

Capitola City Council

Agenda Report



Meeting: March 28, 2024

From: Recreation Department

Subject: Resolution Adopting Parks Policy

Recommended Action: Adopt a resolution adopting a City Parks Use Policy and direct staff to return to the City Council with amendments to the fee schedule to reflect proposed park use fees.

Background: The City's parks currently operate on a first-come, first-served basis, with the exception of athletic fields and court rentals. The Recreation Division often receives requests from the public with inquiries on the process of hosting a small group gathering in a City park. The City's current process causes conflict for the public, who are in competition for the available space, or opens the City to liability when the public brings risky equipment for their gatherings. During the March 14, 2024, City Council meeting, staff brought forward a draft ordinance for City Council consideration to address these issues.

On March 14, 2024, the City Council introduced an ordinance repealing and replacing Capitola Municipal Code Chapter 12.40, Park Regulations, creating a process for the public to reserve areas of City parks for "non-expressive activity" exclusive use for small, personal events (such as birthday or graduation parties). If the event requesting exclusive use of one of the City's parks would be considered "expressive activity," it would instead be subject to the City's special events permitting requirements. The City Council requested that staff return with an administrative park use policy, specifying the areas of the City's parks that are available for exclusive use pursuant to the new Chapter 12.40.

Discussion: At the March 14, 2024, meeting, the City Council requested that the Municipal Code provide for the creation of a Parks Use Policy whereby the City Council may review and approve which areas of City parks may be reserved for exclusive use under Chapter 12.40.

The proposed Park Use Policy provides the public with additional clarity on the spaces available for permits, capacity for each park space, and terms and conditions of use. The benefit of this Parks Policy is that it allows staff to make administrative changes to the park use permit process in response to the changing landscape of parks or unforeseeable issues without adjustment to the Municipal Code. Members of the public who inquire about reserving a park space will receive the "Capitola Reservable Park Area Packet", Attachment 2, which includes the policy, fees, maps of locations, and terms of use.

Fiscal Impact: Members of the public who inquire about reserving a park space will receive the "Capitola Reservable Park Area Packet", Attachment 2, which includes the policy, fees, maps of locations, and terms of use. The City's current fee schedule does not set park space rental fees. Staff will return to the City Council with an amendment to the adopted fee schedule to reflect proposed park use fees.

Attachments:

- 1) Parks Policy
- 2) Sample Capitola Reservable Park Area Packet for public dissemination

Report Prepared By: Nikki Bryant, Recreation Division Manager

Reviewed By: Tamar Burke, Assistant City Attorney

Approved By: Jamie Goldstein, City Manager