



**TOWN OF LOS GATOS
PARKS AND SUSTAINABILITY
COMMISSION REPORT**

MEETING DATE:
08/05/2024
Item: 3

DATE: July 16, 2024
TO: Parks and Sustainability Commission
FROM: Nicolle Burnham, Parks and Public Works Director
SUBJECT: Park Use Agreements – Staff Response to Questions from the June 2024
Commission Meeting

RECOMMENDATION:

Receive information about Park Use Agreements – Staff response from the June 2024 Commission meeting.

BACKGROUND:

After receiving the Park Use Agreement report at its June 2024 meeting, the Parks and Sustainability Commissioners provided feedback and had a number of questions that required staff research. This report provides responses to those questions.

Staff brought forward this topic to discuss current practices around Field Use Permits and Use Agreements that are issued by the Parks and Public Works Department.

DISCUSSION:

The following is a response to the Commission's questions.

Question 1. What is the Difference Between Parks Special Use Permit and Use Agreement?

Parks Special Use Permit

An organization planning an event in a park or trail may acquire a Parks Special Use Permit through the Parks and Public Works Department, which is responsible for receiving and approving all Parks Special Use Permit applications.

PREPARED BY: Meredith Johnston
Administrative Technician

DISCUSSION (continued):

A Parks Special Use Permit may be required for some or all of the following elements:

- Use of three or more picnic sites and groups of 100 or more in Oak Meadow Park
- Groups of 25 or more at any of the Town's neighborhood parks
- Organized recreational/class activities
- Vendors or caterers, if an event has more than 100 attendees at Oak Meadow Park

Use Agreement

Use agreements grant organizations access to Town facilities for recreational and educational purposes, contributing to the enrichment of our community. Organizations based within the jurisdiction of Los Gatos, or with most of its participants residing in Los Gatos, may be eligible to obtain a Use Agreement. An organization can approach the Parks and Public Works Department with the desire to enter into a Use Agreement. If it is decided that this is in the Town's and the community's best interest, the Use Agreement and a staff report would go to Town Council for approval. This practice was once common but is no longer the norm in most jurisdictions throughout the Bay Area. It is more common practice that all user groups be required to secure use permits.

Question 2. What is the Term of Use Agreements?

As of July 1, 2022, Los Gatos Little League, and as of July 1, 2023, Los Gatos United Soccer Club and Red Hawks Lacrosse, have entered into a five-year term agreement. This agreement may be extended for up to two additional five-year periods with the mutual written consent of all parties involved.

Los Gatos Saratoga Recreation has a one-year term agreement effective July 1, 2023, with the option to extend the term for up to eight additional one-year periods with the mutual written consent of all parties involved.

Question 3. What would charges be if hourly rates were applied versus the fees charged in the use agreements?

Use Agreement Fees

An annual use fee is paid once a year, and the base amount is set in the use agreements of each organization. The annual use fee is adjusted by the Consumer Price Index (CPI) every year to account for inflation. Table 1 shows the current fees for each use agreement.

DISCUSSION (continued):**Table 1. Summary of Use Agreement Fees**

Username	Annual Use Fee (\$)	Annual Total Use Hours	Annual Fee Per Hour (\$/Hour)
Los Gatos United Soccer	\$21,590	1,865	\$11.58
Red Hawks Lacrosse	\$5,850	253	\$23.12
Los Gatos Little League	\$6,600	1,216	\$5.43
Los Gatos-Saratoga Recreation	\$16,042.50	4,607	\$3.48

Hourly Use Fee

If each group were required to secure hourly permits the total fees would be as shown in Table 2. The hourly rates are adopted by the Town Council in the Comprehensive Fee Schedule and adjusted annually based on CPI. As noted above hourly fees on sports fields for all users are the industry standard for Bay Area park systems.

Table 2. Charges if Fiscal Year 2024/25 Hourly Rates Were Applied

Username	Hourly Use Fee (\$)	Annual Total Use Hours	Hourly Fee Per Hour as Defined in Comprehensive Fee Schedule (\$/Hour)
Los Gatos United Soccer	\$65,275	1,865	\$35
Red Hawks Lacrosse	\$8,855	253	\$35
Los Gatos Little League	\$30,400	1,216	\$25

Question 4. What is the season during which fields are used?

A season is defined as Fall, Winter, Spring, and Summer; however, the majority of organizations conduct practices and games throughout the year.

Question 5. How do other municipalities handle permitting?City of Saratoga

Los Gatos-Saratoga Recreation administers the permits on behalf of the City of Saratoga.

- The hourly rate for Quito-Saratoga Little League's use of Congress Springs Park is \$20.
- See Attachment 2 for Saratoga's Field Use Policy.

DISCUSSION (continued):

City of Campbell

The City of Campbell administers permits and Lease Agreements.

- South Bay Youth Soccer is permitted season to season for use of fields in the Spring and Fall.
- Pony Baseball has a three-year lease agreement for the use of the baseball field at John D. Morgan Park, with an annual fee of \$930 plus CPI adjustments for years two and three.
- See Attachment 1 for Campbell's Field Use Policy.

Question 5. What are some potential strategies for modifying field use permits?

Staff has been considering potential changes and modifications to how the Town's limited sport field resources are managed. Some ideas from staff are below.

1. Priority Policies

Staff is in the process of developing a Field Use policy and would appreciate your feedback. Specifically, staff is interested in understanding what the Commission thinks should be included in such a policy. Please also consider sharing thoughts on what think content is important in a Field Use policy.

- Develop policies that prioritize access for underrepresented or disadvantaged groups.
- Allocate prime time equitably among different user groups to prevent monopolization by any single group.
- To ensure the optimal use of public fields and resources, we will establish clear policies, procedures, regulations, and fee structures. These guidelines will aim to maximize resource utilization fairly and equitably.

2. Transparent Scheduling System

- Implement a reservation system accessible to all members.
- Ensure scheduling decisions are based on clear, equitable criteria rather than first-come, first-served, or preferential treatment.

3. Monitoring and Evaluation

- Set up a system to regularly monitor field use and gather data on who is using the fields.
- Evaluate the effectiveness of policies and make adjustments based on data and community feedback.

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Attachments:

1. Attachment 1 - City of Campbell - Park and Field Use Policy
2. Attachment 2 - City of Saratoga with Los Gatos-Saratoga Recreation Field Use Policy