

City of Carson City
Agenda Report

Item # 8A

Date Submitted: August 28, 2007

Agenda Date Requested: September 6, 2007

Time Requested: 15 Minutes

To: Mayor and Supervisors

From: Parks and Recreation Department

Subject Title: Action to adopt Resolution _____, a resolution entitled "Changing Existing or Adding New Fees and Policies" having the effect of changing existing fees and policies relating to Parks and Recreation Department fees and charges, adding new fees and policies relating to Parks and Recreation Department fees and charges and repealing Resolution No. 1983-R-28, Resolution No. 1995-R-41, Resolution No. 1995-R-42, Resolution No. 2004-R-4, and Resolution No. 2006-R-23.

Staff Summary: The proposed resolution replaces five existing resolutions that govern policies regarding Parks and Recreation Department fees and charges. This resolution also makes changes to some of the policies and serves to consolidate all of the existing policies into one comprehensive resolution.

Type of Action Requested: (check one)

- | | |
|--|--|
| ☒ Resolution | ☐ Ordinance |
| ☐ Formal Action/Motion | ☐ Other (Specify) |

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to adopt Resolution _____, a resolution entitled "Changing Existing or Adding New Fees and Policies" having the effect of changing existing fees and policies relating to Parks and Recreation Department fees and charges, adding new fees and policies relating to Parks and Recreation Department fees and charges and repealing Resolution No. 1983-R-28, Resolution No. 1995-R-41, Resolution No. 1995-R-42, Resolution No. 2004-R-4, and Resolution No. 2006-R-23.

Explanation for Recommended Board Action: Currently, the Parks and Recreation Department has five separate resolutions which govern policies regarding its administration of fees and policies. This proposed resolution replaces and consolidates the five resolutions with one resolution. The proposed resolution ties fees directly to a percentage of cost recovery of direct costs incurred by the Parks and Recreation Department. Therefore, fees will not need to be reviewed annually by the Parks and Recreation Commission as long as they adhere to the resolution. Fees and department costs will be reviewed annually by staff. After this review and analysis, fees will be adjusted accordingly. All proposed changes to the resolution will be presented to the Parks and Recreation Commission and the Board of Supervisors for review, recommendation, and approval.

The proposed resolution also includes the following changes:

1. Fees for special events in parks and other facilities are based on a per-day basis rather than on a per-event basis. This will simplify our reservation process and provide a fairer rental rate.
2. The resolution stipulates that any special event rental that proposes to exclude the public from a public facility must be approved by the Parks and Recreation Director.
3. Paragraph 10 of the resolution includes the department's existing mandate to recover one hundred (100%) of our direct costs for programs, but allows the department to set fees for new programs lower than the mandated recovery rate in order to market and promote new programs. As these programs become successful, their fees will increase to cover their direct costs and provide sustainability.

4. Paragraph 14 of the resolution states that waivers of fees will not be considered. This is in response to a request by the Board of Supervisors to develop a policy regarding requests that they receive for waiving fees mainly from non-profit organizations.
5. The existing policy limiting fee increases to a maximum of fifteen percent (15%) has been eliminated from the resolution. This will allow flexibility for staff to keep fees current with regards to changing costs.

The proposed resolution preserves the twenty-five percent (25%) recovery rate of direct costs for non-profit resident organizations, a minimum cost recovery rate of one hundred percent (100%) for commercial or for-profit organizations, and the existing twenty-five percent (25%) discount for resident non-profit organizations for the use of the Community Center's Bob Boldrick Theater.

This proposed resolution was unanimously approved for recommendation to the Board of Supervisors by the Parks and Recreation Commission during their June 19, 2007, meeting.

Applicable Statute, Code, Policy, Rule or Regulation:

Fiscal Impact:

Explanation of Impact: With approval, the Parks and Recreation Department will be able to administer and implement fees more effectively.

Funding Source: N/A

Alternatives: Deny the request, or approve with revisions.

Supporting Material:

Exhibit A, Resolution No. _____, A Resolution Changing Existing or Adding New Fees Policies.

Prepared By: Roger Moellendorf **Date:** 8/28/07
Roger Moellendorf, Parks & Recreation Director

Reviewed By: Linda Ritter **Date:** 8/28/07
Linda Ritter, City Manager

Melanie Bubacka **Date:** 8/28/07
District Attorney's Office

[Signature] **Date:** 8/28/07
Finance Department

Board Action Taken:

Motion: _____	1: _____	Aye/Nay
	2: _____	_____

(Vote Recorded By)

RESOLUTION NO. _____

A RESOLUTION CHANGING
EXISTING OR ADDING NEW FEE POLICIES.

WHEREAS, Carson City owns parks and recreation facilities and equipment throughout Carson City; and

WHEREAS, Carson City provides services to users of the city parks and recreation facilities and equipment; and

WHEREAS, the Carson City Board of Supervisors has adopted various resolutions in the past establishing general fee policies and specific fee policies for the use of the city parks and recreation facilities, equipment and services; and

WHEREAS, repealing the various existing resolutions establishing general fee policies and specific fee policies and adopting a single resolution establishing fee policies is desirable to ensure the uniform application of the policies; and

WHEREAS, the Carson City Board of Supervisors finds that it is necessary and within the public interest to change some of the existing general fee policies and some of the existing specific fee policies for the use of facilities, equipment and services provided by the Carson City Parks and Recreation Department in adopting this resolution to establish fee policies; and

WHEREAS, the Carson City Board of Supervisors desires these changes to take effect as of September 1, 2007.

NOW THEREFORE, this Board hereby resolves to repeal the existing resolutions establishing general fee policies and the existing resolutions establishing specific fee policies and to enact a single resolution establishing fee policies for the use of facilities, equipment and services provided by the Parks and Recreation Department as follows:

1. The Parks & Recreation Director shall annually review all fees for the rental of and services related to the rental of parks, facilities, and equipment and fees for programs provided by the Parks and Recreation Department to determine compliance with this resolution. Any exception to the resolution shall be presented to the Parks and Recreation Commission. The Commission will then forward a recommendation to the Board of Supervisors. The effective date of any changes in fees for the rental of facilities or equipment and fees for services related to the rental of facilities or equipment provided by the Parks and Recreation Department shall be January 1 of each year, beginning in 2008. In the case of recreation programs, the effective date of fees will be upon program registration.
2. Rental rates for parks, facilities or equipment and fees for services related to the rental of facilities or equipment provided by the Parks and Recreation Department for special events will be based on a daily rate.
3. Except as otherwise provided in paragraphs 11 and 12, fees for the rental of parks, facilities or equipment and fees for services related to the rental of facilities or equipment provided by the Parks and Recreation Department for a *special event operated by a non-profit user shall be set at a rate that is a minimum of twenty-five percent (25%) of the direct costs incurred by the Parks and Recreation Department for providing facilities, equipment or services for the special event.*
4. Except as otherwise provided in paragraphs 11 and 12, fees for the rental of parks, facilities or equipment and fees for services related to the rental of facilities or equipment provided by the Parks and Recreation Department for a

special event operated by a commercial, for-profit user shall be set at a rate that is a minimum of one hundred percent (100%) of the direct costs incurred by the Parks and Recreation Department for providing facilities, equipment or services for the special event.

5. Any rentals of parks and facilities for a special event that includes the closing of the facility to the general public will require approval by the Parks and Recreation Director. Each such request will be considered individually on its merit. The Parks and Recreation Director has the authority to approve or deny any such requests.
6. Except as otherwise provided in paragraphs 7, 11 and 12, fees for group use of park pavilions, the arena and exhibit hall at the fairgrounds, the gymnasium, room rentals at the Community Center and the Community Center Theater shall be set at a rate that is a minimum of one hundred percent (100%) of the direct costs incurred by the Parks and Recreation Department for providing the use of such facilities and the direct cost incurred for providing equipment or services related to the rental of such facilities.
7. Except as otherwise provided in paragraphs 11 and 12, fees for the resident non-profit use of the Community Center Theater shall be set at a rate that equals seventy-five percent (75%) of the direct costs incurred by the Parks and Recreation Department for providing the use of this facility and the direct cost incurred for providing equipment or services related to the rental of this facility.
8. Except as otherwise provided in paragraphs 11 and 12, fees for the rental of parks and recreation equipment shall be set at a rate that is a minimum of

one hundred percent (100%) of the direct costs incurred by the Parks and Recreation Department for providing facilities, equipment or services for the rental of the equipment plus an amount sufficient to fund the replacement of the equipment.

9. Except as otherwise provided in paragraphs 11 and 12, fees for the use of the Aquatic Facility shall be set at a rate such that the total of all fees collected for the use of the Aquatic Facility equals a minimum of at least fifty percent (50%) of the costs incurred by the Parks and Recreation Department for the operation of the Aquatic Facility, provided that:
 - a. The rate for punch card discounts is set to provide a twenty five percent (25%) discount from the daily admission rate.
 - b. The rate for a one-month pass is set to provide a fifty percent (50%) discount from the daily admission rate.
 - c. The rate for a three-month pass is set to provide a sixty percent (60%) discount from the daily admission rate.
 - d. The rate for a family pass discount is set to provide a discount consistent with the one-month pass and three-month pass discounts.
 - e. One-month passes and three-month passes shall not be available to non-residents.
10. Except as otherwise provided in paragraphs 11 and 12, fees for recreation programs shall be set at a rate that is a minimum of one hundred percent (100%) of the direct costs incurred by the Parks and Recreation Department for providing facilities, equipment or services for the recreation program.

However, new programs may have fees initially set lower than the direct costs

in an effort to promote new innovative and creative programs. If these programs are successful, the fees must gradually be raised to cover the direct costs incurred by the Parks and Recreation Department for providing them.

11. A non-resident user surcharge shall be added to each fee for out-of-Carson City residents. The non-resident user surcharge shall be twenty-five percent (25%) above the resident fee.
12. A differentiation in the fees charged to non-profit users of parks and recreation facilities, equipment or services and the fees charged to for-profit users of parks and recreation facilities, equipment and services is acceptable. Fees shall be set so that the total collected for a specific park or area meets the requirements of the fee policy applicable to that specific park or area. This may require for-profit users to be charged more than non-profit users.
13. For each rental of a park, facility or equipment and for each recreation program, a notice or contract shall be developed that specifies the staff services that are included as part of the user fee. A menu of auxiliary services shall be developed to detail what additional services are available in addition to the services that are included as part of the user fee. Except as otherwise provided in paragraphs 11 and 12, the fee of an auxiliary service shall be set at an hourly rate that is a minimum of one hundred percent (100%) to the direct costs incurred by the Parks and Recreation Department for providing the auxiliary service.
14. A waiver of any fees charged a user of parks and recreation facilities, equipment or services will not be granted.

15. The Parks & Recreation Director is authorized to require a cleaning deposit from any group or user using park or recreation facilities. A group or user that fails to adequately clean up following the use of a park or recreation facility shall have the deposit for the next use doubled. After two (2) years or at least two (2) events, the group or user may request the Parks & Recreation Director to review its status and return it to the normal deposit amount.
16. If a special event or reserved use of a park is cancelled due to unforeseen circumstances or for other good cause, a refund shall be made that is equal to the portion of the fee that remains unspent minus a ten percent (10%) processing fee. The Parks & Recreation Director shall have the sole discretion to determine if a refund is warranted due to unforeseen circumstances or for other good cause. The Parks & Recreation Director may deduct from the refund any costs already incurred, but unpaid for, as a result of the special event or reserved use of a park. The decision of the Parks & Recreation Director may be appealed to the Board of Supervisors.
17. Any adjustment from the level of a fee established prior to the adoption of this resolution shall be made and rounded up to the next most logical unit, either an increment of \$.25 or an increment of \$1.00.
18. Recreation contract instructors shall pay any fees required pursuant to the provision of their respective contracts.
19. Groups with which Carson City has an Agreement for the exclusive use of an area shall pay any fees required pursuant to the provisions of their Agreements.

20. None of the aforementioned policies shall affect the Joint-use agreement with the Carson City School District for the waiver of fees for the use of parks and recreation facilities, equipment or services by the District. Any direct costs associated with the use of parks and recreation facilities, equipment or services by the District shall not be included in the basis for determining the fees charged to other users.

The Board further resolves that Resolution No. 1983-R-28, Resolution No. 1995-R-41, Resolution No. 1995-R-42, Resolution No. 2004-R-4, Resolution No. 2006-R-23 and any other previous resolutions which conflict with the provisions of this Resolution are hereby repealed effective _____.

AYES: Supervisors

NAYES: Supervisors

ABSENT: Supervisors

MARV TEIXEIRA, MAYOR

ATTEST:

ALAN GLOVER, Clerk-Recorder