

# Sports Organization Utilization Agreements



PARKS AND RECREATION DEPARTMENT  
CITY OF DEER PARK



# Background overview

- ▶ What is a sport organization utilization agreement?

*An agreement to establish a mutual understanding and working relationship between various organizations and the City.*

- ▶ Why do we need an agreement?

*This agreement for the use of athletic facilities is designed to ensure that athletic facilities owned and/or operated by the City of Deer Park are utilized efficiently and safely.*

# Background overview

## ► History

### ► Prior to 2009

- Agreements did not allow select teams
- Agreements limited field usage
- Agreements vague and responsibilities not established

### ► 2011-2013

- Process began to review agreements and provide clarification
- Select teams allowed to utilize fields with restrictions
- In-lieu statement and fee structure established
- Organizations were invited to meet monthly to go line by line through agreement

### ► 2013-2016

- City Council approves new Sport Organization Utilization Agreement
- Minor revisions made throughout following years

### ► 2016 – Present

- Staff asked to review Sport Organization Utilization Agreement due to potential conflicts with structure

# Background overview

- ▶ Basics of the agreement
  - ▶ Agreement designates usage of limited number tax payer sports facilities outside of general public usage.
  - ▶ Agreement outlines right of general public to use facilities for recreational use.
  - ▶ Agreement designates field usage is primarily for recreational use.
  - ▶ Agreement establishes “first rights of refusal” to contracted organization for field usage.
  - ▶ Agreement recommends guidelines for team creation primarily for the use of Deer Park residents and those attending Deer Park ISD.

# Background overview

- ▶ Basics of the agreement (continued)
  - ▶ Agreement addresses organization boards and required paperwork
  - ▶ Agreement outlines responsibilities of sports organization and City.
  - ▶ Agreement defines requirements for contract renewal and associated time line for renewal.

# Agreement

## ► Key Elements - Recognition

### ► What does it mean to be a recognized organization?

A recognized sports organization with the City of Deer Park is an organization that has been formally recognized by City Council as an established sports group within the City. Recognized groups are eligible to use City facilities and Deer Park ISD facilities at discount fee rates or at no cost.

### ► What does it take to be a recognized organization?

- Established structure
- Approval from Parks and Recreation Commission
- Approval from City Council

# Agreement

- ▶ Key Elements – Required supporting documentation for agreement
  - ▶ Current Copy of board approved Organization constitution and by-laws.
  - ▶ Proof of Insurance.
  - ▶ List of current officers and Board of Directors.
  - ▶ Proposed annual calendar of events.
  - ▶ Copies of all receipts for any current agreement's contributions must be provided to determine the total funds contributed to the facilities in lieu of payment for current agreement.
  - ▶ If requesting, written contribution request in-lieu of payment.



# Process

- ▶ Sports Organization Utilization Agreement approval process
  - ▶ Term: One (1) calendar year beginning January 1 – December 31.
  - ▶ Request for renewal must be initiated by the signing of a new agreement by the organization's president, with a copy of the annual report and associated supporting documentation prior to October 31<sup>st</sup> of each year.
  - ▶ Seek recommendation for approval by Parks and Recreation Commission in November of each year.
  - ▶ Approval by the City Council in December of each year.



# Utilizing the agreement

## ► Responsibilities of Sports Organization

- Responsible for utilizing athletic facilities efficiently and safely to enhance and enrich the interest of our youth and to promote participation in wholesome recreational activities.
- Responsible for operating under established organization by-laws in accordance with Agreement.
- Responsible for operation concession stands and managing associated revenues.
- Responsible for all game preparations.
- Responsible for provide equipment needed to conduct games.
- Responsible for reporting facility damages or dangerous conditions.
- Responsible for providing scoreboards.
- Responsible for trash pick up and removal and minor maintenance responsibilities.
- Responsible for providing league officials during all operations to manage usage and address situations which may arise.

# Utilizing the agreement

## ► Responsibilities of the City of Deer Park

- To provide athletic facilities to be utilized efficiently and safely to enhance and enrich the interest of our youth and promote participation in wholesome recreational activities.
- To ensure the Organization has first rights of refusal, for their designated facilities.
- To oversee, manage, and accept all capital improvement projects for athletic facilities.
- To Provide maintenance and repairs to athletic facilities.
  - Prepare general playing surface (i.e. mow, add dirt, cut lines, top dress, etc.)
  - Fertilize grass
  - Pest control
  - Maintain fences, goals, bleachers

- Maintain concession stands and restroom facilities
  - Paint structures as needed
- To maintain all field lighting to at least 75%.
- To furnish trash receptacles and trash liners.
- To clean and stock restrooms.
- To maintain parking areas.
- To establish line of communication between City and Organization
  - Provide Liaison
- To provide additional facilities for meetings or registration at no cost up to 24 hours of facility usage.
- To provide marketing opportunities in City publications and media resources.

# Utilizing the agreement

## ► Current Fees – League play

- There is NO COST for teams to utilize athletic fields as long as they are league sponsored activities.

## ► Select teams and outside organizations

- Non-recreation tournaments and teams are required to pay a fee to the Organization for usage of their contracted fields.
  - The non-recreational team or entity hosting the tournament, game(s) or practice(s) will pay the Organization:
    - \$150 per field, per day and/or
      - \$25 per field for the first 2 hour time slot and
      - \$12.50 for each additional hour thereafter and if required
    - \$10 per hour, per field for lights.
  - Organization will pay the P&R Department:
    - \$50 per field, per day and/or
      - \$12.50 per field for the first 2 hour practice or game and
      - \$6.25 for each additional hour thereafter and if required
    - \$10 per hour, per field for lights.

# Utilizing the agreement

## ► In-lieu of statement

In lieu of payment of fees to the City, the Organization may, upon approval from City Council, make an improvement to a City of Deer Park athletic facility used by the organization. The proposal for said improvement to the facility in lieu of payment must be submitted in writing with the formal request for renewal of this agreement as outlined in the Sport Organization Utilization Agreement.

# Utilizing the agreement

- ▶ In-lieu of statement – Baseball
  - ▶ Baseball has paid and utilized In-lieu of option
  - ▶ Example of In-lieu of option
    - ▶ Spencerview Athletic Facility storage building
    - ▶ Spencerview Athletic Facility fences prior to renovations (2013)

# Utilizing the agreement

- ▶ In-lieu of statement - Girls Softball
  - ▶ Softball has utilized In-lieu of option
  - ▶ Example of In-lieu of option
    - ▶ Various field materials and infield groomer
      - ▶ Infield groomer was accepted, materials were not because they were considered operational needs.
    - ▶ Grading and drainage improvements to softball infields

## Common areas subject to misinterpretation

These are some of the most common topics which have been contested.

- ▶ League communications
- ▶ Difficult to regulate percentages & accountability
- ▶ Accurate documentation
- ▶ Maintenance
  - ▶ League vs. City
  - ▶ Capital projects
  - ▶ Timing of capital projects
  - ▶ Large repairs
- ▶ Select teams
  - ▶ Few minimum standards
  - ▶ Accountability and validation
- ▶ 3<sup>rd</sup> Party usage
- ▶ Locking fields



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# ONE SIZE FITS ALL

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## THEORY & PRACTICE

- Baseball
  - Organization structure meets current youth sports agreement.
- Softball
  - Organization has changed to meet current youth sports agreement.
- Soccer
  - Meets agreement but is subject to interpretation.
- Football
  - No current agreements, however staff recommends one be set in place.



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# ONE SIZE DOES NOT FIT ALL

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MOVING IN A DIFFERENT DIRECTION

Sport specific agreements to better accommodate the organizations.



## Staff Recommendations

Items that staff recommends for consideration.

- ▶ Sport specific agreements
- ▶ Flat Fee – Select teams
- ▶ Includes flat fee for light usage
- ▶ Recreation and Non-Recreation Definition
- ▶ Require a Recreational play component
- ▶ Guidelines for 3rd party usage
- ▶ Coaches go through TAAF training for code of conduct

Questions?

