



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 02/21/2023

ITEM NO: 6

DATE: February 6, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Authorize the Town Manager to Execute a Use Agreement with Los Gatos Little League

**RECOMMENDATION:**

Authorize the Town Manager to execute a Use Agreement with Los Gatos Little League.

**BACKGROUND:**

Los Gatos Little League is organized and chartered under the rules of Little League Baseball, Inc. and the laws of the State of California to provide organized baseball team practice and competition for Los Gatos youth aged four (4) to fifteen (15). Los Gatos Little League has conducted baseball programs at Baggerly and Balzer Fields under contract with the Town since 1958. The previous contract expired on 6/30/2022 (Attachment 1).

In accordance with Council action taken on April 21, 2020 (item #12), Council approved the waiver of rent and utilities for 2020, 2021, and the first 6 months of 2022. The Los Gatos Little League is interested in a new use agreement under which the Little League may use Baggerly and Balzer Fields, and define the responsibility for maintenance of the fields, the responsibility for the costs related to the use of the fields, and the circumstances under which the Little League may make capital improvements to the fields.

**DISCUSSION:**

The proposed Use Agreement (Attachment 2) is retroactive to July 1, 2022 and focuses on the terms for exclusive use and maintenance of Balzer Field and Baggerly Field. The main proposed terms of the agreement are as follows:

**PREPARED BY:** Meredith Johnston  
Administrative Technician

Reviewed by: Town Manager Town Attorney, Finance Director, and Parks and Public Works Director

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DISCUSSION (continued):

1. The term of the agreement is five years and may be extended for up to two additional five-year periods upon mutual written consent of the parties.

2. The Premises are defined as follows:

Baggerly Field at Blossom Hill Park, consisting of:

1. One baseball diamond, including infield and outfield grass, and dirt
2. Fences and gates surrounding the field of play
3. All portable and fixed bleachers
4. One electronic scoreboard
5. One flagpole
6. Restrooms, snack shack building (includes one storage room and 2 bathrooms)
7. Two dugouts

Balzer Field at 41 Miles Avenue, consisting of:

1. One baseball diamond, including infield and outfield grass, and dirt
2. Fences and gates surrounding the field of play
3. All portable and fixed bleachers
4. One electronic scoreboard
5. One flagpole
6. One batting cage
7. Restrooms, snack shack building (includes one storage room and 2 bathrooms)
8. Two dugouts

3. Exclusive use of Balzer Field and Baggerly Field during the following periods:

January 1 to January 31:

1. Saturdays and Sundays from the time of opening of the Premises pursuant to the policies and procedures of the Town until dusk.

February 1 to July 31:

1. Monday through Friday, from 2:30 p.m. to dusk.
2. During designated Los Gatos Unified School District Vacation Days, use will be from the time of the opening of the Premises pursuant to the policies and procedures of the Town until dusk.
3. Saturdays and Sundays, from the time of the opening Premises pursuant to the policies and procedures of the Town until dusk.

August 1 to August 31:

1. There shall be no designated exclusive use times. Use may be requested by LGLL through the Town and, granted if the Premises are available.

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DISCUSSION (continued):

September 1 to October 31:

1. Monday through Friday, from 2:30 p.m. to dusk.
2. During designated Los Gatos Unified School District Vacation Days, use will be from the time of the opening of the Premises pursuant to the policies and procedures of the Town until dusk.
3. Saturdays and Sundays, from the time of the opening of the Premises pursuant to the policies and procedures of the Town, until dusk.

November 1 to December 31:

1. There shall be no designated exclusive use times. Use may be requested by LGLL through the Town and, granted if the Premises are available.

Baggerly and Balzer fields will remain unlocked and available for public use during LGLL non-exclusive use periods.

4. Los Gatos Little League shall pay the Town of Los Gatos an Annual Use Fee of \$6,600 for the use of the Premises.
5. Los Gatos Little League shall pay the Town of Los Gatos a Facility Maintenance Fee (FMF) for each participant in programs or classes offered by LGLL on Town premises and will be charged four (\$4.00) per class or program.
6. Los Gatos Little League will be responsible for the maintenance of the facilities excluding the parking lots and restroom areas.
7. Los Gatos Little League will pay for half of any Capital Improvements deemed necessary by the Town, with a maximum cap of \$25,000. Los Gatos Little League may make these payments in increments of \$5,000.

CONCLUSION:

Staff is recommending that the Town Council authorize the Town Manager to execute the Use Agreement between the Town of Los Gatos and Los Gatos Little League (Attachment 2).

FISCAL IMPACT:

Approval of the use agreement for the use of Balzer Field and Baggerly Field will result in an annual revenue of \$6,600 and beginning July 1, 2023, and each anniversary thereafter, the Annual User Fee shall be adjusted according to the percent change in the U. S. Department of Labor, Bureau of Labor Statistics Consumer Price Index, All Items, All Urban Consumers, San

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FISCAL IMPACT (continued):

Francisco-Oakland-San Jose, 1982-84-100 Index plus \$4.00 per participant per class or program. Payments will be made to the Town of Los Gatos by the Los Gatos Little League on an annual basis.

ENVIRONMENTAL ASSESSMENT:

The recommended action is not a project defined under CEQA, and no further action is required.

Attachments:

1. Prior Use Agreement
2. Proposed Use Agreement between Town of Los Gatos and Los Gatos Little League.