



COUNCIL AGENDA: 04-19-05

ITEM: 53

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Sara L. Hensley

**SUBJECT:** SPARTAN LITTLE LEAGUE  
AGREEMENT

**DATE:** 04-08-05

Approved

Date

4.11.05

**Council District:** 7  
**SNI Area:** N/A

## RECOMMENDATION

It is recommended that City Council:

1. Approve a resolution authorizing the City Manager to negotiate and execute an agreement with Spartan Little League to operate the concession building and to use the associated ball fields at the Tully Community Ball Fields from March of 2005 through March of 2007.
2. Approve a resolution establishing a maintenance fee in the amount of \$6.38 per hour of field use for Tully Community Ball Fields with provisions for a reduction of the fee in exchange for limited "in lieu" services.

## BACKGROUND

On June 11, 2002, the City Council approved the Tully Road Multi-Use Facility Master Plan. The plan called for the development of approximately 11 acres located on the southwest corner of Tully Road and Kenoga Drive. The Master Plan elements included a 25,000 square foot library; five ball fields, trail segment, concession building, maintenance facility, parking and landscaping.

The Tully Community Ball Fields opened for use on March 27, 2004 and consists of approximately seven acres of development including one major little league field, one minor little league field, one softball field, and two T-ball fields. In addition, the site features walkways, a small maintenance support building, concession building and associated landscape and parking.

Under agreement with the City, the County of Santa Clara provided approximately \$1.5 million in support of the development of the ball fields, as part of the closure of County fields used by Spartan Little League. Spartan Little League occupied the site during the months of March through July of 2004 under a Special Park Use permit. It is common for the Department of Parks, Recreation and Neighborhood Services (PRNS) to contract with little leagues if the league intends to utilize concession buildings on City sites. Contracts currently exist with North Valley, Willow Glen and Lincoln Glen Little Leagues. Negotiations with Spartan Little League to utilize the fields and concession building during the 2005 little league baseball season have been ongoing since April of 2004.

On May 27, 2004, the informational memorandum titled "Little League Ball Field Use" was provided to Council. The proposed agreement is consistent with the direction established in the May 27, 2004 memorandum related to increased participation of Little Leagues and other significant sports fields users in the maintenance of such facilities.

### **ANALYSIS**

The proposed agreement calls for the payment of field reservation fees of \$1.00 per hour of field use per the current adopted fee resolution. In addition, the agreement calls for the payment of maintenance fee at a cost of \$6.38 per hour of field play. This fee represents the maintenance cost to the City to deliver one playable hour of field use at the Tully site and is consistent with the proposals in the Little League Field Use memorandum described above. The agreement allows Spartan Little League to provide maintenance services as a way to offset the maintenance fee. The maintenance responsibilities that Spartan Little League may perform include custodial maintenance of the concession building and restrooms during days of use, litter pick-up and trash removal, maintenance of infields, mowing along fence lines, weed removal on the fields and perimeter areas and more. A version of this model was successfully employed during the 2004 little league season.

In order to facilitate the fee structure proposed above, PRNS is asking Council to approve a resolution approving the establishment of a maintenance fee of \$6.38 per hour of field use for Tully Community Ball Fields. The resolution will allow for Category I users of ball fields (predominantly nonprofit Little League type organizations) the option of providing minor levels of "in lieu" services in exchange for a reduced fee of \$3.00 per hour of field use. Long term users such as Spartan Little League may be given the option of providing "in lieu" services to a greater extent, leading to a reduction of the entire fee as outlined above. An agreement similar to the proposed one with Spartan Little League would be required. The generation of additional revenues will help offset the costs of maintenance of the facility.

The maintenance activities of Spartan Little League would supplement the maintenance activity of the City during the months the league is actively using the fields (March through July). City staff would continue to mow the majority of the site, provide irrigation repair and monitor and service the facility on days that Spartan Little League is not active. On dates the league is not active during their playing season and during the league off-season, the City retains the right to program and use the facility.

The proposed agreement calls for the payment of \$1,000 or 15% of net revenues (whichever is greater) per year from the operation of the concessions on the site for a period of two years. The proposed agreement allows Spartan Little League and the City to extend the term of the agreement for an optional third year by mutual agreement, subject to the payment of the greater of 20% of net revenues from the concessions operation or \$1,000 paid to the City, plus payment of the then in effect fees and charges for use of the fields. The maintenance fees paid by Spartan Little League are consistent with those that PRNS intends to propose for the Parks, Recreation and Neighborhood Services Fees and Charges Resolution for the 2005-2006 fiscal year for Tully Community Ball Fields.

### **OUTCOMES**

As a result of the approval of the requested Council actions, Spartan Little League will be granted operational rights to the concession building and use privileges at the Tully Community Ball Fields for a specific period each year of the agreement. League maintenance activities will support maintenance work and offset the increased staffing needs at the facility during the period of active league use (March through July) annually.

### **PUBLIC OUTREACH**

Not applicable.

### **COORDINATION**

This agreement has been coordinated with the City Attorneys' Office, Risk Management, Budget Office and the District 7 Council Office.

### **CEQA**

Mitigated Negative Declaration, File No. PP02-04-080.

### **COST IMPLICATIONS**

No negative impact to the General Fund is anticipated as a result of these negotiations.



SARA L. HENSLEY  
Director of Parks, Recreation and  
Neighborhood Services