



**JOINT MEETING BETWEEN THE CITY COUNCIL  
AND PARKS, RECREATION AND ARTS COMMISSION  
SPECIAL MEETING AGENDA  
NOVEMBER 18, 2021  
6:00 P.M.**

**NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH GOVERNMENT CODE SECTION 59453, SUBDIVISION (e) CITY OF LIVINGSTON RESOLUTION NUMBER 2021-71, AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.**

**Given the state of emergency regarding the threat of COVID-19, the meeting will be held via teleconference and in person. Members of the public may call into the teleconference.**

**WE ENCOURAGE ALL MEMBERS OF THE PUBLIC TO PARTICIPATE IN THE MEETING VIA TELECONFERENCE BY CALLING (520) 525-8911. ANY MEMBER OF THE PUBLIC PARTICIPATING VIA TELECONFERENCE WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.**

**PERSONS WHO ATTEND THE MEETING ARE ASKED TO FOLLOW THE CURRENT STATE OF CALIFORNIA PUBLIC HEALTH GUIDANCE.**

*(Some Councilmembers may be participating in the meeting remotely via teleconferencing consistent with the Governor's Executive Order N-08-21.)*

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons requesting accommodation should contact the City in advance of the meeting, and as soon as possible, at 209-394-5544.

*Notice is hereby given that the City Council will hold a Special Meeting on November 18, 2021, at the City Council Chambers, 633 Main Street, Livingston, California. Persons with disabilities who may need assistance should contact the Deputy City Clerk at least 24 hours prior to this meeting at (209) 394-8041, Ext. 121. Any writings or documents pertaining to an open session item provided to a majority of the members of the legislative body less than 24 hours prior to the meeting shall be made available for public inspection by email if requested. Public comments can be submitted via emailed at [citycouncil@livingstoncity.com](mailto:citycouncil@livingstoncity.com). Comments must be received by 2:00 p.m. on the day of the City*

*Council meeting. You will need to provide: Meeting date, name, email and comment (please limit to 300 words or 3 minutes). Please include: PUBLIC COMMENT in the subject for the email. The Special Meeting will begin at 6:00 p.m. Members of the public may address the City Council concerning any item described in this notice and agenda before consideration of that item. No City business other than that described in this notice and agenda shall be considered by the City Council.*

## **Joint Special Meeting**

### **CALL TO ORDER**

Pledge of Allegiance.

City Council Roll Call.

Parks, Recreation and Arts Commission Roll Call.

Changes to the Agenda.

### **CITIZEN COMMENTS**

**MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE CITY COUNCIL OR THE PARKS, RECREATION AND ARTS COMMISSION WILL BE GIVEN THE SAME TIME ALLOTMENT FOR COMMENTS (3 MINUTES) AS NORMALLY ALLOWED FOR MEETINGS SUBJECT TO THE PROVISIONS OF EXECUTIVE ORDER N-08-21**

*At a special meeting, members of the public wishing to address the Council or the Parks, Recreation and Arts Commission for any matter on the agenda may do so at the time the matter is discussed. Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any item not on the agenda. Comments are normally limited to three (3) minutes.*

*Please note that under California Government Code section 54954.3(a) (The Brown Act), Special Meeting agendas need only provide an opportunity for members of the public to directly address the legislative body concerning **any item that has been described in the meeting agenda** before or during consideration of the item. The public will have an opportunity to comment on matters not on the agenda at regularly scheduled Council Meetings.*

### **DISCUSSION AND POTENTIAL ACTION ITEMS**

1. Discussion and Direction on the Parks and Facility Fee Increase, Youth Sports Fee Increases and Non-Resident Fee Adjusted for Youth Sports, Park and Facility Rentals.

### **ADJOURNMENT**

# Fee Policy UPDATE

Presentation 4-22-2021

*Established by Resolution NO. 2008-09 on February 19, 2008*

## **Livingston Parks and Recreation Fee Policy**

### **Purpose:**

Fees shall be charged to the general public, individual and groups, to the extent reasonable to recover all, or a portion of, direct and /or indirect costs associated with the delivery of programs, services or events. Exempt from fees structured by this policy shall be the programs, services or events determined to be basic in nature and thus available to all citizens. The purposes of the fees so generated shall be (1) to obtain revenue to supplement or completely replace maintenance and operational costs, (2) reduce the programs impact on the General Fund, (3) amortize capital investments, (4) enable the department to provide facilities or programs for which funds might not otherwise be available, and in some cases, (5) to provide sufficient revenue to cover costs and provide surplus revenue for expansion of programs and services.

# General Guidelines

Basic services and facilities should be available to the public at no charge and should be and should be totally supported from general fund monies appropriated for the purpose or from a source independent of these funds, such as corporate sponsorships or donated funds. Where possible or desirable, appropriate fees shall be charged for non-basic services and facilities if one or more of the following factors exist:

1. Cost per hour of the service is high. This may be where: The service requires a facility with high capital, operating or maintenance costs; the service requires special preparation or clean-up; the service requires special instruction at extra cost.
2. A fee will expand opportunities for a great number of people, resulting in the least possible individual cost,
3. Use of the service or facility is limited to a relatively few individuals or special interest groups of private character; therefore those who benefit to the exclusion of others should pay something extra for the privileges enjoyed.

4. Public property is used for private economic gain; therefore, the fees charged for use of public recreation facilities by private and closed membership groups should be comparable to commercial rates.
5. Admission to special events where profits are used to extend the activity or cover the cost of the event.
6. Imposition of a fee would serve an independent function such as rationing limited facilities among a large number of users; aiding in discipline and control; promoting respect for activity and/or service.
7. Demand for the service is not a budgeted program or service.
8. Lack of funding prevents program expansion or diversification.
9. Provides an opportunity to offer programs or services that would otherwise not be available through public funds/

# CATEGORIES OF COST RECOVERY

The City of Livingston Recreation Department's objective is to recover as much or all of the direct and /or indirect costs related to the particular programs, activities, services or events. The percentage of recovery for these costs may vary from program to program.

Whenever possible or feasible the Recreation Department will attempt to secure partnerships to help recover costs associated with particular activities or programs.

## **No Cost Recovery**

Basic Services – Unreserved use of park facilities, tennis courts, playgrounds, trails and playing fields.

## **Minimal Cost Recovery**

Service Programs – Pool entrance fees and special events

## **Partial Cost Recovery**

Athletics, special instructional activities, day camps admission and user fees. Non-profit use of facilities.

## **100% Recovery**

Highly specialized programs and special interest groups, permit fees, rental fees and sales revenue. Activities sponsored by business for profit.

# TYPES OF FEES

## **Admission Fees**

Charges made to enter a building, facility, structure, performance, show or special event.

## **Rental Fees**

Payment made for exclusive use of any facility feature or equipment.

## **User Fees**

Non-exclusive use of a facility, participation in and activity or program.

## **Sales Revenue**

Revenue obtained from the operations of concessions and from the sales of Merchandise.

## **Permit Fees**

Permit fees shall mean any written permission issued by or under the authority of Recreation Department, Police Department or City Council.

## **Special Service**

Charges made for supplying extraordinary articles, commodities, activities or Services.



# How do We Determine our fees:

The setting of fees must be tailored to the specific purpose for which they are intended. There are three commonly used methods for determining the fee, or price to be applied to a program, facility or service.

Following are the three commonly used methods:

# Going Rate Pricing

- Determined as a result of comparative surveys conducted with public and private concerns offering the same or similar programs.
- The fee is adjusted based upon market position, revenue requirements and economic variables associated with the client base.
- This process is simple and generally well accepted by the public.

# Demand Oriented Pricing

- This is where an organization proposes a price, which it feels, will be accepted by most patrons and then determines the actual cost of the program.
- Occasionally, the revenue generated is greater than the cost, so excess revenue is/can be generated.
- This method allows the department more flexibility in its pricing structure.

# Variable Cost Pricing

- This procedure is most commonly used of the cost based methods.
- With this method, the total variable cost is divided by the total number of participant to get the fee. Since the number of participants determines the ultimate price.
- The more popular the program is the less the department will have to charge participants.

# Differential Fees and Fee Waiver

A differential in fees for special situations and groups may only be determined by the City Council or City Manager. Examples of special situations are as follows:

- Special non-profit groups/organizations, schools or organizations providing a free service to the community identified by the Recreation Department may be granted special consideration in the form of reduced rates or free services.
- Due to limited income, special rates may be determined for the use of a facility or participation in a Recreation sponsored program on a case by case basis.

# DETERMINATION OF FEES FOR FACILITIES AND EQUIPMENT RENTALS

## **Class I**

Recreation or City sponsored or co-sponsored activities

## **Class II**

Resident non-profit organizations such as Community leagues (51% verified residents) or service organizations, student organizations, Livingston Churches or schools conducting a community fundraiser for community purpose or benefit.

## **Class III**

Individual residents or resident groups conducting classes, activities or parties. Private groups that have select memberships and/or specific intent, i.e. employee clubs, corporations, company picnics, family picnics and or reunions.

## **Class IV**

Non Resident individuals or groups. (Not residing in the City of Livingston)

## **Resident/Non-Resident Description**

Must have a Livingston address or live within the Livingston School District boundaries to be considered a Livingston Resident.

## **Resident Team Description**

Being sponsored by a Livingston company or business does not make a team a resident team. A resident team is made up of 75% 51% residents. Verification may take place in this way, player must provide a Livingston address that can be verified through the city utility billing along with a copy of a current form of id listing the same address. If they do not reside in the city limit but are in the Livingston School District or Livingston High School boundaries, a Current ID and a utility bill must be provided. Teams not providing this identification will automatically be categorized as a non-resident team.

# Priority of User Groups

1. Programs and services provided by the Recreation Department. Will have first priority. These programs include recreation sponsored sports, contract classes, after school recreation, Drop in Recreation, summer youth camps and special events.
2. Student and Civic Organizations, registered with the City of Livingston, will have second priority.
3. Community Leagues scheduled by the Recreation Department will have third priority, A community league is defined by ~~75%~~ 51% of its members are Livingston residents. It will be the responsibility of Community Leagues to coordinate with the Recreation Department for the use of the Fields on a semester basis. Community Leagues will be responsible for any equipment set up/take down and for any special repairs and/or maintenance needs due to their use of the fields.
4. Individual residents of Livingston will have fourth priority. This would include athletic and academic camps, personal activities or parties.
5. Outside groups (non-resident) will have fifth priority. This would include any group/individuals not affiliated with the City of Livingston.

# Proof of Residency Required

## **Livingston Residents**

Must live within the city boundaries or Livingston school district boundaries and must bring in a current California ID or Drivers licenses and a utility bill with users name on it.

## **Community League**

Must bring in rosters of their teams with copies of the necessary verification to prove the number of residents, a current California ID or Drivers licenses and a Livingston utility bill with users name on it to the Recreation Department. Coaches reserving fields must also bring in their league identification.

## **Civic, Service and Student Organizations**

Must bring in organization identification.

## **Schools**

Must show proper identification



# League Facility Reservation Process \*\*NEW\*\*

League field use will be done on a semester base as stated in this policy. The deadlines are as follows:

January, February, March use – Deadline is December 15<sup>th</sup>

April May, June use – Deadline is March 15<sup>th</sup>

July, August, September use – Deadline is June 15<sup>th</sup>

October, November, December use – Deadline is September 15<sup>th</sup>

Field use reservations must be accompanied by a deposit, insurance and rosters with required identification and the first 30 days of use. NO EXCEPTIONS. The reservation paperwork and fees will secure your reservation. If deadlines are not adhered to, the status of your league (resident/non-resident) will not be given priority. If field use is for 3 months the city will take monthly payments ahead of use. If payments are not made then use will be denied. If proof of residency is not provide a league will automatically be categorized as a non-resident team. **Any league caught falsifying information will be suspended from field use with no refunds. Date Changes will result in a \$5 administration fee.**

# Updated Fields and Facilities Available

## *Fields/Courts*

Livingston Sports Complex which includes 1 lit soccer playing field, 2 baseball/softball fields, restrooms.

Alvernaz Baseball Field has one lit baseball field with restroom facilities.

~~Arakelian park ball field small field with 50 foot bases, restrooms~~

## *Facilities*

~~Recreation Center has a large room with full service kitchen and restroom, chairs and tables available.~~

Swimming pool located at Livingston High School non heated pool with restroom facilities.

\*Walnut Child Care Center large room in the meeting area of the center seats about 50 has chairs available and no tables

## *Parks*

**Memorial Park** lots of grass, covered picnic areas, large trees, BBQ pit, covered stage, playground and restroom facilities. \*Full Service kitchen with a cover bbq pit and sink.

**Arakelian Park** lots of grassy areas, picnic areas, trees, small ball field \* 9 hole Frisbee golf course and restroom facilities.

**Lucero Park** grassy areas, trees, small playground and picnic areas.

## \*Below are additions since 2008

**Max Foster Sports Complex** has a lit full size soccer field, 3 lit 82 feet basketball courts, 3 baseball/softball fields, 1 covered picnic shelter with a bbq pit, 2 restroom buildings.

**Joseph Gallo Park** has 3 small picnic shelters, a paved walking path, playground, restrooms and lots of open shady space.

**Don Meyer Park** has grassy areas, trees, small playground and picnic areas.

**Fred Worden Park** has grassy areas, trees, small playground and picnic areas.

**Singh Park** has grassy areas with trees and several picnic tables.

# Refunds

## Program, Class and Facility Rental Refunds

The City of Livingston Recreation Department will issue refunds as follows:

- 1 week prior to the starting of a program or class a statement is issued in writing by the person who registered the individual, the student will not be participating in the program that they were registered for.
- Once a program starts no refunds will be issued. If a refund is issued a \$5 processing fee will be deducted from the refund. No exceptions.
- If a refund is requested on a facility this must be in writing 10 days prior to usage. A \$5 processing fee will be deducted from the refund. No exceptions. A receipt must accompany all refund requests.
- All refunds upon approval, for rentals and programs will be issued and returned within 30 days.

# Deposits

Deposits will be returned on facilities once the department has determined that the facility was left clean and no damage was sustained by the renter. This is done with a sign off sheet given by the staff assigned to check the facility. After this determination the deposit will be returned minus damage or clean up fees if applicable within 30 days.

# Fee Collection

All fee collection and rental fees will be collected by administrative personnel at City Hall prior to the beginning of class, rental or event unless specifically stated in contract or advertisements. Class fees paid after the 5<sup>th</sup> of the month shall have a \$5 late fee attached. Continuous late payment shall jeopardize the participation in the class.

# Fee Adjustments

Fees may be subject to change due to increases in costs associated with the program facility or services

# Class Non-Resident Fee **\*\*NEW\*\***

## **CLASS NON-RESIDENT FEE**

All classes and sports programs shall have an additional \$5 fee for non-resident students or players.

# FACILITY/FIELD RESERVATION PROCEDURE

Any community or individual group may request use of the fields by submitting a Facility Use Application to City Hall for the Recreation Department approval.

Steps for reserving a facility/field:

1. Complete and submit a “Facility Use Application” at least two weeks prior to the event but not more than 8 weeks of the event date. These may be picked up at City Hall. It is strongly recommended that outside groups or applications for large events begin communication with the recreation department no less than one month prior to the event.
2. The request will be reviewed, and in most cases a response will be made in 48 hours. It may require several days to work out all of the necessary details. No request will be processed without the Recreation Superintendent’s approval.
3. A copy of the request with the decision will be returned, if approved a deposit may be required, and full payment must be made 10 days prior to the usage. Approved usage request with proof of payment must be brought to the facility/field at the time of usage.
4. Planning meetings between the event organizers and the Recreation Department may be required.\*\*NEW PROCESS FOR LEAGUES STATED EARLIER\*\*



# Park and Field Rules

Licensed dog on a leash are allowed in park when no City events are scheduled

Owners are responsible for their dogs and waste and safety of others

No Pets/Animals during City-sponsored events

No Alcohol

No Glass Containers

No Littering

No Smoking

No Golf

No Vehicles allowed on the fields or in the Parks

Use of play equipment & facilities is at your own risk

No unauthorized sale of merchandise

Park Hours are 6am to Dark

Livingston Municipal code 9-8-1

# Recreation Staff Facility/ Field Management Information

## **Inclement Weather**

The Recreation Department reserves the right to cancel games/reservations due to inclement weather.

Monday through Friday Recreation Staff will meet at approximately 2 pm to discuss playing conditions. Facility staff will park staff to make the opening or closing decision. Residents may check the Field Closure hotline after 3pm at (209)394-1900 or check on the Recreation page at [www.livingstoncity.com](http://www.livingstoncity.com)

Assigned field and/or site managers will have the responsibility of determining whether or not to start activities after 5pm, on weekends and at other times.

Full time staff members for the program areas involved will consult with the assigned supervisor during nights and weekends as requested.

The assigned field and or site managers have the responsibility to cancel activities due to weather conditions or noticeable field damage after play has started.

# Security and Safety

- Restrooms will be opened by staff as necessary to accommodate Recreation programs. The recreation department staff will close the restrooms at the conclusion of their activity.
- Each program will be responsible for opening and closing and re-stocking restrooms on weekends.
- Each program is responsible for periodically checking the restrooms while their program is in progress.
- Bicycles are not allowed on the fields.
- Field or onsite managers are responsible for enforcing field policies.
- If there is a safety concern a maintenance request form must be filled out and turned in to the recreation Department. This will then be turned into the appropriate supervisor.

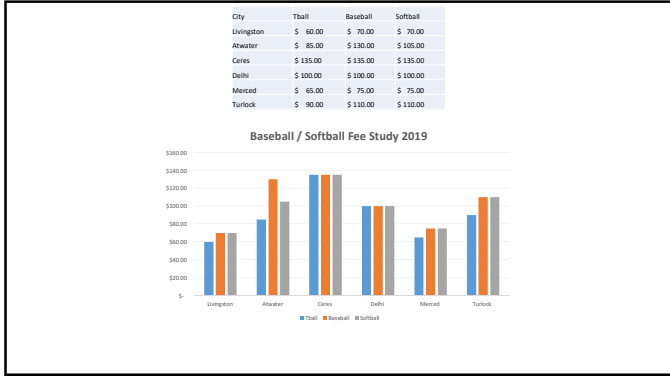
# Housekeeping

- Restrooms will be cleaned and restocked each morning by Recreation Staff.
- Report any problems with the field, Snack Bars, Restrooms or adjacent grounds to the appropriate supervisor.
- It will be the responsibility of each program supervisor to check/clean restrooms adequately during the course of their activity. Hourly checks are expected.

# Facility Management

- Field usage may be denied at anytime for an undetermined period to allow the field to rest.
- Play will not be allowed after 10pm during the winter and fall months and after 11pm during the spring and summer months.
- Participants are expected to assist in litter clean-up after play. Please coordinate clean up with the groups under your supervision.






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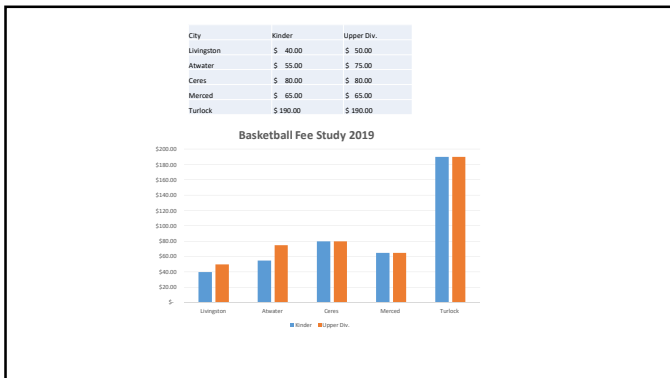
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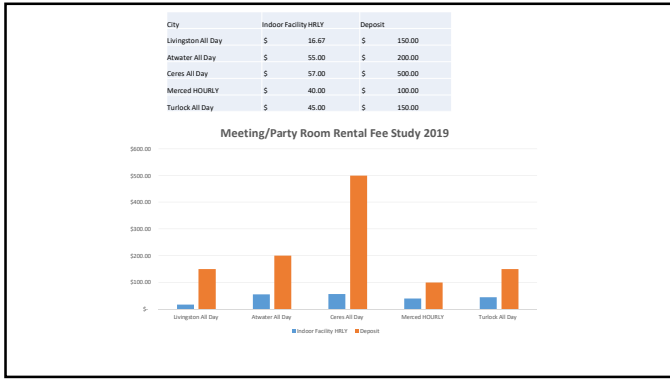
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What do we do with this information?

- Our Goal will be to make the department at least cover its costs and make less of an impact on the General Fund.
- To make fee recommendations to the City Council for adoption.

Three ways to do this:

- One to raise fees
- Two is to cut expenses (scale back on programing and give aways)
- More Fundraising and or sponsorships for subsidizing programs.

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Homework

- Study the Fee Survey
- Fill in the chart with price recommendations
- Conduct a survey among peers with the following questions:
  - How do you feel the Recreation Fees in Livingston Compare to other communities
    - High than other communities
    - About the same as other communities
    - Lower than other communities
  - If changes had to be made to the youth sports programs and the options were
    - Scale back on what you get for your fee to help cover costs
    - Eliminate the program
    - Raise the fee to help cover the costs

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How will this help us?

- Studying the survey will educate you on the pricing of our programs and rentals
- The Survey to your peers will give us insight to the communities view on our prices and their abilities financially.
- Back up when we present to the council our recommendation

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