i>Price</i>
<b>Club Room – Downstairs</b> (499 Sq. Ft.)	50	\$75 per hour
<b>Grounds</b>	N/A	\$50 per hour
<b>COMMUNITY CENTER - Weekday (Monday through Thursday &amp; Sunday)</b>		
<i>Facility</i>	<i>Capacity</i>	<i>Price</i>
<b>Auditorium</b> (4,000 Sq. Ft.)	300-500	\$300 per hour
<b>Ole Hanson Fireside Room &amp; Kitchen</b> (1,200 Sq. Ft.)	80	\$100 per hour
<b>Kitchen</b> (Based on availability)	N/A	\$150 flat rate
<b>Multi-Purpose Room</b> (900 Sq. Ft.)	50	\$75 per hour
<b>Lower Multi-Purpose Room</b> (900 Sq. Ft.) (Dance Studio Purposes Only)	25	\$75 per hour
<b>Grounds</b>	N/A	\$50 per hour
<b>Locker</b> (for Non-Profit Only)	N/A	\$5 per month
<b>COMMUNITY CENTER - Primetime (Friday &amp; Saturday)</b>		
<i>Facility</i>	<i>Capacity</i>	<i>Price</i>
<b>Auditorium</b> (4,000 Sq. Ft.) (2 hour minimum rental)	300-500	\$350 per hour
<b>Kitchen</b> (Based on availability)	N/A	\$150 flat rate
<b>Ole Hanson Fireside Room &amp; Kitchenette</b> (1,200 Sq. Ft.)	80	\$150 per hour
<b>Multi-Purpose Room</b> (900 Sq. Ft.)	50	\$100 per hour
<b>Lower Multi-Purpose Room</b> (900 Sq. Ft.) (Dance Studio Purposes Only)	25	\$100 per hour
<b>Grounds</b>	N/A	\$60 per hour
<b>SAN CLEMENTE AQUATICS CENTER</b>		
<b>Friends Room</b>	48	\$150 per hour
<b>TIERRA GRANDE PARK</b>		
<b>Meeting Room</b>	40	\$100 per hour



<b>FIELD AND POOL RENTAL RATES</b>	
The following is a list of available discounts.	
25% discount for San Clemente residents and non-resident non-profit organizations.	
40% discount for San Clemente based non-profit organizations.	
55% discount for Recreation Sport <u>Tier IV Partners</u> .	
80% discount for Recreation Sport <u>Tier III Partners</u> .	
85% discount for Recreation Sport <u>Tier II Partners</u> .	
90% discount for Recreation Sport <u>Tier I Partners</u> .	
60% discount for Aquatics Senior Partners.	
50% discount for Aquatics Junior Partners.	
<b>POOLS</b>	
<b>All pools and deck</b>	\$500 per hour
<b>Tournaments/Meets/Competition</b>	\$400 per hour
<b>Per Lane</b>	\$25 per hour
<b>50 Meter</b>	\$250 per hour
<b>25 Yard</b>	\$125 per hour
<b>Play Pool</b>	\$200 per hour
<b>Cabana</b>	\$50 per hour
<b>Grass Event Space in Aquatics Center</b>	\$200 per hour
<b>FIELDS</b>	
<b>Neighborhood</b>	\$40 per hour
<b>Community</b>	\$50 per hour
<b>Sport</b>	\$60 per hour
<b>The Meadows</b>	\$250 per hour
<b>LIGHTS</b>	
\$15 per hour at all lighted fees, regardless of use category.	

<b>TOURNAMENT FEES</b>	
<b>STEED PARK TOURNAMENT FEES</b>	
<b>Category 1-Resident Youth Sport Organization</b>	\$200 per day, per field, minimum 2 fields
<b>Category 2-Non-Resident Youth Sport Organization</b>	\$250 per day, per field, minimum 2 fields
<b>Category 3-Resident Non-profit and Private Resident</b>	\$250 per day, per field, minimum 2 fields
<b>Category 4-Non-resident Non-profit and Private Non-Resident</b>	\$300 per day, per field, minimum 2 fields, \$1,000 per day, includes 4 fields
<b>COMMERCIAL/TOURNAMENT/CAMP FEES</b>	
<b>Pools and Fields at community and sports parks (except Steed Park)</b>	Price as listed per hour, no discounts except for partners.
<b>Recreation Sports Bronze and Silver Partners</b>	25% tournaments 25% camp/clinic

<b>Recreation Sports Gold Partners</b>	50% tournaments 50% camp/clinic
<b>Aquatics Junior Partners</b>	No discount peak, 25% off-peak meets/tournaments 40% camp/clinic 40% private lessons
<b>Aquatics Senior Partners</b>	No discount peak, 60% off-peak meets/tournaments 50% camp/clinic 40% private lessons

<b>PICNIC AREA AND OPEN SPACE RENTAL RATES</b>	
The following is a list of available discounts. 25% discount for non-residents and non-resident non-profit organizations. 50% discount for San Clemente based non-profit organizations and residents.	
<b>PICNIC AREA AND OPEN SPACE FEES</b>	
<b>1-49 People</b>	\$50 per hour
<b>50-99 People</b>	\$75 per hour
<b>100-199 People</b>	\$100 per hour
<b>200-299 People</b>	\$200 per hour
<b>Each additional 100 People</b>	\$50 per hour

<b>PERMIT AND PROGRAM FEES</b>	
<b>PERMIT FEES</b>	
<b>Sound Amplification Permit</b>	\$60
<b>Block Party Permit</b>	\$100
<b>Banner Hanging Permit (El Camino Real Banners)</b>	\$367
<b>Special Event Application Fee – Category I</b>	\$110
<b>Special Event Application Fee – Category II</b>	\$240
<b>Restroom Cleaning Fee</b>	\$90

<b>PROGRAM FEES</b>	
<b>Refund Processing Fee</b>	\$8 per class
<b>Daily Pool Use Fee Youth 0-17 and Seniors 60+: Resident</b>	\$2
<b>Daily Pool Use Fee Youth 0-17 and Seniors 60+: Non-Resident</b>	\$6
<b>Daily Pool Use Fee Adult 18-59: Resident</b>	\$4
<b>Daily Pool Use Fee Adult 18-59: Non-Resident</b>	\$8
<b>Monthly Swim Pass Youth 0-17 and Seniors 60+: Resident</b>	\$40
<b>Monthly Swim Pass Youth 0-17 and Seniors 60+: Non-Resident</b>	\$55
<b>Monthly Swim Pass Adult 18-59: Resident</b>	\$55
<b>Monthly Swim Pass Adult 18-59: Non-Resident</b>	\$70
<b>3 Month Swim Pass Youth 0-17 and Seniors 60+: Resident</b>	\$75
<b>3 Month Swim Pass Youth 0-17 and Seniors 60+: Non-Resident</b>	\$150
<b>3 Month Swim Pass Adult 18-59: Resident</b>	\$100
<b>3 Month Swim Pass Adult 18-59: Non-Resident</b>	\$200
<b>Annual Swim Pass Youth 0-17 and Seniors 60+: Resident</b>	\$150
<b>Annual Swim Pass Youth 0-17 and Seniors 60+: Non-Resident</b>	\$300
<b>Annual Swim Pass Adult 18-59: Resident</b>	\$200
<b>Annual Swim Pass Adult 18-59: Non-Resident</b>	\$400



# POLICY AND PROCEDURE

<b>Subject:</b> Youth Field Sports Recreation Partnerships	<b>Index:</b> Recreational Facilities & Programs <b>Number:</b> 702-5
<b>Effective Date:</b>	<b>Prepared By:</b> Beaches, Parks & Recreation Department
<b>Supersedes:</b> Same Policy: 12-20-2011	<b>Approved By:</b> 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 <sup>nd</sup> 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 <sup>nd</sup> 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.

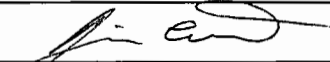
## **6.0 DEFINITIONS:**

- 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.



## POLICY AND PROCEDURE

<b>Subject:</b> Recreational Sports Partnerships	<b>Index:</b> Recreational Facilities & Programs <b>Number:</b> 702-5
<b>Effective Date:</b> 12-20- 2011	<b>Prepared By:</b> Beaches, Parks and Recreation
New	<b>Approved By:</b> 

1. **POLICY AND PURPOSE:**

- 1.1 It is the desire of the City of San Clemente (hereinafter "City") to encourage and promote the various seasonal sports on a year-round basis within the city limits, and to make the best and most efficient use of City's amenities, fields and facilities. Partnering with select outside organizations/associations for sports programs allows service to a larger portion of the community than only City provided programs. City wishes to promote such partnerships by providing reduced rental rates, field allocation priorities, and limited support services, which may include site preparation and maintenance, periodic field improvements as needed and limited administrative/clerical support.
- 1.2 The purpose of this Recreational Sports Partnership Policy is to set forth and make clear the requirements and criteria for partnerships between City and any organization/association (hereinafter "Applicant") intending to provide recreational sports programs and request fee reductions within City. A partnership agreement made pursuant to this policy shall be known as an RS Partnership, will carry the additional designation of *Senior* or *Junior*, 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 to the organization representing standard prevalent sports, as determined by the Beaches, Parks and Recreation Commission.

2. **REFERENCES:**

San Clemente Municipal Code Chapter 12.28.010.

3. *MINIMUM REQUIREMENTS AND CRITERIA TO QUALIFY FOR RS PARTNERSHIP:*

3.1 The Applicant must meet the following minimum requirements and criteria for any RS partnership:

- (a) Be currently registered 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 amount determined by City per incident, including appropriate additional insured endorsements in favor of City.
- (d) Demonstrated financial hardship if partnership is denied and the Applicant is required to pay regular rates for use of City amenities, fields and/or facilities.
- (e) Demonstrated ability and willingness to contribute to City \$25 for each participant in the form of:
  - i. an annual charitable donation; or
  - ii. in-kind services, such as field/facility maintenance, cleaning, community service, City image promotion, and/or volunteer support of City activities as approved by City; or
  - iii. combination of above, as approved by City.
- (f) Organization must have open enrollment policy regardless of skill level.
- (g) Organization must have minimum play rule of 50% play for all participants.
- (h) Demonstrated scholarships provided for those in financial need.
- (i) Organization must have a, "no discrimination" and "no alcohol" policy.

3.2 In addition to the above requirements and criteria for RS Partnership, the Applicant may qualify for the levels of partnership as follows:

- (a) Senior RS Partnership: The Applicant has provided the sports program for City for at least five years, and currently has at least 300 participants, 90% of whom reside in City. Program games and practices must be conducted in San Clemente boundaries.

- (b) Junior RS Partnership: The Applicant has provided the sports program for City for at least two years, and currently has at least 100 participants, 75% of whom reside in City.

4. *PROCEDURE FOR EVALUATING APPLICATION FOR RS PARTNERSHIP:*

4.1 All requests for RS Partnership shall be submitted first to the Beaches, Parks and Recreation Department (hereinafter "Department"). Applications will be accepted once a year at a time determined by the City. 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 (application for permit to use recreational facilities) and Facility Use Application.
- (b) Proof of current 501(c)(3) or (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, such as budgets, profit/loss statements, audited financial statements, balance statements, and/or two years of tax returns;
- (f) Statistical data and rosters to support participant population and residency requirement for RS Partnerships.

4.2 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").

4.3 "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 set forth in §3.1, whether partnership is warranted in light of the policies and purposes set forth in §1.1-1.2, and whether partnership is in the best interests of 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 set forth in §3.1-3.2."

4.4 If Commission recommends to 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. *RS PARTNERSHIP EXPECTATIONS AND LONGEVITY*

- 5.1 All RS Partners shall adhere to all the policies and procedures of City and the RSPP, 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 those in 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 sports program).
- 5.3 Junior RS Partners shall be required to re-apply for partnership every two years by submitting a complete application packet to the Department, followed by Commission consideration, and City Council approval as outlined in this policy. Junior RS Partners are eligible for benefits during primary season only.
- 5.4 Senior RS Partners shall be required to re-apply for partnership every three years by submitting a complete application packet to the Department, followed by Commission consideration, and City Council approval as outlined in this Policy.
- 5.5 The Department or Commission, may, at any time, for cause, temporarily suspend or revoke an Applicant's RS Partnership status and forward to the Commission and/or the City Council for reconsideration of partnership status.
- 5.6 The City Council may, at any time, and without cause, suspend or revoke an Applicant's RS Partnership status.
- 5.7 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.



**RECREATION PARTNERSHIP POLICY AND PURPOSE:**

- 1.1 It is the desire of the City of San Clemente (hereinafter "City") to encourage and promote various youth sports on a year-round basis within the city limits, and to make the best and most efficient use of 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. City wishes to promote such partnerships by providing reduced rental rates, field allocation priorities, and limited support services, which may include site preparation and maintenance, periodic field improvements as needed and limited administrative/clerical support.
- 1.2 The purpose of this Recreation Sports Partnership Policy is to set forth and make clear the requirements and criteria for partnerships between City and any organization/association (hereinafter "Applicant") intending to provide Recreation programs and request fee reductions within City. A partnership agreement made pursuant to this policy shall be known as an RS Partnership, will carry the additional designation of Platinum, *Gold*, or *Silver*, 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 to the organization representing standard prevalent water sports, as determined by the Beaches, Parks and Recreation Commission and the City Council.

**2. REFERENCES:** San Clemente Municipal Code Chapter 12.28.010.

**MINIMUM REQUIREMENTS AND CRITERIA TO QUALIFY FOR RS PARTNERSHIP:**

- 3.1 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 amount determined by City per incident, including appropriate additional insured endorsements in favor of City.
  - d) Demonstrated financial hardship if partnership is denied and the Applicant is required to pay regular rates for use of City amenities, fields and/or facilities.
  - e) Organization must have open enrollment policy regardless of skill level.
  - f) Organization must have minimum play rule of 50% play for all participants.
  - g) Demonstrated scholarships provided for those in financial need.
  - h) Organization must have "no discrimination," "no alcohol," and "no illegal substance" policies.
- 3.2 In addition to the above requirements and criteria for RS Partnership, the Applicant may qualify for the levels of partnership as follows:
- a) Platinum RS Partnership: must have provided the sports program for City for at least five years, and currently have at least 300 participants, 90% of whom reside in the City. Games, tournaments, and practices must be conducted in San Clemente boundaries.
  - b) Gold RS Partnership: must have provided the sports program for the City 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 in San Clemente boundaries.
  - c) Silver RS Partnership: must have provided the sports program for City for at least two years, and currently have at least 100 participants, 70% of whom reside in the City of San Clemente

**PROCEDURE FOR EVALUATING APPLICATION FOR A PARTNERSHIP:**

- 4.1 All requests for RS Partnership shall be submitted first to the Beaches, Parks and Recreation Department (hereinafter "Department"). Applications will be accepted once a year at a time determined by the City.

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 (application for permit to use recreational facilities) and Facility Use Application.
  - a) Proof of current 501(c)(3) or (4) status;
  - b) Commercial and liability insurance declaration pages;
  - c) Applicant articles, bylaws and other charter documents;
  - d) Proof sufficient to establish the financial hardship requirement, including the required budget form and two years of tax returns and can also include a profit/loss statements, audited financial statements, balance statements;
  - e) Statistical data and rosters to support participant population and residency requirement for RS Partnerships.
- 4.2 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").
- 4.3 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 set forth in §3.1, whether partnership is warranted in light of the policies and purposes set forth in §1.1-1.2, and whether partnership is in the best interests of 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 set forth in §3.1-3.2.
- 4.4 If Commission recommends to 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.

#### ***RS PARTNERSHIP EXPECTATIONS AND LONGEVITY***

- 5.1 All RS Partners shall adhere to all the policies and procedures of City and the RSPP, 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 water sports program. RS Partners shall not discriminate against those in 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 water sports program).
- 5.2 Gold and Silver RS Partners shall be required to re-apply for partnership every two years by submitting a complete application packet to the Department, followed by Commission consideration, and City Council approval as outlined in this policy.
- 5.3 Platinum RS Partners shall be required to re-apply for partnership every three years by submitting a complete application packet to the Department, followed by Commission consideration, and City Council approval as outlined in this Policy.
- 5.4 The Department or Commission, may, at any time, for cause, temporarily suspend or revoke an Applicant's RS Partnership status and forward to the Commission and/or the City Council for reconsideration of partnership status.
- 5.5 The City Council may, at any time, and without cause, suspend or revoke an Applicant's RS Partnership status.
- 5.6 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.