

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**NOVEMBER 20, 2012 AGENDA**

| <b>Subject:</b>  | <b>Type:</b>                              | <b>Submitted By:</b>                |
|------------------|---|-------------------------------------|
| FIELD USAGE FEES | ◆ DISCUSSION<br>ORDINANCE<br>RECEIVE/FILE | SCOTT STOPAK<br>RECREATION DIRECTOR |

**SYNOPSIS**

During 2012 representatives from the La Vista Panthers baseball program attended two City Council meetings with various requests relative to the reduction of field usage fees. In response, the Council asked for some information, which is included below. Also included is an update regarding ongoing efforts to bring the Panther program under the City's jurisdiction.

**FISCAL IMPACT**

A reduction in the amount of the field usage fees for some teams would result in a loss of revenue to the City. The charts attached indicate the potential loss of revenue for field usage as well as lost revenue in other areas if residents in the City's ETJ are not required to pay non-resident fees based on the same criteria proposed in the field use policy supported by the Panthers. (*Two Council Members asked for that information.*)

**RECOMMENDATION**

It continues to be the recommendation that one field usage fee be maintained for all non-City sponsored teams regardless of residency. That fee is currently \$40 for two hours of usage.

**BACKGROUND**

The Panthers Baseball Club is a private baseball program that has existed for several years. This organization has routinely used La Vista's fields for practices and games, paying the rate established by the City Council for field usage. Originally, field availability was not an issue but as both the City sponsored programs and other outside private programs grew, requests for field usage increased and scheduling became more challenging.

As far back as 2008, talks were being held with the Panther organization regarding the possibility of their program coming under the umbrella of the City Recreation Department. Being under the City's jurisdiction would give them priority scheduling for field usage (*City sponsored teams are given preference*) and they would not have to pay for fields. This would be included in the program registration fee as it is with all other City-sponsored programs.

The Panthers determined they did not want to come under the City's jurisdiction and would continue to remain a private club and pay for the use of La Vista's fields, competing with other private organizations for field time. (*Note: The Recreation Department has always worked very closely with the Panther organization on field usage and scheduling even though they are a private club.*)

On October 8, 2008 the Panthers asked the Park and Recreation Advisory Board to designate their organization as the primary private club for baseball in La Vista in order to give them preference for field usage over other private clubs. Their request was based on the fact that demand for fields had increased, the organization served primarily La Vista area youth and the group had a long-term relationship with the City. The Park and Recreation Advisory Board agreed and made that recommendation to the City Council. During this same time the Recreation Department continued to work with the Panthers in an effort to bring them under the City's jurisdiction. In November 2008, the Panthers communicated to the Recreation Department that they were not interested in merging with the City, at least for the 2009 season.

On January 20, 2009, the City Council considered the recommendation from the Park and Recreation Advisory Board and ultimately tabled the item, stating the issue should be returned to the Advisory Board to determine recommended criteria for a "Primary Private Club" designation. Council also suggested that the club continue to work with the Recreation Department on a merger. They asked that a timeline be developed indicating the steps that would be necessary to achieve such a merger. Randy Cahill from the Panther organization was in attendance and agreed to additional discussion with the Recreation Department.

Discussion continued with the Panther representatives over the next several months in an attempt to reach a compromise and bring them under the City's jurisdiction. These discussions ultimately resulted in the Panthers again declining to agree to a merger.

Since that time the Panthers have continued to operate as a private club and pay field usage fees to the City. In October of 2011 field usage fees were increased from \$30/\$40 for resident/non-resident teams to \$40 for all non-City sponsored teams for two hours of time. This increased was proposed due to the difficulty in determining what constituted a resident team versus a non-resident team and an increase in the number of teams with only one or two players from La Vista claiming the resident team status.

In February of 2012 representatives from the Panthers organization again approached the City Council asking for a reduction in the fees. They presented information compiled from surrounding communities to indicate that field usage fees were lower in some other cities. They specifically referenced Papillion where the City "recognizes" certain teams and gives them reduced fees.

Council directed that staff review the report and provide any additional information or necessary clarifications. Recreation Department staff researched all of the information presented and concluded that Papillion's Recreation Department does not offer the same programs as the City of La Vista and as a result compensates for that by "recognizing" certain organizations as being associated with the City. In most other cases the fees are comparable to La Vista's. Some cities charge additional fees for lights and La Vista provides a much higher level of field maintenance services than virtually all of the other cities in the comparison.

This information was given to Council at the May 1, 2012 meeting with a recommendation to establish a single field usage fee for all non-City sponsored use regardless of residency (*copy of the May 1, 2012 staff report attached*). No determination was made at that meeting as staff was directed to look at a proposal that would show the fiscal impact of reducing the current field usage fee for teams that met specific criteria to \$20 for two hours and changing the current field usage policy to mirror the City of Papillion's policy. (*Papillion's policy offers reduced field usage rates to teams with 80% of their members being either residents of the City or attending school in the Papillion-La Vista School District.*)

In addition, the Mayor had been approached to meet with Panther representatives again to determine whether a compromise could be reached that would bring them under the City's jurisdiction. On August 15, 2012 a merger proposal was submitted to the Panthers (*copy attached*). Subsequently, the Mayor and staff have had

several discussions with representatives of the Panther organization. Every issue they have identified as a reason for not wanting to merge with the City has been addressed. On October 10, 2012 staff received a notice of refusal regarding a merger.

At this time staff is recommending that field usage fees for all non-City sponsored teams, including the Panther organization, remain consistent with the Master Fee Ordinance, which is \$40 for two hours. Every effort has been made to work with this group; however they obviously want to remain a private club and should be treated as such.

Attachments: Field Usage Revenue Comparisons (2)  
Proposal for Panther Merger with City of La Vista (Yellow Sheet)  
May 1, 2012 Agenda Item on Field Usage Fees

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The chart below indicates the revenue that would have been lost if field usage fees were reduced to \$20 for two hours and residency was established using criteria similar to Papillion (anyone who lives in the city or attends the Papillion-La Vista School District is considered a resident).

| <b>Field Usage Fees</b>                              |  |  |  |  |                 |                   |
|--|--|--|--|--|-----------------|-------------------|
|  |  |  |  |  | <b>FY 2012</b>  |                   |
|  |  |  |  |  | (\$20)          |                   |
| Total Revenue Lost from Panthers                     |  |  |  |  | <b>\$3,700</b>  |                   |
| Total Potential Revenue Lost from Other Sports Teams |  |  |  |  | <b>\$10,000</b> | <b>* Estimate</b> |

The chart below indicates the revenue that would be lost on other programs if the same residency criteria were to be applied.

| <b>Other Programs</b> |  |  |  |                     |  |  |
|-----------------------|--|--|--|---------------------|--|--|
| Library Memberships   |  |  |  | <b>\$ 7,700.00</b>  |  |  |
| Pool Memberships      |  |  |  | <b>\$ 900.00</b>    |  |  |
| Recreation Programs   |  |  |  | <b>\$ 2,715.00</b>  |  |  |
|                       |  |  |  | <b>\$ 11,315.00</b> |  |  |

**Total Potential Loss of Revenue - \$25,015**

### Field Usage Fees - Actuals

|   |  |  |  |  |  | FY 2011      |  | FY 2012      |   |
|---|--|--|--|--|--|--------------|--|--------------|---|
|   |  |  |  |  |  | (\$30/\$40)  |  | (\$40)       |   |
| Total Revenue Collected   |  |  |  |  |  | \$ 32,677.00 |  | \$ 33,655.00 | * |
| * Panthers still owe \$1,890.00 for 2012 based on the \$40 fee which would make total |  |  |  |  |  |              |  | \$ 35,545.00 |   |

Conclusions: Increasing the field usage fee to \$40 resulted in an increase of only \$2,867 in revenue.

This would indicate that the majority of the fees collected in FY 2011 were already at the higher rate of \$40.

## **City of La Vista Proposal for Panthers Select Baseball Program Merger**

As a youth sports provider, the La Vista Recreation Department offers many benefits to youths and families in La Vista. By merging with the City, the La Vista Panthers would become the City's exclusive select baseball program and enjoy the associated benefits. The following outlines the City's merger proposal:

### **City's Role & Responsibilities**

1. The La Vista Panthers will be recognized as the City's Select Baseball program. As such, the City will advertise and market the Panthers in all City marketing materials including direct mailings, newsletters, website and social media<sup>1</sup>.
2. Field usage will be provided at no cost to the Panthers.
3. Registration and fee collection would be administered by Recreation Department staff, the same as all other City sponsored programs.
4. Registration fees will be used to purchase equipment and uniforms as well as pay for umpires, tournament, and league fees.
5. The Panthers will have field priority status alongside other La Vista Recreation teams. (*Panthers will continue to book games and practices prior to the season as they have the past*). The Recreation Department will determine how much field time can be provided to accommodate the La Vista Panthers Select teams and the City's other recreation teams. Staff will work directly with Panther representatives on this and notify them well in advance of the season regarding the fields and times available to them.
6. The Panthers will have access to the Community Center free of charge to hold team meetings. All meetings must be scheduled in advance.
7. Free use of the swimming pool for an end of season team swim party.

### **Panther Organization Role & Responsibilities**

1. The Panthers will be responsible for choosing all of their own coaches as long as the coaches pass a City issued background check and the City has had no prior issues with that individual.
2. The Panthers will continue to schedule games and tournaments as they have done in the past. The number of games and tournaments played each season will be determined by the funding collected in registrations and any additional funding provided from outside sources. (City staff and Panther representatives will consult in June of each year to determine an appropriate fee recommendation for the City Council).
3. If the Panthers choose, they may form a Booster Club in order to raise funds to offset or defray the cost of registration.
4. The Panthers will not be required to maintain a certain percentage of players from La Vista. Any player who attends tryouts and makes a team will be eligible to play. Players, who do not make a team, will be offered a spot on one of the City's other youth recreation baseball teams.
5. The Panthers will work directly with designated Recreation Department staff to provide immediate and ongoing feedback and assistance to ensure that the select baseball programs run as smoothly as possible and issues are addressed in a timely manner.

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<sup>1</sup> Anticipate adoption of social media policy in Fall 2012

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MAY 1, 2012 AGENDA**

| <b>Subject:</b>  | <b>Type:</b>                              | <b>Submitted By:</b>                |
|------------------|---|-------------------------------------|
| FIELD USAGE FEES | ◆ DISCUSSION<br>ORDINANCE<br>RECEIVE/FILE | SCOTT STOPAK<br>RECREATION DIRECTOR |

**SYNOPSIS**

Representatives from the La Vista Youth Baseball Association (La Vista Panthers) attended the February 21, 2012 City Council meeting to request that Council consider reducing the City's field use fees. Council directed staff to prepare a response to their presentation which is attached and being presented for discussion.

**FISCAL IMPACT**

Field usage fees are \$40.00 for two hours of use by any non-City of La Vista sponsored team.

**RECOMMENDATION**

Review level of service provided and usage fees to determine appropriate levels of both. It is further recommended that a single fee be established for all non-City sponsored use regardless of residency. Field use fees for baseball, softball, soccer and flag football generated \$32,677.00 in FY11.

**BACKGROUND**

As noted in the synopsis, the La Vista Panthers, a private youth baseball program not affiliated with the La Vista Recreation Department, has requested a reduction in their field usage fees. At the February 21, 2012 City Council meeting representatives of the program presented Council with information obtained through their research of neighboring communities.

Council directed staff to review the documentation in order to ensure like comparisons and provide additional information if necessary. The results are identified in the following documents:

- 2012 Preparation Information & Summary of Neighboring Jurisdictions (Narrative)
- 2012 Baseball/Softball Field Fee Comparison
- 2012 Field Preparation Costs

**City of La Vista**  
**Field Preparation Information &**  
**Summary of Neighboring Jurisdictions**  
**2012**

At the February 21, 2012 City Council meeting the La Vista Panthers, a private youth baseball program addressed the Mayor and Council about the City's field usage fees. Specifically, they have requested a reduction in their field usage fees.

The City has always strived to provide its citizens with quality opportunities for recreation and as a result, the Recreation Department offers a variety of youth and adult sports. Upon registering for a City sponsored sport team, the registrants receive a variety of services including equipment, uniforms, game scheduling, paid officials and practice/game field usage. Both the practice fields and the game fields are maintained on a daily basis.

Non-City sponsored private programs requesting to utilize City fields are charged a usage fee of \$40.00 for two hours for games or practices. This covers only a portion of field up-keep costs, which includes bases, pitching rubber, home plate, dragging, chalking and mowing, as well as restroom facilities, lights, fertilizing, pest control, employee salaries and benefits. The City's costs are estimated at approximately \$80.17 per field per day.

It is difficult to compare La Vista's field usage fees with fees charged by other cities and private clubs, because of the significant differences in services. While the usage fees identified in the La Vista Panthers 2012 report for surrounding area fields appear to be accurate when looking at the various websites, after conducting further research and personally contacting directors of these different organizations, it has been determined that the fees stated on-line do not represent the actual fees charged. The actual fees charged are much closer in alignment with the City of La Vista fees. Following is an explanation of the differences in fees and services. Also included is a Baseball/Softball Field Fee Comparison chart.

**City of La Vista**

- Provides fields for non-City sponsored (private) teams at a fee of \$40/2 hours for practices and games.
- Fields are maintained on a daily basis by our Public Works Department.
- Maintenance includes regular mowing, fertilization, pest control, dragging and chalking.
- Lighting, bases, pitching rubbers and home plates are provided by the City.
- Restroom facilities are provided and maintained by the City.

**City of Omaha**

- Provides fields at a fee of \$60/2 hours for games, and \$7.50/hour extra for usage of field lights.
- Provides fields at a fee of \$5.00 per practice.
- Practice fields are dragged a maximum of once per week.
- Grass is mowed on an as-needed basis.
- Bases, pitching rubber and home plates must be provided by the individual teams who use the field for practices.
- Restroom facilities are not available at all fields.

- Fields are maintained by the City.

#### **Millard Athletic Association (MAA)**

- MAA is a private youth sports league.
- MAA sublets fields from the City of Omaha at a rate of \$2.50/hour.
- MAA sponsored teams have unlimited usage of fields for games and practices at no charge.
- Non-MAA sponsored teams pay MAA a usage fee of \$55 per game.
- MAA is responsible for the maintenance and upkeep of the fields.

#### **City of Council Bluffs**

- Council Bluffs Recreation Department teams are charged \$4/hour for practices which is in addition to the registration fees. (Games are included in registration).
- Non-recreation department teams are charged \$14/hour for practices; \$50/day for games, and an extra \$30 for lights.
- Fields are maintained by the City.

#### **City of Bellevue**

- City of Bellevue does not charge for practices or games for Bellevue Recreation Department teams.
- For private teams, the City of Bellevue charges \$25 for practice or games, plus \$25/hour for lights.
- Fields are maintained by the City.

#### **City of Papillion**

- Offers limited recreation youth sports as soccer, baseball, and softball are provided by PRO (Papillion Recreation Organization).
- Follows an "80/20" rule. If your team is 80% Papillion residents and/or Papillion-La Vista school district students, the team will be a "recognized" team.
- Recognized teams pay a fee of \$2 per child per year for Papillion residents/students.
- Recognized teams pay a fee of \$10 per child per year for non-residents/students.
- Non-recognized teams pay a fee of \$40/2 hours for field usage.
- Fields are maintained by the City.

#### **City of Gretna**

- Does not provide any recreation department sports.
- City owned fields available for use by private youth sport clubs.
- City does not maintain any of the fields.
- Maintenance is entirely the responsibility of the private clubs.

**CITY OF LA VISTA**  
**Recreation Department**  
**Baseball/Softball Field Fee Comparison**  
**2012**

|  | <b>City of<br/>La Vista</b> | <b>City of<br/>Omaha</b> | <b>Millard<br/>Athletic Assoc.</b> | <b>City of<br/>Council Bluffs</b> | <b>City of<br/>Bellevue</b> | <b>City of<br/>Papillion *</b> | <b>City of<br/>Gretna</b> |
|--|-----------------------------|--------------------------|------------------------------------|-----------------------------------|-----------------------------|--------------------------------|---------------------------|
| ** Recreation Dept. Sponsored Teams - Practices          | \$0.00                      | n/a                      | n/a                                | \$4.00                            | \$0.00                      | n/a                            | n/a                       |
| ** Recreation Dept. Sponsored Teams - Games              | \$0.00                      | n/a                      | n/a                                | \$0.00                            | \$0.00                      | n/a                            | n/a                       |
| ** Non-Recreation Dept. and/or Private Teams - Practices | \$40.00                     | \$5.00                   | \$55.00                            | \$14.00                           | \$25.00                     | \$40.00                        | n/a                       |
| ** Non-Recreation Dept. and/or Private Teams - Games     | \$40.00                     | \$60.00                  | \$55.00                            | \$50/Day                          | \$25.00                     | \$40.00                        | n/a                       |
| Recognized Teams - 80/20 Rule                            | n/a                         | n/a                      | n/a                                | n/a                               | n/a                         | \$2.00/\$10.00                 | n/a                       |
| Non-Recognized Teams                                     | n/a                         | n/a                      | n/a                                | n/a                               | n/a                         | \$40.00                        | n/a                       |
| ***Lighting (per hour)                                   | \$0.00                      | \$7.50/hr                | \$0.00                             | \$30.00                           | \$25.00/hr                  | \$0.00                         | n/a                       |
| Maintenance/Field Prep Responsibility                    | City                        | City                     | M.A.A.                             | City                              | City                        | City                           | Private Clubs             |

Field Usage (per 2 hours unless otherwise stated)

\* City of Papillion bases their fees on resident/non-resident and school district affiliation for "recognized teams" and "non-recognized teams"

\*\* Some cities are without recreation dept. youth sports, and allow private club teams to utilize and manage fields.

\*\*\* City of La Vista lighting is built into the registration and/or fee.

**CITY OF LA VISTA**  
**Recreation Department**  
**Baseball/Softball Field Preparation Costs**  
**2012**

|                                      | <u>Per Field</u> | <u>Totals</u>  |
|--------------------------------------|------------------|----------------|
| Parks Salary/Benefits                | \$40.27          | \$40.27        |
| PT Labor                             | \$21.50          | \$21.50        |
| Rec Salary/Benefits                  | \$6.24           | \$6.24         |
| Material (fertilizer/insect control) | \$0.08           | \$0.08         |
| Utilities                            | \$0.30           | \$0.30         |
| Aggregate/Chips/Paint                | \$0.94           | \$0.94         |
| General Maintenance-Labor            | \$6.76           | \$6.76         |
| GM-Materials                         | \$0.15           | \$0.15         |
| <u>Equipment</u>                     | <u>\$3.91</u>    | <u>\$3.91</u>  |
| <b>Total</b>                         | <b>\$80.17</b>   | <b>\$80.17</b> |