

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 9 Ordinance/Resolution# 13-133

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of April 1, 2013
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: A RESOLUTION APPROVING THE PARKS AND RECREATION DEPARTMENT 2013/2014 FEES AND CHARGES/FACILITY USE POLICY AND REPEALING RESOLUTION 12-150.

PURPOSE(S) OF ACTION:

Approve Parks and Recreation Fees and Charges.

COUNCIL DISTRICT: ALL		
Drafter/Staff Contact: Mark Johnston	Department/Section: Parks & Recreation	Phone: 541-2550
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Over the past few years, staff has consolidated several different policies into one Parks and Recreation Fees and Charges/Facility Use Policy. The proposed policy addresses further consolidation and identifies new programs that are being offered. The policy is intended to establish a standardized approach to assessing fees for the use of City facilities, parks, participation in recreation programs; for determining which users or groups should pay at what percentage; to keep all fees at a fair market level in order to encourage participation; to strive for a degree of cost recovery; and to lessen the burden on the City and the General Fund.

City Council established a target for cost recovery for recreation programs at 85-100 percent of direct costs, 33 percent for aquatics, 85 percent for youth (not to go below 75 percent) and 100 percent recovery for adult programs and special recreation programs. The policy and fees structure is developed with a goal of achieving the set cost recovery.

The Parks and Recreation Advisory Board reviewed the proposed policy at their regular meeting on February 21, 2013 and sent forward a recommendation to City Council for approval.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Proposed Parks and Recreation 2013/2014 Fees and Charges/Facility Use Policy.
3. Attachment "A", Resolution 12-150.
4. Attachment "B", Draft excerpt from the February 21, 2013 Parks and Recreation Advisory Board meeting minutes.
5. Attachment "C", Redlined Proposed Parks and Recreation 2013/2014 Fees and Charges/Facility Use Policy.

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input type="checkbox"/>	See fund summary below
	No	<input checked="" type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue?	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: 1000 (General) in the amount of \$753,700.00 for FY 13/14.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

The proposed fee structure will only increase revenues slightly above current revenues, pending approval of this fee schedule. The funds will be deposited into the General Fund into various accounts within the Parks and Recreation Department budget and will be used for expenses to maintain various parks and run various programs.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

(Continue on additional sheets as required)

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the Parks and Recreation Department 2013/2014 Fees and Charges/Facility Use Policy.
2. Vote "No"; this will not approve the Parks and Recreation Department 2013/2014 Fees and Charges/Facility Use Policy.
3. Vote to "Amend"; and provide changes to the resolution.
4. Vote to "Table"; and provide staff with further direction.

REFERENCE INFORMATION:

N/A

(Continue on additional sheets as required)

RESOLUTION NO. 13-133

A RESOLUTION APPROVING THE PARKS AND RECREATION DEPARTMENT 2013/2014 FEES AND CHARGES/FACILITY USE POLICY AND REPEALING RESOLUTION 12-150.

The City Council is informed that:

WHEREAS, the City of Las Cruces Parks and Recreation Department is requesting to repeal Resolution 12-150; and

WHEREAS, over the past few years staff has consolidated several different policies into the Parks and Recreation Fees and Charges/Facilities Use Policy; and

WHEREAS, the policy is intended to establish a standardized approach to assessing fees for the use of City facility and recreation programs; and

WHEREAS, City Council established a target for cost recovery for the various programs and activities; and

WHEREAS, the policy was developed in an effort to achieve the cost recovery targets set by City Council; and

WHEREAS, the Parks and Recreation Advisory Board reviewed the policy at their regular meeting on February 21, 2013 and sent forward a recommendation to City Council for approval.

NOW, THEREFORE, be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the City Council hereby adopts the Parks and Recreation 2013/2014 Fees and Charges/Facility Use Policy, attached hereto as Exhibit "A".

(II)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____ 2013.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Smith:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas:	_____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

**CITY OF LAS CRUCES
PARKS AND RECREATION DEPARTMENT
2013/2014 FEES & CHARGES/FACILITY USE POLICY**

INTRODUCTION

The City of Las Cruces Parks and Recreation Department has the responsibility to establish policy for recovering costs for using the City's parks, recreation facilities and taking part in various recreation programs. This policy is meant to be a guide to Administration, the Parks and Recreation Advisory Board, and the City Council, in developing a fair and consistent fee schedule.

AUTHORITY

The authority to establish appropriate fees and facility use on an annual basis rests with the City Council. The Parks and Recreation Advisory Board shall act in an advisory capacity to the Parks and Recreation Department and to the City Council in the establishment of the policy.

FACILITATION

The Parks and Recreation Section shall develop fees and recommend appropriate uses of parks facilities and participation in recreation programs. The fee will be reviewed annually by staff, the Parks and Recreation Advisory Board, and ultimately approved by the City Council with the adoption of each annual budget.

PURPOSE OF POLICY

The policy is intended to establish a standardized approach to assessing fees for the use of City facilities, parks and participation in recreation programs; for determining which users or groups should pay at what percentage; to keep all fees at a fair market level in order to encourage participation; to strive for a degree of cost recovery; and to lessen the burden on the City and the General Fund.

USER FEES

User fees are established by the City Council. All applicable fees and/or deposits must be paid by cash, credit card, check, or money order, made payable to the order of the City of Las Cruces, a minimum of ten working days prior to the approved event.

CATEGORIES OF COST RECOVERY

1. **MINIMAL COST RECOVERY** – Small percentage of direct program costs. Normally 0-20 percent of direct cost:
Program Examples:
 - Therapeutic Art
 - Summer Recreation
 - Therapeutic Dances

2. **PARTIAL COST RECOVERY**
Recreation programs will strive to recover 85 percent of direct program cost.
Program Examples:
 - Teen Dances
 - Youth Classes
 - Youth Athletics

NOTE: Addressed in Resolution No. 93-264

3. **FULL COST RECOVERY:**
Recreation programs will strive to recover 100 percent of direct program costs.
Program Examples:
 - Adult Recreation
 - Adult Classes
 - Adult Athletics

NOTE: Addressed in Resolution No. 93-264

4. **SPECIAL RECREATION PROGRAM COST RECOVERY:**
Recovery of 100 percent of direct program costs associated with the Special Parks and Recreation Programs Fund. Fund will be utilized for introduction of new programs, classes and special events.

TARGETED COST RECOVERY

Targeted cost recovery for recreation programs is 85-100 percent of direct costs, 33 percent for Aquatics, 85 percent for Youth (not to go below 75 percent), and 100 percent recovery for adult programs and special recreation programs.

DEFINITIONS DIRECT COST

Costs directly associated with providing activities and/or services required for program functionality. Examples: cost for instructor/leader, supplies, materials, building rental, advertising, etc.

FACILITIES

Existing City Parks and Recreation Facilities including recreation centers, tennis and other playing courts, sports fields, swimming pools, and parks. Examples are, but not limited to, the following:

- Meerscheidt Recreation Center
- Henry Benavidez Center
- Tennis Courts
- Public Pools
- Soccer Complexes
- Harty Complex
- Paz Complex
- Regional Aquatic Center (RAC)
- Triviz Multi-Purpose Path
- La Llorona Park
- Veterans Memorial Park
- Frank O'Brien Papen Community Center
- East Mesa Recreation Center
- Volleyball Courts
- Ron Galla Complex
- Maag Complex
- Apodaca Fields
- Lions Park
- Young Park
- Four Hills Park
- Pioneer Women's Park

PROGRAMMING HOURS OF OPERATION

In order to provide the most efficient and effective use of Parks and Recreation staff, facilities, and programs, the City of Las Cruces Parks and Recreation Department reserves the authority to change facility hours of operation in accordance with recreation programming. At designated facilities, City of Las Cruces Parks and Recreation staff will be on site only during scheduled recreation programming hours. Any change in programming hours of operation at a designated facility will be posted in advance. Facility hours may be further adjusted based on staffing levels, budget constraints and/or public demands.

SPONSORSHIP OF GROUPS

Groups that meet all criteria as set forth by the Parks and Recreation Advisory Board may be co-sponsored and/or supplementary funded by the City of Las Cruces: (Group sponsorship subject to change).

REFUND POLICY

The Parks and Recreation Department will refund fees for the following only:

1. Department cancellation of activity due to low registration.
2. Department cancellation of activity due to inclement weather.
3. Department cancellation of activity due to mechanical malfunctions.
4. Inability of class or league to proceed with activity.
5. A 25 percent service charge assessed prior to the second game or class with no refund to be granted after the second class or game.

6. In cases of emergency, i.e., death or illness, the deposit of the rental fee paid in advance to secure the rental will be refunded. A 25 percent service charge will be assessed to all cancellations other than emergencies of rentals of facilities and parks.

RETURNED CHECK POLICY

There will be a \$30.00 service charge on all returned checks as per the City's Finance Department.

PAYMENT PLAN

The Parks and Recreation Department is offering a payment plan to individuals who are unable to pay the full program amount at time of registration. Each individual will be reviewed on a case-by-case basis and a suitable payment plan must be agreed upon by both the individual and the City of Las Cruces. Scholarships may be available through the generous donations of citizens of Las Cruces.

TRANSFER POLICY

City Parks and Recreation Program transfers are permitted on a space available basis.

AGE CATEGORIES FOR RECREATION PROGRAMS

- Infant 0-2 years of age
- Child 3-12 years of age
- Youth 13-19 years of age
- Adult 20-59 years of age
- Senior 60 and over

SENIORS

The Parks and Recreation Department defines a senior as any individual who is 60 years of age and over. The senior population will be given a 50% discount off of all fees required to participate in our programs with the following document: ID from Munson Senior Center. Discount does not apply to league participation. If the individual does not present the ID card as proof, then all applicable fees for the program will apply without exception. All ID cards will be issued at Munson Senior Center free of charge.

RECREATION FACILITY AGE LIMITS

It is recommended that all children under the age of 18 be under the direct supervision of an adult 18 or older, however the Parks and Recreation Section shall use the information below as a guide for regular open hours at all facilities (pool rules differ):

1. Ages 1-7. Allowed admittance to the facilities (recreation/community) centers under direct supervision of an adult 18 or older, but never allowed in the weight room or group fitness classes. This age group must be accompanied by an adult at all times.
2. Ages 8-11. Must be accompanied by an adult 18 or older in the facilities. This age group is not allowed in the weight room or group fitness classes. Allowed use of the racquetball courts with an adult 18 or older.
3. Ages 12-14. This age group will be allowed access to most areas of the facilities without an adult, except for the weight room (14 and older will be allowed in the weight room with supervision of an adult; some group fitness classes, but not spinning). They will also be allowed use of the racquetball courts without an adult.
4. Ages 15-17. This age group may participate in all group fitness classes and will be permitted in the weight room (parent/legal guardian must sign a waiver) only under the direct supervision of an adult 18 or older.
5. Ages 18 and over. This age group will be allowed full access to facilities.
6. In swimming pool facilities children ages 8 and under must be accompanied by an adult in the water unless child has passed a designated swim test.

FAMILY DEFINITIONS

Husband, wife and children, including natural, adopted, foster and step-children, living within the same household, also, persons who are not married, including children, who are living in the same household.

ORGANIZATION AQUATIC FEE

1. The Organization or Agency must be non-profit and show financial need:
 - a. Verification of non-profit and low income status (prior year's tax filing)
 - b. Letter of Incorporation from State of New Mexico
2. The Organization or Agency must be located within Dona Ana County.
3. Member or clients of the Organization or Agency must reside within the same building.
4. Submit a letter to the Parks and Recreation Director or designee with above documentation requesting discounted punch card or swimming pool pass.
5. Approved non-profit agencies will receive a 50 percent discount on the appropriate 30 punch card rate. For Profit agencies will be charged current rates. For Profit/Non-Profit agencies will adhere to the following:

- a. 1-10 clients – at least one supervisor required and actively supervising in water.
 - b. 11-20 clients – at least 2 supervisors required with one actively supervising in water.
 - c. 21-30 clients – at least 1 supervisor to 10 clients required.
6. Organizations wishing to utilize the discounted punch card must make arrangements to attend a mandatory swimming pool training and schedule pool time with Aquatic staff (available during June and July at outdoor pools only).

RESTORATIVE/MEDICAL POOL PROGRAM

The City of Las Cruces Parks and Recreation Department is offering use of the aquatic features and Warm Water Pool at the Las Cruces Regional Aquatic Center at a reduced fee for qualifying individuals and their care-provider(s). Individuals with medical conditions that would benefit from water exercise to enhance, restore, and maintain a person's functional abilities may qualify. Conditions can be acute, transient, or chronic. Individuals and their care-provider(s) will be charged an admission fee of \$1.00 per person to use the Aquatic Center's amenities for one hour during any open swim session. Individuals participating in this program must be accompanied by their care-provider(s).

Both the participant and care-provider(s) must pay for each session of use at the facility. A doctor's note validating the need for the use of the facility must be provided at the time of registration.

FREE SWIM

City staff has the authority to offer free swim session admission on a weekly basis for everyone (not to exceed capacity based on New Mexico Environment Department Public Swimming Pool Regulations).

SCHOOL DISTRICT YEAR-END PARTIES

Schools may schedule Frenger Pool or the Las Cruces Regional Aquatic Facility for end-of-the-year school parties, not to exceed two hours and a minimum of 50 students as availability allows (not to exceed capacity based on New Mexico Environment Department Public Swimming Pool Regulations). Adults/Students who plan to swim will pay the daily rate.

FACILITY USE/RENTALS (RECREATION CENTERS)

Facilities refer to Henry Benavidez, East Mesa, Frank O'Brien Papen Center, Life Center, Meerscheidt Center and Regional Aquatic Center. In consideration of the payment of the rental fee and the agreement with the Renter to comply with the Contract, the City of Las

Cruces agrees to make space indicated available to the Renter for the dates and times set forth, and make available the equipment requested. By signing the Contract, the Renter agrees to the following:

I. Payment

- A. Reservations: Facility reservations are taken on a first-come, first-served basis by phone or in person. Reservations must be made two weeks prior to the event.

Reservations for group sports in the gymnasium are taken on a first-come, first-served basis by phone or in person. Reservations may be made beginning at 8:00 am on the Monday the week of the rental.

Deadline for arrangements and payment is 5:00 PM ten business days prior to the date of usage. Otherwise, the reservation will be terminated.

- B. The Renter is responsible for loss or damage to CLC property. If, after inspection, room/facility is not left in a satisfactory condition, clean-up/damage fees will be assessed.
- C. Rental Fee: To secure reservation, one hundred percent (100%) of the rental fee is due at the time of the completion of this Contract.
- D. Request for Changes: Any requests for changes to this Contract must be agreed upon in writing between the Renter and the City of Las Cruces staff. Requests must be completed no later than two (2) weeks prior to event or by mutual agreement.
- E. Cancellation/Refund: If reservation is cancelled by Renter the City of Las Cruces will retain a 25% cancellation fee. The exceptions to this are injury, illness or in case of emergency or extenuating circumstances.

II. Set-Up, Supervision, Caterers, Decorations, Equipment, Clean-Up and Closing of Facility

- A. Set-Up: Access to the facility for setting up including caterers set-up, will be during the hours on the face of the Contract ONLY.

The City of Las Cruces provides certain items for use to Renter and/or Caterer such as tables, chairs, and equipment within the facility(s). We do not provide linens, silver, or tableware. The City of Las Cruces staff's sole responsibility is to supervise the facility, the equipment and supply the above listed rental items for space being rented, along with trash cans and liners. The City of Las Cruces will not be responsible for moving, set-up and break-down including stacking of tables, chairs, and other equipment used during the event.

- B. Supervision: Any individual at this event under the age of 18 must be supervised at all times. Any area of the facility that is not under Contract is off limits. Only activities

conducive to the facility will be allowed. If required, security services must be present for the duration of the event. Parking is permitted at the facility. Please obey all posted signs.

- C. Caterers: Caterers must have proper licenses and liability insurance coverage. The City of Las Cruces requires that a copy of the Caterer's Certificate of Insurance be made available when final payment is received for catered event.
- D. Decorations: The renter shall not (a) cause or permit the facility to be injured, marred, or in any manner defaced or changed; (b) place any nails, tacks, screws or other fasteners into any part of the facility; (c) place or permit to be placed, signs on painted walls in any part of the facility. No decorations such as posters, pictures or banners are to be fastened to walls, woodwork or curtains inside or out.
- E. Equipment: All equipment not owned by the City of Las Cruces and being used by Renter/Caterer must be removed at the conclusion of the event. The City of Las Cruces is not responsible for any lost, stolen or damaged property.
- F. Clean-Up: At the conclusion of any event the facility must be returned to its pre-event condition. All City of Las Cruces equipment must be returned to the original designated areas. All food, beverages, equipment and rented supplies must be removed from the premises immediately after each use of the facility(s) AND NO LATER THAN THE EXIT TIME STATED ON THE FACE OF THIS CONTRACT. Any catering areas used must be cleaned and left in "as found or better" condition. All trash must be removed from the building and placed in an appropriate dumpster. All floors must be swept and/or vacuumed after use of space. Renter will give floors a light mop where needed. Renter must immediately take care of any major spills. If renter is unable to remove spills, the City of Las Cruces will have area(s) professionally cleaned at the renter's expense.

III. Alcohol, Drugs and Tobacco

- A. Alcohol: No alcohol or liquor is allowed on City property without prior City Council approval.
- B. Drugs: No illegal drugs are allowed on City property.
- C. Smoking: No smoking is permitted inside any facility. Any person smoking must be at least 50 feet away from any facility entrance.
- D. ANY VIOLATION OF THESE RULES MAY CAUSE THE EVENT TO BE TERMINATED.

IV. Destruction and Damage

- A. Damage: If anyone damages the facility(s) during the rental period, the Renter shall be liable for all necessary repairs.
- B. Destruction: If the City of Las Cruces facility(s) are destroyed or damaged by fire or any other cause or unforeseen occurrence that shall make the fulfillment of the Agreement impossible, then the rental contract shall terminate and payments will be returned and Renter waives all rights to any claims against the City of Las Cruces.

V. Facility Use

- A. Compliance: Renter agrees that any use of City of Las Cruces facility(s) must comply with all statutes, ordinances, rules and regulations issued by Federal, State and Municipal governments, including all rules of the Las Cruces Police and Fire Departments. When requested, the Renter shall provide Liability insurance naming the City of Las Cruces, its employees and agents as additionally insured with the limits of \$1,000,000. If the City is to be named as additional insured, the insurance company must issue an endorsement stating that the City of Las Cruces is additional insured.
- B. License & Payments: Renter agrees to obtain or collect and to pay and deliver to the proper governmental agency or regulating authority, any and all license fees, permits, royalties and taxes required in connection with the use of the facility(s).
- C. Hazardous Materials: Renter agrees not to bring on to the premises any material, substance, equipment or object which is likely to endanger the life of, cause bodily injury to any person or property or which is likely to constitute a hazard.

VI. Responsibility and Indemnity

- A. Conduct: The conduct of all event participants while on City of Las Cruces property shall be the responsibility of the Renter. The Renter also accepts all responsibility for any injury to person(s) or property, or loss of or damage to property or theft of personal property on City of Las Cruces premises during the rental period or resulting therefrom. Failure by any individual or group to follow all applicable rules and regulations will be cause for eviction. The City of Las Cruces retains the right to evict objectionable persons from the premises. Repeated violations may result in denial of future reservation requests.
- B. Indemnity: The Renter shall release, indemnify, keep and save harmless the City of Las Cruces, its agents, officers or employees from any and all responsibility or liability for any and all damages or injury of any kind or nature whatever (including death) to all persons, whether agents or employees of the Renter or persons attending the event for which the premises have been lease, and to all property damage proximately caused by, incident to, resulting from, arising out of, occurring in connection with, the use of the Renter of the premises. The provisions of this section shall include any and

all losses, damages, injuries, settlements, judgments, decrees, awards, fines, penalties, claims, costs and expenses, including reasonable attorney's fees.

VII. Security

- A. Building Security: Different uses of the facility(s) may entail different requirements concerning security. The City of Las Cruces is not responsible for any items left in the facility(s). The Renter will take the necessary precautions to protect personal property and to maintain order during event. ONE PROFESSIONAL SECURITY GUARD PER FIFTY (50) PARTICIPANTS MAY BE REQUIRED. Receipted confirmation of professional security services obtained must be presented at time of final payment.

CONTRACTS TO CONDUCT CITY PROGRAMMING

If the City contracts with any organization to conduct a city-sponsored program, it is the City's responsibility to ensure such activities are carried out by the contractor in compliance with the requirements of the Americans with Disability Act. The following language shall be included in all such contracts entered into by the City.

The Contractor shall ensure that all programs, services and activities are accessible to and useable by persons with disabilities in accordance with the Americans with Disabilities Act. Including but not limited to, equal opportunity to participate and benefit, equally effective communication for persons with speech, hearing or cognitive disabilities, integrated seating, and the provision of reasonable modifications and/or accommodations and to maintain, and provide to the City upon request, a recorded of all such requests received, granted and/or denied and the reason for any denials.

PERMITTING PROCEDURE

1. Requests for exclusive use of a City-owned park/recreation facility or portion thereof by any individual, group or organization must be submitted in writing to the Department, and require a minimum of ten days submittal, in advance of the requested date and shall contain the reason for the request.
2. Requests for use of City-owned parking lots adjacent to City-owned parks and recreation facilities must be submitted in writing to the Departments a minimum of ten working days in advance of the requested date and shall contain the reason for the request.
3. Requests for use of the City-owned parking lots surrounding Main Street Downtown (Main Street from Picacho Street to Lohman Avenue) must be submitted in writing to the Parks and Recreation Department a minimum of ten working days in advance of the requested date and shall contain the reason for the request. Uses that compete with established businesses or the Farmers and Crafts Market are prohibited. Because

Parks and Recreation Department 10
2013/2014 Fees & Charges/
Facility Use Policy

of the proximity to businesses on Main Street Downtown, use of these parking areas shall only be permitted from 7:00 p.m. to 10:00 p.m., Monday through Saturday, or from 9:00 a.m. to 10:00 p.m., Sundays.

4. Permits for exclusive use of City-owned parks, recreation facilities or parking areas will be issued for a period not less than four hours for the established fee, with the following considerations:
 - a. Permit requests for all parks, pavilions, gazebos and shelters will be rented for an established fee and time period.
 - b. The proposed use will not unreasonably interfere with general public enjoyment of a facility.
 - c. The proposed activity is not anticipated to incite violence, crime or disorderly conduct.
 - d. The proposed activity will not entail unusual expense (overtime scheduling) or risk to the City.
 - e. The facility or portion thereof requested has not previously been reserved.
 - f. The facility requested is suitable for the activity proposed.
 - g. The proposed activity will not interfere with the promotion of public health, welfare and safety of the citizens of Las Cruces.
 - h. All appropriate paperwork has been completed in full and accepted by the Departments.
 - i. The individual, group or organization insures the permitted facility will be left in a clean and acceptable condition.

NON-DISCRIMINATION COMPLIANCE

Facility users will not discriminate against any person in access to or participation in any program contemplated by this policy, or in any facility used in connection therewith, on the basis of race, color, national origin, age, disability, or sex. Facility users will ensure that all programs, services and activities are accessible to an useable by persons with disabilities in accordance with the Americans with Disabilities Act, including but not limited to, equal opportunity to participate and benefit, equally effective communication for persons with speech, hearing, and other impairments, integrated seating and the provision of reasonable modifications and/or accommodations and shall adhere to the City of Las Cruces Communication Policy (if portable toilets are going to be provided, accessible units must also be provided at each blank of standard units).

INSURANCE

The City requires that users of City-owned facilities for special requests, one-time events, athletic leagues, tournament play, and recreational programs provide proof of liability insurance to cover such use of the facilities, with the City of Las Cruces named as an additional insured on the policy, if staff determines that such insurance is necessary. If the City is to be named as additional insured, then the insurance company must issue an endorsement stating that the City of Las Cruces is additional insured. This proof of insurance will be forwarded to the Departments no later than 30 working days prior to the scheduled event for annual routine requests or no later than ten working days prior to the scheduled event. The amount of this insurance shall coincide with the limitations of the *New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1*.

SPECIAL EVENTS AND SPORTS LEAGUE REQUESTS

Annual exclusive use requests for special events and use of athletic facilities must be submitted in writing to the Departments no later than December 30 for the following year and must contain the reason for the request.

1. The following information/documentation must be submitted along with the request for facilities:
 - a. On an annual basis 30 days prior to a special event, submit a detailed financial statement covering funds received and expended for the event or league operations to include local, state, regional or national tournaments for previous year special event or program. The City of Las Cruces may also require an audit at the organization's expense in cases where the City of Las Cruces provides funding or direct support.
 - b. On an annual basis 30 days prior to a special event, submit proof of insurance for upcoming special event, season or operations, or within ten days prior to the special event.
 - c. On an annual basis 30 days prior to a special event, submit proof of non-profit corporation status with the State of New Mexico Corporation Commission.
 - d. On an annual basis 30 days prior to a special event, submit prior year copy of Form 990 tax-exempt report filed with the Internal Revenue Service.
2. It shall be the responsibility of the individual, group, or organization to insure the permitted facility is left in a clean and acceptable condition.
3. Use of athletic facilities for scrimmages will be controlled and coordinated by league officials with approval of the Parks and Recreation Department.

4. It shall be the responsibility of the individual, group, or organization to follow up with the Parks and Recreation Department personnel five days prior to the event to secure needed equipment and ensure all services approved will be properly coordinated.
5. The Parks and Recreation Department shall reserve the right to reschedule, cancel, or postpone league games, tournaments, and/or parks special events due to inclement weather, or unforeseen City related events.
6. Leagues/Associations will provide program registration at a non-City facility(s) and conduct all business away from Parks and Recreation facilities.

FISHING

Fishing will be allowed at Burn Lake during normal park operating hours (5:00 a.m. to 11:00 p.m.) under the New Mexico Game and Fish Department Regulations. Fishing will be allowed at Young Park Pond for those 12 years of age and younger.

SWIMMING

Swimming is allowed at Laabs Pool, East Mesa Bataan Memorial Pool, Regional Aquatic Center and Frenger Pool. No swimming is allowed in the Young Park Pond.

CARNIVALS AND AMUSEMENTS

Requests for conducting Circuses, Carnivals/Amusement Parks and similar businesses must be submitted to the Community Development Department's Permitting Office. If approved, these businesses must then apply for a Park Permit if the activity is conducted at a Parks and Recreation area or facility.

ROLLER SKATING, ROLLERBLADING AND SKATEBOARDING

The City of Las Cruces may designate and restrict areas and facilities for these purposes.

GOLFING

No hitting of golf balls allowed on any City or park facility as per *LCMC, Part II, Chapter CD 20.5, Section 20-36*, with the exception of City golf programming.

MOBILE CONCESSIONS/VENDING

Any individual, group, business entity or organization engaged in the sale of food, beverage, or any other merchandise at a public park within the City limits must obtain a permit from the Parks and Recreation Department. Applicant is responsible and required to meet all applicable city, state and health department laws and regulations, including acquiring all necessary permits for food and beverage preparation. All such permits must be provided to

Parks and Recreation Department 13
2013/2014 Fees & Charges/
Facility Use Policy

the City prior for the issuance of a permit from the Parks and Recreation Department. Applicant is required to provide the City a copy of proof of liability insurance coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence, naming the City of Las Cruces as an additional insured. The City of Las Cruces recognizes that some youth leagues/organizations utilize concession space to help off-set program costs. In this instance, insurance is required as well as financial records. All concession/vendors, to include mobile vendors, must be in good standing at all times. Good standing will be defined as no complaints, regular payment of required fees, and all appropriate documentation on file. The Parks and Recreation Department staff has the right to deny concession/vending permits based on non-compliance. All vendors must pay a required fee of \$50 per month (March – October) regardless if they are selling any product.

SPECIAL USE PERMITS (TO INCLUDE, BUT NOT LIMITED TO, MODEL AIRPLANES/MODEL ROCKETS/METAL DETECTING), AND REMOTE CONTROL CARS

Model Airplanes/rockets, metal detecting, and remote control cars are recognized as legitimate recreation activities when they are conducted in ways that do not damage the natural and cultural resources of City of Las Cruces park facilities.

A Facility Use Permit is required to use any city park for these activities. Use of metal detectors is limited to park areas only and not in ball field areas. To obtain a Facility use Permit visit the Parks and Recreation Administrative Office at 1501 E. Hadley.

INFLATABLE/PORTABLE PLAY EQUIPMENT

The City of Las Cruces allows inflatable play equipment at designated sites in certain parks. Some parks do not allow inflatable play equipment at all. Any business that operates/leases party and or event equipment, i.e. jumping balloons, dunk tanks, sporting equipment, etc., in a City park/facility is required to provide proof of general liability insurance in the amount of one million dollars (\$1,000,000) per occurrence, with the City of Las Cruces named as an additional insured.

The amount of the insurance shall coincide with the limitations of the New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1. This proof of insurance must be forwarded to the Parks and Recreation Department for record keeping. Uninsured businesses may be held personally responsible for injury or damages caused by any uninsured or unauthorized inflatable or portable play equipment.

VEHICLES AND DRIVING IN CITY PARKS

Driving or parking vehicles on the grass or landscaping located in a City park or on City property is prohibited except during events for which a permit has been granted. Driving on park property results in damage to both turf and irrigation sprinkler systems and can result in costly repairs. Items should be hand carried from the street or parking lot to the interior of a

Parks and Recreation Department
2013/2014 Fees & Charges/
Facility Use Policy

14

park. This is also true for local businesses that offer tents or other large items for party rentals or other activities. In addition, no parking is allowed on the grass surrounding soccer fields and softball/baseball fields. This section does not apply to City vehicles, emergency vehicles or public utility service vehicles.

WELLNESS PROGRAM

The City of Las Cruces has expanded the current workplace Wellness Program by recognizing the value of improving the health and well-being of its employees. The program *is designed to improve employee morale, loyalty, and productivity. Employees have been provided access to physical fitness classes, the weight room and cardio rooms, nutrition classes, diabetes checks, health fairs, and golf opportunities through a partnership with New Mexico State University.* Staff will continue to seek ways to increase the benefits for City of Las Cruces employees and their family members.

COMMUNITY GARDENING

The City of Las Cruces offers local citizens use of public property for community gardening activities. Gardeners are encouraged to plant vegetables and other annual plants. All gardening participants must be registered. The application deadline for gardeners will be February 28 of each year. Registration is accepted at the Parks and Recreation Department, 1501 E. Hadley. Garden plots will be rented on a first-come, first-served basis and for an established fee and time period.

WALK OF HONOR BRICK PAVERS

The City of Las Cruces offers the opportunity to purchase personalized quarry tile brick pavers to be used in the construction of a walk of honor for veterans within the City's Veterans Memorial Park on Roadrunner Parkway. Bricks may be purchased at the Parks and Recreation Department for an established fee and time period. Bricks will be ordered twice yearly (every six months).

PARK OPENING AND CLOSING HOURS

1. City parks may be open from 5:00 a.m. until 11:00 p.m., except for emergencies, permitted special events and in parks where hours are posted differently from those operating under the normal operating time. *Refer to LCMC, Chapter 22, Parks and Recreation, Article I. "In General", Section 22-1*
2. Unidad Park and Butterfield Shooting Range hours of operation are sunrise to sunset.
3. Individuals shall not be allowed in any City park during closing times unless authorized by permit.
4. The City Manager has the authority to change opening and closing hours of City parks.

Parks and Recreation Department 15
2013/2014 Fees & Charges/
Facility Use Policy

5. Parks and Recreation Department employees or Police employees are not restricted by the opening and closing hours when in performance of their duties.
6. For further information regarding park operations, please *refer to LCMC, Chapter 22, Section 22-1*, available in the City Clerk's Office.

WEAPONS

As the owner of public lands and facilities, the City does not and will not consent to or permit any person to possess a deadly weapon of any type, concealed or otherwise, on or in any City park(s) or public facility(s), with the exception of Butterfield Shooting Range. The consent of any person to be in or on a public park(s) or facility(s) while carrying a deadly weapon of any type, concealed or otherwise, is expressly withdrawn by the City.

PET OWNER'S RESPONSIBILITIES

The City of Las Cruces requires by *LCMC*, Chapter 1, Section #7-4.a that all pet owners clean up after their pet while they visit our parks and facilities.

In addition, dog owners must have their dogs under their control and on a lead not longer than twelve (12) feet; off leash recreation is provided at the "Off Leash Dog Park", directly behind the Meerscheidt Recreation Center, 1600 E. Hadley St.

Pet owners will be restricted from bringing their pets to athletic complexes, unless designated as a service animal.

MERCHANDISING, ADVERTISING AND SIGNS

1. Individuals, groups or organizations, while utilizing City-owned parks and/or facilities, are prohibited from the following unless authorized by the Departments in writing:
 - a. Calling to the public attention an article or service for sale or hire.
 - b. Posting or erecting any sign on City-owned property unless authorized by the City Sign Code.
 - c. Collection of money by an individual, group, or organization from the public for services and/or merchandise where all or some of such monies will be disbursed to an entity, individual, group or organization, will only be authorized by permit. Applicable park rental fees may apply.
2. a. The Parks and Recreation Department has created advertising opportunities that will develop partnerships with our local business community to increase the visibility of their respective businesses and to ensure the sustainability of

Parks and Recreation Department 16
2013/2014 Fees & Charges/
Facility Use Policy

offering quality/affordable programs to the citizens of Las Cruces. The manner in which these advertisements will be offered will be a personalized banner to be displayed at designated athletic facilities. Fees will be established as per City Council approval.

EXCEPTIONS

There may be requests that are exceptions to this policy. These requests will be reviewed on a case-by-case basis and may require Parks and Recreation Advisory Board, City Manager, or City Council approval.

PERMIT APPEAL PROCESS

Individuals, groups, or organizations that have been denied use of City-owned parks and/or recreational facilities by the management of the Department, whether for profit or non-profit use, have access to an appeal process to the City Council through City Council Policy Number 6001-1. This policy will be outlined on all facility permit requests.

APPEALS TO DISCIPLINARY ACTION OF CITY OF LAS CRUCES RECREATION PROGRAMS/ACTIVITIES

1. Suspension Process

- a. Verbal discussion by the program administrator that puts the patron on notice that their behavior is unacceptable and will not be tolerated in the future. Incident report and documentation of discussion to be filed on site with a copy sent to the Department Director.
- b. Immediate suspension by program administrator, not to exceed two normal workdays. Saturday and Sunday for purposes of this policy are not considered normal workdays.
- c. Suspension of 30 to 60 days by Department Director. Written notice will be sent to the patron via certified mail.
- d. Suspension longer than 60 days by Review Board. Written notice will be sent to the patron via certified mail.

2. Appeal Process

If an individual believes that a Disciplinary Action imposed by City Facility or City Sponsored program personnel is not reasonable, the decision may be appealed. The appeal process will follow the steps outlined in City Council Resolution 02-323, Ban from Public Facility Policy.

- a. All incidents will be documented on an incident report. The next higher level of authority shall review the incident and the action taken.
- b. Immediate suspension can be appealed to the Department Director.
- c. Suspension by Department Director can be appealed to the Review Board.
- d. Suspension by the Review Board can be appealed to City Council.

All appeals beyond the Department Director will require a notice of appeal in writing requesting to appeal and stating the reason and facts as to why an appeal is being requested. The notice of appeal in writing must be submitted no less than fifteen (15) working days prior to the next Review Board or City Council Meeting.

JUSTIFICATION – This change is being implemented to comply with City Council Resolution 02-323 - Ban From Public Facilities Policy.

CITY OF LAS CRUCES PARKS AND RECREATION APPEALS TO DISCIPLINARY ACTION OF TEAMS/LEAGUES

1. Any individuals, groups, or organizations which have been disqualified or suspended from further participation in a City-sponsored or co-sponsored activity and wish to appeal must have exhausted all league or organization appeals processes. After doing so, they may appeal to the Parks and Recreation Advisory Board and ultimately to the City Council if necessary.
2. Individuals, groups, and organizations will abide by the terms of this policy and any management issues brought forward to City staff and/or Board Members such as (but not limited to):
 - a. Disciplinary inconsistencies.
 - b. Disbursement of funds.
 - c. Open board meetings.
 - d. Complaints from the public regarding questionable and ethical practices.

Said items or issues, at the appropriate times, may be considered or addressed by the Parks and Recreation Advisory Board and ultimately by the City Council and may be grounds for revoking the permitted facility and/or funds by the City of Las Cruces.

PENALTIES

1. All individuals, groups or organizations in violation of this policy or any facility regulations or City Ordinances may have their permit revoked immediately and/or may be issued a citation(s) for ordinance violations.

Any event at which individuals, groups or organizations create a noise nuisance to residents within the proximity of the facility being utilized will be subject to cessation by members of City staff, or if necessary, the Police Department.

CITY FEE WAIVER POLICIES (as established by City Council)

1. City Fee Waiver Policy.
2. Park Facility Fee Waiver for Military Services at Veterans Memorial Park.
3. Official City Sponsored or co-sponsored events as approved by City Council.

**CITY OF LAS CRUCES
PARKS AND RECREATION PROGRAMS AND FACILITIES
2013/2014 FEES & CHARGES/FACILITY USE SCHEDULE**

I. GENERAL RECREATION PROGRAMS

General Instructions:

Program	Session	FY 12/13	FY 13/14
Fitness/Circuit Training	1 class	\$2.00	\$2.00
Fitness Punch Card	30 visits	\$48.00	\$48.00
Gymnastics – Parent/Tot	8 classes	\$30.00	\$30.00
Gymnastics – Beginning	8 classes	\$30.00	\$30.00
Gymnastics – Intermediate	8 classes	\$30.00	\$30.00
Children’s Dance Classes (Monthly)	4 classes	\$30.00	\$30.00
Adult Dance	8 classes	\$35.00	\$35.00
Cheer/Dance	8 classes	\$30.00	\$30.00
Racquetball/Pickleball	1 hour/court	\$2.00	\$2.00
Racquetball/Pickleball Racquet Rental	1 racquet	\$1.00	\$1.00
Teen Dance	1 admission	\$3.00	\$3.00
Water Fitness Class	1 class	\$2.00	\$2.00
Water Fitness Class Punch Card	30 visits	\$48.00	\$48.00
Sticks for Kids - Youth	4 weeks/8 sessions	\$30.00	\$30.00
Weight Room – Meerscheidt	Daily Fee	\$1.00	\$1.00
Weight Room – Regional Aquatic Center			\$2.00
Weight Room Punch Card – Meerscheidt	24 visits	\$20.00	\$20.00
Weight Room – Regional Aquatic Center	30 visits		\$48.00
Therapeutic Program Dance	1 admission	\$2.00	\$2.00
Fitness Classes/Lap Swim	1 hour	\$2.00	\$2.00
Shower Fee	1 each	\$1.00	\$1.00
Activity ID Card	ALL	n/a	\$5.00
Towel Fee	1 each	\$1.00	\$1.00
Summer Recreation Program (includes field trip fees)	AM Session	\$90.00	\$100.00
	PM Session	\$90.00	\$100.00
	AM Session	\$45.00	\$45.00
Sports Camps	PM Session	\$45.00	\$45.00
Preschool Class	8 classes	\$45.00	\$45.00
Locker Rental	Daily	\$.50	\$.50
Locker Rental	Weekly	\$2.50	\$2.50
Locker Rental	Monthly	\$10.00	\$10.00

Program	Session	FY 12/13	FY 13/14
Locker Rental	Yearly	\$120.00	\$120.00
Locker Deposit (long-term use)*		\$20.00	\$20.00

*Long term use is defined and applied to "yearly lockers".

Lunch Bucket Basketball	Daily Fee	\$2.00	\$1.50
¹ After School Program (180 school days X 4)	Semester (2)	\$360.00	\$360.00
Copy Fee	Per copy	\$.50	\$.50
Indoor Cycling	1 class	\$2.00	\$2.00
Special Programs/New Opportunities*			

¹ Late registration midway through program will be accepted based on availability; a fee of \$4.00 per day (for each day remaining in program) will be assessed.

*Staff will pursue additional program opportunities throughout the year and set fees based on Council's direction concerning rates of recovery.

Therapeutic Recreation Programming – Private Entities

A programming fee will be charged for Therapeutic Recreation Program administered activities held at any private entity not including the building previously known as the "Life Center/Angel Care" (outside of a City building). The Therapeutic Recreation programming fee will be a minimum of 25 cents per participant/care provider per activity. This fee may vary based on the activity, allowing for a wide-range of diversity in venues and opportunities for program participants. The Therapeutic Recreation Program will work with care providing agencies, care providers and participant families to set activity programming fees for more costly and expansive activities. This programming fee will provide a minimal cost recovery and help off-set direct expenses incurred for the facilitation and delivery of such activities.

Sports League Program:

Program	Session	FY 12/13	FY 13/14
Adult Basketball*			
Winter League	11 games	\$465.00	\$465.00
Summer League	9 games	\$435.00	\$435.00
Camp Daily Drop-in Fee		N/A	\$15.00
Activity Camps	Per person	\$60.00	\$60.00
Racquetball League	12 games	\$12.00	\$12.00
Flag Football Tournament- Adult	6games/team	\$200.00	\$200.00
Flag Football Tournament-Youth	6 games/team	\$150.00	\$150.00

Program	Session	FY 12/13	FY 13/14
3-on-3 Basketball	Per person	\$20.00	\$20.00
Basketball Coaches Certif.	1 year	\$30.00	\$30.00
Officiating Clinic	1 year	\$30.00	\$30.00
Youth Sports Leagues (City)-New	8 games	\$35.00/chld	\$40.00/chld \$30.00/chld
Youth Sports Leagues (City)-returning w/shirt			
Sports Tournament – Adult		\$200.00	\$200.00
Sports Tournament – Youth		\$150.00	\$150.00
Non-Traditional Sports Tournaments – Adult		\$200.00	\$75-\$200.00
Non-Traditional Sports Tournaments - Youth		\$150.00	\$50-\$150.00

* Adult Leagues run at 100 percent recovery of direct cost.

**Youth Leagues run at 85 percent recovery of direct cost.

The Parks and Recreation Section will have the authority to research and pursue new and innovative revenue sources by utilizing new and creative programming or single event activities for all ages and abilities.

Special Events:

Program	Session	FY 12/13	FY 13/14
Youth Running Events/Late Fee	1 race	\$15.00/\$25.00	\$15.00/\$25.00
Adult Running Events/Late Fee	1 race	\$20.00/\$25.00	\$20.00/\$25.00
Running Event Series	3 5K races	\$30.00	\$30.00
Duathlon/Duathlon Late Fee	1 race	\$30.00/\$35.00	\$30.00/\$35.00

- II. **SWIMMING** (In the event of pool closures and capacity, open recreation and swim time will be split into two equal sessions. All swimming pools will have split sessions during summer months (Memorial Weekend thru Labor Day).

Community Education Classes:

Program	Session	FY 12/13	FY 13/14 *
First Aid	4 hrs.	\$50.00	\$50.00
CPR-PR		\$70.00	\$70.00
Recertification (CPR-PR or First Aid)	One time	\$45.00	\$45.00
Recertification (Lifeguard Skills)	One time	\$85.00	\$85.00
Home Swimming Pool/Spa Water Safety	1.5 hours	\$25.00	\$25.00
Open Water Safety	1.5 hours	\$25.00	\$25.00
Home Swimming/Water Safety/Open Water	3 hours	\$45.00	\$45.00
Swim Steps (8 & Under Swim Test Preparation)	1 Session	\$1.00	\$1.00

* Fees subject to current Red Cross pricing

Daily Fees (Frenger/East Mesa/Laabs):

	Age Group	FY 12/13	FY 13/14
Infant	0-2 years	Free	Free
Youth	3-19 years	\$2.00	\$2.00
Adult	20-59 years	\$4.00	\$4.00
Senior	60 +years	\$3.00	\$3.00
Child Watch Fee (Parent/Guardian)	N/A	\$1.00	\$1.00

30 Punch Admission Card (Frenger/East Mesa/Laabs):

	Age Group	FY 12/13	FY 13/14
Infant	0-2 years	Free	Free
Youth*	3-19 years	\$50.00/30 punch	\$50.00/30 punch
Adult*	20-59 years	\$110.00/30 punch	\$110.00/30 punch
Senior*	60 +years	\$80.00/30 punch	\$80.00/30 punch

*Reduced rate at \$10 off of proposed Youth, Adult and Senior 30 Punch Admission. Monthly Passes/punch cards purchased at Frenger/East Mesa/Laabs Pool can ONLY be used at these Venues.

Rentals: Frenger Swimming Pool (Entire Pool)

Amount of Group	FY 12/13	FY 13/14	Guards On Duty
1-20 People	\$75.00/hr	\$75.00/hr	2 Guards
21-45 People	\$85.00/hr	\$85.00/hr	3 Guards
46-60 People	\$95.00/hr	\$95.00/hr	4 Guards
61-90 People	\$105.00/hr	\$105.00/hr	4-5 Guards

Rentals: Laabs/East Mesa Swimming Pools (Entire Pool)

Amount of Group	FY 12/13	FY 13/14	Guards On Duty
1-20 People	\$150.00/hr	\$150.00/hr	4 Guards
21-45 People	\$170.00/hr	\$170.00/hr	6 Guards
46-80 People	\$190.00/hr	\$190.00/hr	8 Guards
81-102 People	\$210.00/hr	\$210.00/hr	8-10 Guards
103-124 People	\$230.00/hr	\$230.00/hr	8-10 Guards
125-146 People	\$250.00/hr	\$250.00/hr	8-10 Guards
147-165 People	\$270.00/hr	\$270.00/hr	10-12 Guards
166-185 People	\$290.00/hr	\$290.00/hr	10-12 Guards
186-200 People	\$310.00/hr	\$310.00/hr	10-12 Guards

Rentals: Laabs/East Mesa Swimming Pools (Zero Entry and Slide)

Amount of Group	FY 12/13	FY 13/14	Guards on duty
1-20 People	\$75.00/hr	\$75.00/hr	2 Guards
21-45 People	\$85.00/hr	\$85.00/hr	3 Guards
46-80 People	\$95.00/hr	\$95.00/hr	4 Guards
81-102 People	\$105.00/hr	\$105.00/hr	4-5 Guards

Swim Team Rentals as per agreement.

Rentals will be based on overall demand (public use) and safety window of opportunity (amount of daylight).

Holidays/Maintenance Closures:

Swimming pools may be closed on City observed holidays with the exception of Memorial Day, Fourth of July and Labor Day.

LAS CRUCES REGIONAL AQUATIC CENTER

Special Events:

Program	Session	FY 12/13	FY 13/14
Children's' Triathlon and Races	1 race	\$15.00	\$15.00

Daily Fees:

	Age Group	FY 12/13	FY 13/14
Infant	0-2 years	\$2.00	\$2.00
Youth	3-19 years	\$3.00	\$3.00
Adult	20-59 years	\$4.00	\$4.00
Senior	60 + years	\$3.00	\$3.00
Child Watch Fee (Parent/Guardian)	N/A	\$1.00	\$1.00

30 Punch Admission Card

	Age Group	FY 12/13	FY 13/14
Infant	0-2 years	\$50.00/30 punch	\$50.00/30 punch
Youth*	3-19 years	\$80.00/30 punch	\$80.00/30 punch
Adult*	20-59 years	\$110.00/30 punch	\$110.00/30 punch
Senior*	60+years	\$80.00/30 punch	\$80.00/30 punch

***Reduce rate at \$20.00 off of proposed Youth, Adult and Senior 30 Punch Admission Card.**

Gift certificates are available for purchase at all swimming pool facilities.

Swimming Lessons:

Program	Levels	FY 12/13	FY 13/14
Private Lessons	All Ages	\$35.00/hour	\$35.00/hour
Infant/Toddler/Preschool/ Level 1 & 2	Beginner	\$45.00/8 classes	\$45.00/8 classes
	Levels 3 & 4 (Intermediate)	\$60.00/8 classes	\$60.00/8 classes
	Levels 5, 6 & 7(Advanced)	\$60.00/8 classes	\$60.00/8 classes
Lifeguarding (does not include books or pocket mask)		\$180.00/30 hours	\$180.00/30 hours
Lifeguarding Instructor (LGI) Does not include books		\$195.00/26 hours	\$195.00/26 hours
Water Safety Instructor (WSI) Minimum age 16 years. Does not include books		\$190.00/15 hours	\$190.00/15 hours
Be A Guard WSIA & Guard Start (Working at Pools) Minimum age 15 years. Must have passed Level 3		\$95.00/15 hours	\$95.00/15 hours

*Lifeguard Training fee is refundable upon successful completion of certification process and upon hire with the City of Las Cruces (completion of 90 days of service).

Rentals: (Warm Water Pool)

Amount of Group	Guards on Duty	FY 12/13	FY 13/14
1-20 People	2 Guards	\$100.00/half hour	\$100.00/half hour
21-30 People	4 Guards	\$200.00/half hour	\$200.00/half hour

Rentals: (Party Room)

Room	FY 12/13	FY 13/14
Party Room/Wet	\$100.00/3 ½ hours	\$100.00/3 ½ hours

*If pool swim session is to be utilized in conjunction with Party Room rental, pool fees will also be assessed.

III. FACILITIES RENTAL

Meerscheidt, Frank O'Brien Papen Center, Henry Benavidez, and East Mesa:

Rental Area	FY 12/13	FY 13/14
Multi Purpose Room	\$50.00/hr	\$40.00/hr
Class Room	\$30.00/hr	\$30.00/hr
Any additional room associated with Multi Purpose Rental	\$20.00/hr	\$20.00/hr
Auditorium (Frank O'Brien Papen Community Center only)	\$60.00/hr	\$60.00/hr
Gym Rentals (Meerscheidt Rec Center only)	\$40.00/hr	\$40.00/hr

Frank O'Brien Papen (weekday operations only):

Rental Area	FY 12/13	FY 13/14
Multi Purpose Room	\$25.00/hr	\$25.00/hr
Class Room	\$15.00/hr	\$15.00/hr
Any additional room associated with Multi Purpose Rental	\$10.00/hr	\$10.00/hr
Auditorium (Frank O'Brien Papen Community Center only)	\$30.00/hr	\$30.00/hr
Workshops	\$1.00/day	\$1.00/day

East Mesa/Henry Benavidez (weekday operations only):

Rental Area	FY 12/13	FY 13/14
Multi Purpose Room Only	\$25.00/hr	\$25.00/hr

Meerscheidt Recreation Center (weekday operations only):

Rental Area	FY 12/13	FY 13/14
Class Care (ages 5-11 years)	\$1.00/per person	\$1.00/per person
Multi Purpose Room Only	\$20.00/hr	\$20.00/hr
Gymnasium – Half Court	\$10.00/hr	\$10.00/hr
Gymnasium – Full Court	\$20.00/hr	\$20.00/hr

City approved professional security guard services by the renter at a ratio of one guard for every 50 guests (licensed/bonded).

In an effort to reduce staff overtime costs, no rentals will be offered on City Holidays.

IV. FUNDRAISING RENTALS FOR RECREATION FACILITIES

- A. Rate applies to any individual, group or organization holding fundraisers (i.e. enchilada dinners, dances, tournaments, etc.) excluding sponsored leagues.
- B. The cost of the rental fee in cases of fundraising will be the baseline amount of the facility rental plus 10 percent of the gross profit.

- C. This policy applies to all individuals, groups or organizations whether profit or non-profit, private or public.
- D. Individuals, groups or organizations charging the public will provide a financial statement and 10 percent of the gross profit 10 working days after the rental.
- E. Staff may require service Security Guards

V. MERCHANDISE

Merchandise	Amount Requested	FY 12/13	FY 13/14
Program/Event T-Shirts			
Short Sleeve	Each	\$10.00	\$10.00
Long Sleeve T-Shirts	Each	\$15.00	\$15.00
Sweatshirts	Each	\$20.00	\$20.00
Swim Pant Fee/Youth	Each	\$1.00	\$1.00
Goggles	Each	\$10.00	\$10.00
Towels	Each	\$10.00	\$10.00
Swim Cap	Each	\$4.00	\$4.00
Reusable Water Bottle	Each	\$5.00	\$5.00

VI. PARK PERMIT FEE

Facility Requests	Number of Hours/Day Fee	FY 12/13	FY 13/14
Park area/section	4	\$50.00	\$50.00
Park area/section with Water & Electric	4	\$50.00	\$100.00

VII. SPORTS LEAGUES (PER FIELD/PER GAME FEE)

Sport/Age Group	FY 12/13	FY 13/14
Recreational Youth Baseball/Softball/Soccer/Football (Local – 18 years and under)	\$0	\$0
Select Youth Baseball/Softball/Soccer/Football (Local - 18 years and under)	\$10.00	\$10.00
Adult Baseball/Softball	\$20.00	\$20.00
Adult Football/Soccer	\$15.00	\$15.00
Senior Softball/Baseball (Local)	\$0	\$0
Adult Tournaments (per 12 hours)		
4 Field Complex	\$400.00	\$400.00
3 Field Complex	\$300.00	\$300.00
Single fields	\$100.00	\$100.00
High Noon #6-16 (additional soccer fields at \$100 per day)	\$500.00	\$500.00
Burn Lake	\$300.00	\$300.00
Provencio Van Dame	\$300.00	\$300.00
Soldados	\$200.00	\$200.00
Apodaca Baseball	\$200.00	\$200.00
Youth Tournaments (per 12 hours)		
4 Field Complex	\$200.00	\$200.00
3 Field Complex	\$150.00	\$150.00
Single fields	\$50.00	\$50.00
High Noon #6-#16 (additional soccer fields at \$50 per day)	\$500.00	\$550.00
Burn Lake	\$150.00	\$150.00
Provencio Van Dame	\$150.00	\$150.00
Soldados	\$100.00	\$100.00
Apodaca Baseball	\$100.00	\$100.00
Camping Fees RV/Trailer	\$10.00 per night	\$10.00 per night
Tents	\$5.00 per night	\$5.00 per night
Yearly Fee for League/Season		
BMX	\$1,000.00	\$1,000.00
Volleyball	\$250.00	\$250.00
Horseshoe Courts (Entire)	\$100.00	\$100.00
Horseshoe Courts (Single Court)	\$5.00/4 hr Max	\$5.00/4 hr Max
Skate Park	\$50.00/4 hr Max	\$50.00/4 hr Max

VIII. MOBILE CONCESSION/VENDING FEES

Park Space	Monthly Fee Without Service FY12/13	Monthly Fee W/Service FY 12/13	Monthly Fee Without Service FY 13/14	Monthly Fee W/Service FY 13/14
*Park/Ball field	\$50.00	\$100.00 (elect.)	\$50.00	\$100.00 (elect)

*These fees apply to private or for profit entities. Fees must be paid every month (March-Oct.) regardless if vendor is selling any product.

RESOLUTION NO. 12-150**A RESOLUTION APPROVING THE PARKS AND RECREATION DEPARTMENT 2012/2013 FEES AND CHARGES/FACILITY USE POLICY AND REPEALING RESOLUTION 11-215.**

The City Council is informed that:

WHEREAS, the City of Las Cruces Parks and Recreation department is requesting to repeal Resolution 11-215; and

WHEREAS, over the past few years staff has consolidated several different policies into the Parks and Recreation Fees and Charges/Facilities Use Policy; and

WHEREAS, the policy is intended to establish a standardized approach to assessing fees for the use of City facility and recreation programs; and

WHEREAS, City Council established a target for cost recovery for the various programs and activities; and

WHEREAS, the policy was developed in an effort to achieve the recovery targets set by City Council; and

WHEREAS, the Parks and Recreation Advisory Board reviewed the policy at their regular meeting on January 19, 2012 and sent forward a recommendation to City Council for approval.

NOW, THEREFORE, be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the City of Las Cruces repeals Resolution 11-215 attached here to as Attachment "A".

(II)

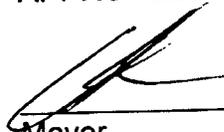
THAT the City of Las Cruces hereby adopts the proposed Parks and Recreation 2012/2013 Fees and Charges/Facility Use Policy, attached hereto as Exhibit "A".

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

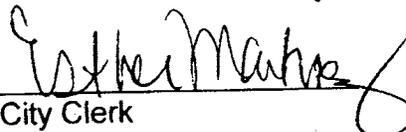
DONE AND APPROVED this 21st day of February, 2012.

APPROVED:



Mayor

ATTEST:



City Clerk

VOTE:

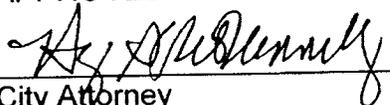
Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Smith:	<u>Aye</u>
Councillor Pedroza:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Sorg:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>

(SEAL)

Moved by Small

Seconded by Thomas

APPROVED AS TO FORM:



City Attorney

**CITY OF LAS CRUCES
PARKS AND RECREATION DEPARTMENT
2012/2013 FEES & CHARGES/FACILITY USE POLICY**

INTRODUCTION

The City of Las Cruces Parks and Recreation Department has the responsibility to establish policy for recovering costs for using the City's parks, recreation facilities and taking part in various recreation programs. This policy is meant to be a guide to Administration, the Parks and Recreation Advisory Board, and the City Council, in developing a fair and consistent fee schedule.

AUTHORITY

The authority to establish appropriate fees and facility use on an annual basis rests with the City Council. The Parks and Recreation Advisory Board shall act in an advisory capacity to the Parks and Recreation Department and to the City Council in the establishment of the policy.

FACILITATION

The Parks and Recreation Section shall develop fees and recommend appropriate uses of parks facilities and participation in recreation programs. The fee will be reviewed annually by staff, the Parks and Recreation Advisory Board, and ultimately approved by the City Council with the adoption of each annual budget.

PURPOSE OF POLICY

The policy is intended to establish a standardized approach to assessing fees for the use of City facilities, parks and participation in recreation programs; for determining which users or groups should pay at what percentage; to keep all fees at a fair market level in order to encourage participation; to strive for a degree of cost recovery; and to lessen the burden on the City and the General Fund.

USER FEES

User fees are established by the City Council. All applicable fees and/or deposits must be paid by cash, credit card, check, or money order, made payable to the order of the City of Las Cruces, a minimum of ten working days prior to the approved event.

CATEGORIES OF COST RECOVERY

1. **MINIMAL COST RECOVERY** – Small percentage of direct program costs. Normally 0-20 percent of direct cost:

Program Examples:

- Therapeutic Art
- Summer Recreation
- Therapeutic Dances

2. **PARTIAL COST RECOVERY**

Recreation programs will strive to recover 85 percent of direct program cost.

Program Examples:

- Teen Dances
- Youth Classes
- Youth Athletics

NOTE: Addressed in Resolution No. 93-264

3. **FULL COST RECOVERY:**

Recreation programs will strive to recover 100 percent of direct program costs.

Program Examples:

- Adult Recreation
- Adult Classes
- Adult Athletics

NOTE: Addressed in Resolution No. 93-264

4. **SPECIAL RECREATION PROGRAM COST RECOVERY:**

Recovery of 100 percent of direct program costs associated with the Special Parks and Recreation Programs Fund. Fund will be utilized for introduction of new programs, classes and special events.

TARGETED COST RECOVERY

Targeted cost recovery for recreation programs is 85-100 percent of direct costs, 33 percent for Aquatics, 85 percent for Youth (not to go below 75 percent), and 100 percent recovery for adult programs and special recreation programs.

DEFINITIONS DIRECT COST

Costs directly associated with providing activities and/or services required for program functionality. Examples: cost for instructor/leader, supplies, materials, building rental, advertising, etc.

FACILITIES

Existing City Parks and Recreation Facilities including recreation centers, tennis and other playing courts, sports fields, swimming pools, and parks. Examples are, but not limited to, the following:

- Meerscheidt Recreation Center
- Henry Benavidez Center
- Tennis Courts
- Public Pools
- Branigan Field
- Harty Complex
- Paz Complex
- Regional Aquatic Center (RAC)
- Triviz Multi-Purpose Path
- La Llorona Park
- Veterans Memorial Park
- Mesilla Park Community Center
- East Mesa Recreation Center
- Volleyball Courts
- Ron Galla Complex
- Soccer Complexes
- Maag Complex
- Apodaca Fields
- Lions Park
- Young Park
- Four Hills Park
- Pioneer Women's Park

PROGRAMMING HOURS OF OPERATION

In order to provide the most efficient and effective use of Parks and Recreation staff, facilities, and programs, the City of Las Cruces Parks and Recreation Department reserves the authority to change facility hours of operation in accordance with recreation programming. At designated facilities, City of Las Cruces Parks and Recreation staff will be on site only during scheduled recreation programming hours. Any change in programming hours of operation at a designated facility will be posted in advance. Facility hours may be further adjusted based on staffing levels, budget constraints and/or public demands.

SPONSORSHIP OF GROUPS

Groups that meet all criteria as set forth by the Parks and Recreation Advisory Board may be co-sponsored and/or supplementary funded by the City of Las Cruces: (Group sponsorship subject to change).

REFUND POLICY

The Parks and Recreation Department will refund fees for the following only:

1. Department cancellation of activity due to low registration.
2. Department cancellation of activity due to inclement weather.
3. Department cancellation of activity due to mechanical malfunctions.
4. Inability of class or league to proceed with activity.
5. A 25 percent service charge assessed prior to the second game or class with no refund to be granted after the second class or game.

6. In cases of emergency, i.e., death or illness, the deposit of the rental fee paid in advance to secure the rental will be refunded. A 25 percent service charge will be assessed to all cancellations other than emergencies of rentals of facilities and parks.

RETURNED CHECK POLICY

There will be a \$30.00 service charge on all returned checks as per the City's Finance Department.

PAYMENT PLAN

The Parks and Recreation Department is offering a payment plan to individuals who are unable to pay the full program amount at time of registration. Each individual will be reviewed on a case-by-case basis and a suitable payment plan must be agreed upon by both the individual and the City of Las Cruces.

TRANSFER POLICY

City Parks and Recreation Program transfers are permitted on a space available basis.

AGE CATEGORIES FOR RECREATION PROGRAMS

- Infant 0-2 years of age
- Child 3-12 years of age
- Youth 13-19 years of age
- Adult 20-59 years of age
- Senior 60 and over

SENIORS

The Parks and Recreation Department defines a senior as any individual who is 60 years of age and over. The senior population will be given a 50% discount off of all fees required to participate in our programs with the following document: ID from Munson Senior Center. If the individual does not present the ID card as proof, then all applicable fees for the program will apply without exception. All ID cards will be issued at Munson Senior Center free of charge.

RECREATION FACILITY AGE LIMITS

It is recommended that all children under the age of 18 be under the direct supervision of an adult 18 or older, however the Parks and Recreation Section shall use the information below as a guide for regular open hours at all facilities (pool rules differ):

1. Ages 1-7. Allowed admittance to the facilities (recreation/community) centers under direct supervision of an adult 18 or older, but never allowed in the weight room or group fitness classes. This age group must be accompanied by an adult at all times.
2. Ages 8-11. Must be accompanied by an adult 18 or older in the facilities. This age group is not allowed in the weight room or group fitness classes. Allowed use of the racquetball courts with an adult 18 or older.
3. Ages 12-14. This age group will be allowed access to most areas of the facilities without an adult, except for the weight room (some group fitness classes, but not spinning). They will also be allowed use of the racquetball courts without an adult.
4. Ages 15-17. This age group may participate in all group fitness classes and will be permitted in the weight room (parent/legal guardian must sign a waiver) only under the direct supervision of an adult 18 or older.
5. Ages 18 and over. This age group will be allowed full access to facilities.
6. In swimming pool facilities children ages 8 and under must be accompanied by an adult in the water unless child has passed a designated swim test.

FAMILY DEFINITIONS

Husband, wife and children, including natural, adopted, foster and step-children, living within the same household, also, persons who are not married, including children, who are living in the same household.

ORGANIZATION AQUATIC FEE

1. The Organization or Agency must be non-profit and show financial need:
 - a. Verification of non-profit and low income status (prior year's tax filing)
 - b. Letter of Incorporation from State of New Mexico
2. The Organization or Agency must be located within Dona Ana County.
3. Member or clients of the Organization or Agency must reside within the same building.
4. Submit a letter to the Parks and Recreation Administrator with above documentation requesting discounted punch card or swimming pool pass.
5. Approved non-profit agencies will receive a 50 percent discount on the appropriate 30 punch card rate. For Profit agencies will be charged current rates. For Profit/Non-Profit agencies will adhere to the following:

- a. 1-10 clients – at least one supervisor required and actively supervising in water.
 - b. 11-20 clients – at least 2 supervisors required with one actively supervising in water.
 - c. 21-30 clients – at least 1 supervisor to 10 clients required.
6. Organizations wishing to utilize the discounted punch card must make arrangements to attend a mandatory swimming pool training and schedule pool time with Aquatic staff (available during June and July at outdoor pools only).

MEDICAL AQUATIC FEE

Individuals needing assistance for a prescribed medical need may receive a 20 percent discount on the appropriate punch card/swimming pool pass rate only after the following procedures have been met:

1. Proof that the individual's health insurance will not cover the cost of a punch card /swimming pool pass.
2. A licensed physician's or certified physical therapy agency's prescription is provided for swimming as a therapeutic rehabilitative program.
3. Submit request in writing to the Parks and Recreation Administrator for approval with copies of above documentation.
(The City is currently reviewing the possibility to accept insurance payment).

City of Las Cruces Parks and Recreation programs prohibit the release of personal information to anyone outside the organization. Release of information must be authorized in writing by the individual concerned, or required by law. Discussions of Protected Health Information (PHI) or personal information within the organization should be limited. Acceptable uses of PHI within the organization include, but are not limited to, exchange of personal information needed for provisions of specific city services, billing, and other essential operations, peer review, internal audits, and quality assurance activities.

RESTORATIVE/MEDICAL POOL PROGRAM

The City of Las Cruces Parks and Recreation Section is offering use of the aquatic features and Warm Water Pool at the Las Cruces Regional Aquatic Center at a reduced fee for qualifying individuals and their care-provider(s). Individuals with medical conditions that would benefit from water to enhance, restore, and maintain a person's functional abilities may qualify. Conditions can be acute, transient, or chronic. Individuals and their care-provider(s) will be charged an admission fee of \$1.00 per person to use the Aquatic Center's amenities for one hour during any open swim session. Individuals participating in this program must be accompanied by their care-provider(s).

Both the participant and care-provider(s) must pay for each session of use at the facility. A doctor's note validating the need for the use of the facility must be provided at the time of registration.

FREE SWIM

City staff has the authority to offer free swim session admission on a weekly basis for everyone (not to exceed capacity based on New Mexico Environment Department Public Swimming Pool Regulations).

SCHOOL DISTRICT YEAR-END PARTIES

Schools may schedule Frenger Pool or the Las Cruces Regional Aquatic Facility for end-of-the-year school parties, not to exceed two hours and a minimum of 50 students as availability allows (not to exceed capacity based on New Mexico Environment Department Public Swimming Pool Regulations). Adults/Students who plan to swim will pay the daily rate.

FACILITY USE/RENTALS (RECREATION CENTERS)

Facilities refer to Henry Benavidez, Club Fusion, East Mesa, Mesilla Park, Life Center, Meerscheidt Center and Regional Aquatic Center. In consideration of the payment of the rental fee and the agreement with the Renter to comply with the Contract, the City of Las Cruces agrees to make space indicated available to the Renter for the dates and times set forth, and make available the equipment requested. By signing the Contract, the Renter agrees to the following:

I. Payment

- A. **Reservations:** Facility reservations are taken on a first-come, first-served basis by phone or in person. Reservations must be made two weeks prior to the event.

Reservations for group sports in the gymnasium are taken on a first-come, first-served basis by phone or in person. Reservations may be made beginning at 8:00 am on the Monday the week of the rental.

Deadline for arrangements and payment is 6:00 PM the Thursday prior to the date of usage. Otherwise, the reservation will be terminated.

- B. The Renter is responsible for loss or damage to CLC property. If, after inspection, room/facility is not left in a satisfactory condition, clean-up/damage fees will be assessed.
- C. **Rental Fee:** To secure reservation, one hundred percent (100%) of the rental fee is due at the time of the completion of this Contract.

D. Request for Changes: Any requests for changes to this Contract must be agreed upon in writing between the Renter and the City of Las Cruces staff. Requests must be completed no later than two (2) weeks prior to event or by mutual agreement.

E. Cancellation/Refund: If reservation is cancelled by Renter the City of Las Cruces will retain a 25% cancellation fee. The exceptions to this are injury, illness or in case of emergency or extenuating circumstances.

II. Set-Up, Supervision, Caterers, Decorations, Equipment, Clean-Up and Closing of Facility

A. Set-Up: Access to the facility for setting up including caterers set-up, will be during the hours on the face of the Contract ONLY.

The City of Las Cruces provides certain items for use to Renter and/or Caterer such as tables, chairs, and equipment within the facility(s). We do not provide linens, silver, or tableware. The City of Las Cruces staff's sole responsibility is to supervise the facility, the equipment and supply the above listed rental items for space being rented, along with trash cans and liners. The City of Las Cruces will not be responsible for moving, set-up and break-down including stacking of tables, chairs, and other equipment used during the event.

B. Supervision: Any individual at this event under the age of 18 must be supervised at all times. Any area of the facility that is not under Contract is off limits. Only activities conducive to the facility will be allowed. If required, security services must be present for the duration of the event. Parking is permitted at the facility. Please obey all posted signs.

C. Caterers: Caterers must have proper licenses and liability insurance coverage. The City of Las Cruces requires that a copy of the Caterer's Certificate of Insurance be made available when final payment is received for catered event.

D. Decorations: The renter shall not (a) cause or permit the facility to be injured, marred, or in any manner defaced or changed; (b) place any nails, tacks, screws or other fasteners into any part of the facility; (c) place or permit to be placed, signs on painted walls in any part of the facility. No decorations such as posters, pictures or banners are to be fastened to walls, woodwork or curtains inside or out.

E. Equipment: All equipment not owned by the City of Las Cruces and being used by Renter/Caterer must be removed at the conclusion of the event. The City of Las Cruces is not responsible for any lost, stolen or damaged property.

F. Clean-Up: At the conclusion of any event the facility must be returned to its pre-event condition. All City of Las Cruces equipment must be returned to the original designated areas. All food, beverages, equipment and rented supplies must be

removed from the premises immediately after each use of the facility(s) AND NO LATER THAN THE EXIT TIME STATED ON THE FACE OF THIS CONTRACT. Any catering areas used must be cleaned and left in "as found or better" condition. All trash must be removed from the building and placed in an appropriate dumpster. All floors must be swept and/or vacuumed after use of space. Renter will give floors a light mop where needed. Renter must immediately take care of any major spills. If renter is unable to remove spills, the City of Las Cruces will have area(s) professionally cleaned at the renter's expense.

III. Alcohol, Drugs and Tobacco

- A. Alcohol: No alcohol or liquor is allowed on City property without prior City Council approval.
- B. Drugs: No illegal drugs are allowed on City property.
- C. Smoking: No smoking is permitted inside any facility. Any person smoking must be at least 50 feet away from any facility entrance.
- D. ANY VIOLATION OF THESE RULES MAY CAUSE THE EVENT TO BE TERMINATED.

IV. Destruction and Damage

- A. Damage: If anyone damages the facility(s) during the rental period, the Renter shall be liable for all necessary repairs.
- B. Destruction: If the City of Las Cruces facility(s) are destroyed or damaged by fire or any other cause or unforeseen occurrence that shall make the fulfillment of the Agreement impossible, then the rental contract shall terminate and payments will be returned and Renter waives all rights to any claims against the City of Las Cruces.

V. Facility Use

- A. Compliance: Renter agrees that any use of City of Las Cruces facility(s) must comply with all statutes, ordinances, rules and regulations issued by Federal, State and Municipal governments, including all rules of the Las Cruces Police and Fire Departments. When requested, the Renter shall provide Liability insurance naming the City of Las Cruces, its employees and agents as additionally insured with the limits of \$1,000,000. If the City is to be named as additional insured, the insurance company must issue an endorsement stating that the City of Las Cruces is additional insured.
- B. License & Payments: Renter agrees to obtain or collect and to pay and deliver to the proper governmental agency or regulating authority, any and all license fees, permits, royalties and taxes required in connection with the use of the facility(s).

- C. Hazardous Materials: Renter agrees not to bring on to the premises any material, substance, equipment or object which is likely to endanger the life of, cause bodily injury to any person or property or which is likely to constitute a hazard.

VI. Responsibility and Indemnity

- A. Conduct: The conduct of all event participants while on City of Las Cruces property shall be the responsibility of the Renter. The Renter also accepts all responsibility for any injury to person(s) or property, or loss of or damage to property or theft of personal property on City of Las Cruces premises during the rental period or resulting therefrom. Failure by any individual or group to follow all applicable rules and regulations will be cause for eviction. The City of Las Cruces retains the right to evict objectionable persons from the premises. Repeated violations may result in denial of future reservation requests.

- B. Indemnity: The Renter shall release, indemnify, keep and save harmless the City of Las Cruces, its agents, officers or employees from any and all responsibility or liability for any and all damages or injury of any kind or nature whatever (including death) to all persons, whether agents or employees of the Renter or persons attending the event

for which the premises have been lease, and to all property damage proximately caused by, incident to, resulting from, arising out of, occurring in connection with, the use of the Renter of the premises. The provisions of this section shall include any and all losses, damages, injuries, settlements, judgments, decrees, awards, fines, penalties, claims, costs and expenses, including reasonable attorney's fees.

VII. Security

- A. Building Security: Different uses of the facility(s) may entail different requirements concerning security. The City of Las Cruces is not responsible for any items left in the facility(s). The Renter will take the necessary precautions to protect personal property and to maintain order during event. ONE PROFESSIONAL SECURITY GUARD PER FIFTY (50) PARTICIPANTS MAY BE REQUIRED. Receipted confirmation of professional security services obtained must be presented at time of final payment.

CONTRACTS TO CONDUCT CITY PROGRAMMING

If the City contracts with any organization to conduct a city-sponsored program, it is the City's responsibility to ensure such activities are carried out by the contractor in compliance with the requirements of the Americans with Disability Act. The following language shall be included in all such contracts entered into by the City.

The Contractor shall ensure that all programs, services and activities are accessible to and useable by persons with disabilities in accordance with the Americans with Disabilities Act.

Including but not limited to, equal opportunity to participate and benefit, equally effective communication for persons with speech, hearing or cognitive disabilities, integrated seating, and the provision of reasonable modifications and/or accommodations and to maintain, and provide to the City upon request, a recorded of all such requests received, granted and/or denied and the reason for any denials.

PERMITTING PROCEDURE

1. Requests for exclusive use of a City-owned park/recreation facility or portion thereof by any individual, group or organization must be submitted in writing to the Department, and require a minimum of ten days submittal, in advance of the requested date and shall contain the reason for the request.
2. Requests for use of City-owned parking lots adjacent to City-owned parks and recreation facilities must be submitted in writing to the Departments a minimum of ten working days in advance of the requested date and shall contain the reason for the request.
3. Requests for use of the City-owned parking lots surrounding Main Street Downtown (Main Street from Picacho Street to Lohman Avenue) must be submitted in writing to the Parks and Recreation Department a minimum of ten working days in advance of the requested date and shall contain the reason for the request. Uses that compete with established businesses or the Farmers and Crafts Market are prohibited. Because of the proximity to businesses on Main Street Downtown, use of these parking areas shall only be permitted from 7:00 p.m. to 10:00 p.m., Monday through Saturday, or from 9:00 a.m. to 10:00 p.m., Sundays.
4. Permits for exclusive use of City-owned parks, recreation facilities or parking areas will be issued for a period not less than four hours for the established fee, with the following considerations:
 - a. Permit requests for all parks, pavilions, gazebos and shelters will be rented for an established fee and time period.
 - b. The proposed use will not unreasonably interfere with general public enjoyment of a facility.
 - c. The proposed activity is not anticipated to incite violence, crime or disorderly conduct.
 - d. The proposed activity will not entail unusual expense (overtime scheduling) or risk to the City.
 - e. The facility or portion thereof requested has not previously been reserved.

- f. The facility requested is suitable for the activity proposed.
- g. The proposed activity will not interfere with the promotion of public health, welfare and safety of the citizens of Las Cruces.
- h. All appropriate paperwork has been completed in full and accepted by the Departments.
- i. The individual, group or organization insures the permitted facility will be left in a clean and acceptable condition.

NON-DISCRIMINATION COMPLIANCE

Facility users will not discriminate against any person in access to or participation in any program contemplated by this policy, or in any facility used in connection therewith, on the basis of race, color, national origin, age, disability, or sex. Facility users will ensure that all programs, services and activities are accessible to an useable by persons with disabilities in accordance with the Americans with Disabilities Act, including but not limited to, equal opportunity to participate and benefit, equally effective communication for persons with speech, hearing, and other impairments, integrated seating and the provision of reasonable modifications and/or accommodations and shall adhere to the City of Las Cruces Communication Policy (if portable toilets are going to be provided, accessible units must also be provided at each blank of standard units).

INSURANCE

The City requires that users of City-owned facilities for special requests, one-time events, athletic leagues, tournament play, and recreational programs provide proof of liability insurance to cover such use of the facilities, with the City of Las Cruces named as an additional insured on the policy, if staff determines that such insurance is necessary. If the City is to be named as additional insured, then the insurance company must issue an endorsement stating that the City of Las Cruces is additional insured. This proof of insurance will be forwarded to the Departments no later than 30 working days prior to the scheduled event for annual routine requests or no later than ten working days prior to the scheduled event. The amount of this insurance shall coincide with the limitations of the *New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1*.

SPECIAL EVENTS AND SPORTS LEAGUE REQUESTS

Annual exclusive use requests for special events and use of athletic facilities must be submitted in writing to the Departments no later than December 30 for the following year and must contain the reason for the request.

1. The following information/documentation must be submitted along with the request for facilities:

Parks and Recreation Department	12
2012/2013 Fees & Charges/ Facility Use Policy	

- a. On an annual basis 30 days prior to a special event, submit a detailed financial statement covering funds received and expended for the event or league operations to include local, state, regional or national tournaments for previous year special event or program. The City of Las Cruces may also require an audit at the organization's expense in cases where the City of Las Cruces provides funding or direct support.
 - b. On an annual basis 30 days prior to a special event, submit proof of insurance for upcoming special event, season or operations, or within ten days prior to the special event.
 - c. On an annual basis 30 days prior to a special event, submit proof of non-profit corporation status with the State of New Mexico Corporation Commission.
 - d. On an annual basis 30 days prior to a special event, submit prior year copy of Form 990 tax-exempt report filed with the Internal Revenue Service.
2. It shall be the responsibility of the individual, group, or organization to insure the permitted facility is left in a clean and acceptable condition.
 3. Use of athletic facilities for scrimmages will be controlled and coordinated by league officials with approval of the Parks and Recreation Department.
 4. It shall be the responsibility of the individual, group, or organization to follow up with the Parks and Recreation Department personnel five days prior to the event to secure needed equipment and ensure all services approved will be properly coordinated.
 5. The Parks and Recreation Department shall reserve the right to reschedule, cancel, or postpone league games, tournaments, and/or parks special events due to inclement weather, or unforeseen City related events.
 6. Leagues/Associations will provide program registration at a non-City facility(s) and conduct all business away from Parks and Recreation facilities.

FISHING

Fishing will be allowed at Burn Lake during normal park operating hours (5:00 a.m. to 11:00 p.m.) under the New Mexico Game and Fish Department Regulations. Fishing will be allowed at Young Park Pond for those 12 years of age and younger.

SWIMMING

Swimming is allowed at Laabs Pool, East Mesa Bataan Memorial Pool, Regional Aquatic Center and Frenger Pool. No swimming is allowed in the Young Park Pond.

CARNIVALS AND AMUSEMENTS

Requests for conducting Circuses, Carnivals/Amusement Parks and similar businesses must be submitted to the Planning Department's Permitting Office. If approved, these businesses must then apply for a Park Permit if the activity is conducted at a Parks and Recreation area or facility.

ROLLER SKATING, ROLLERBLADING AND SKATEBOARDING

The City of Las Cruces may designate and restrict areas and facilities for these purposes.

GOLFING

No hitting of golf balls allowed on any City or park facility as per *LCMC, Part II, Chapter CD 20.5, Section 20-36*, with the exception of City golf programming.

MOBILE CONCESSIONS/VENDING

Any individual, group, business entity or organization engaged in the sale of food, beverage, or any other merchandise at a public park within the City limits must obtain a permit from the Parks and Recreation Department. Applicant is responsible and required to meet all applicable city, state and health department laws and regulations, including acquiring all necessary permits for food and beverage preparation. All such permits must be provided to the City prior for the issuance of a permit from the Parks and Recreation Department. Applicant is required to provide the City a copy of proof of liability insurance coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence, naming the City of Las Cruces as an additional insured. The City of Las Cruces recognizes that some youth leagues/organizations utilize concession space to help off-set program costs. In this instance, insurance is required as well as financial records. All concession/vendors, to include mobile vendors, must be in good standing at all times. Good standing will be defined as no complaints, regular payment of required fees, and all appropriate documentation on file. The Parks and Recreation Department staff has the right to deny concession/vending permits based on non-compliance. All vendors must pay a required fee of \$50 per month (March – October) regardless if they are selling any product.

SPECIAL USE PERMITS (TO INCLUDE, BUT NOT LIMITED TO, MODEL AIRPLANES/MODEL ROCKETS/METAL DETECTING), AND REMOTE CONTROL CARS

Model Airplanes/rockets, metal detecting, and remote control cars are recognized as legitimate recreation activities when they are conducted in ways that do not damage the natural and cultural resources of City of Las Cruces park facilities.

A Facility Use Permit is required to use any city park for these activities. Use of metal detectors is limited to park areas only and not in ball field areas. To obtain a Facility use Permit visit the Parks and Recreation Administrative Office at 1501 E. Hadley.

INFLATABLE/PORTABLE PLAY EQUIPMENT

The City of Las Cruces allows inflatable play equipment at designated sites in certain parks. Some parks do not allow inflatable play equipment at all. Any business that operates/leases party and or event equipment, i.e. jumping balloons, dunk tanks, sporting equipment, etc., in a City park/facility is required to provide proof of general liability insurance in the amount of one million dollars (\$1,000,000) per occurrence, with the City of Las Cruces named as an additional insured.

The amount of the insurance shall coincide with the limitations of the New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1. This proof of insurance must be forwarded to the Parks and Recreation Department for record keeping. Uninsured businesses may be held personally responsible for injury or damages caused by any uninsured or unauthorized inflatable or portable play equipment.

VEHICLES AND DRIVING IN CITY PARKS

Driving or parking vehicles on the grass or landscaping located in a City park or on City property is prohibited except during events for which a permit has been granted. Driving on park property results in damage to both turf and irrigation sprinkler systems and can result in costly repairs. Items should be hand carried from the street or parking lot to the interior of a park. This is also true for local businesses that offer tents or other large items for party rentals or other activities. In addition, no parking is allowed on the grass surrounding soccer fields and softball/baseball fields. This section does not apply to City vehicles, emergency vehicles or public utility service vehicles.

WELLNESS PROGRAM

The City of Las Cruces has expanded the current workplace Wellness Program by recognizing the value of improving the health and well-being of its employees. The program *is designed to improve employee morale, loyalty, and productivity. Employees have been provided access to physical fitness classes, the weight room and cardio rooms, nutrition classes, diabetes checks, health fairs, and golf opportunities through a partnership with New Mexico State University.* Staff will continue to seek ways to increase the benefits for City of Las Cruces employees and their family members.

COMMUNITY GARDENING

The City of Las Cruces offers local citizens use of public property for community gardening activities. Gardeners are encouraged to plant vegetables and other annual plants. All

gardening participants must be registered. The application deadline for gardeners will be February 28 of each year. Registration is accepted at the Parks and Recreation Department, 1501 E. Hadley. Garden plots will be rented on a first-come, first-served basis and for an established fee and time period.

WALK OF HONOR BRICK PAVERS

The City of Las Cruces offers the opportunity to purchase personalized quarry tile brick pavers to be used in the construction of a walk of honor for veterans within the City's Veterans Memorial Park on Roadrunner Parkway. Bricks may be purchased at the Parks and Recreation Department for an established fee and time period. Bricks will be ordered twice yearly (every six months).

PARK OPENING AND CLOSING HOURS

1. City parks may be open from 5:00 a.m. until 11:00 p.m., except for emergencies, permitted special events and in parks where hours are posted differently from those operating under the normal operating time. *Refer to LCMC, Chapter 22, Parks and Recreation, Article I. "In General", Section 22-1*
2. Unidad Park and Butterfield Shooting Range hours of operation are sunrise to sunset.
3. Individuals shall not be allowed in any City park during closing times unless authorized by permit.
4. The City Manager has the authority to change opening and closing hours of City parks.
5. Parks and Recreation Department employees or Police employees are not restricted by the opening and closing hours when in performance of their duties.
6. For further information regarding park operations, please *refer to LCMC, Chapter 22, Section 22-1*, available in the City Clerk's Office.

WEAPONS

As the owner of public lands and facilities, the City does not and will not consent to or permit any person to possess a deadly weapon of any type, concealed or otherwise, on or in any City park(s) or public facility(s), with the exception of Butterfield Shooting Range. The consent of any person to be in or on a public park(s) or facility(s) while carrying a deadly weapon of any type, concealed or otherwise, is expressly withdrawn by the City.

PET OWNER'S RESPONSIBILITIES

The City of Las Cruces requires by *LCMC*, Chapter 1, Section #7-4.a that all pet owners clean up after their pet while they visit our parks and facilities.

In addition, dog owners must have their dogs under their control and on a lead not longer than twelve (12) feet; off leash recreation is provided at the "Off Leash Dog Park", directly behind the Meerscheidt Recreation Center, 1600 E. Hadley St.

Pet owners will be restricted from bringing their pets to athletic complexes, unless designated as a service animal.

MERCHANDISING, ADVERTISING AND SIGNS

1. Individuals, groups or organizations, while utilizing City-owned parks and/or facilities, are prohibited from the following unless authorized by the Departments in writing:
 - a. Calling to the public attention an article or service for sale or hire.
 - b. Posting or erecting any sign on City-owned property unless authorized by the City Sign Code.
 - c. Collection of money by an individual, group, or organization from the public for services and/or merchandise where all or some of such monies will be disbursed to an entity, individual, group or organization, will only be authorized by permit. Applicable park rental fees may apply.
2. a. The Parks and Recreation Department has created advertising opportunities that will develop partnerships with our local business community to increase the visibility of their respective businesses and to ensure the sustainability of offering quality/affordable programs to the citizens of Las Cruces. The manner in which these advertisements will be offered will be a personalized banner to be displayed at designated athletic facilities. Fees will be established as per City Council approval.

EXCEPTIONS

There may be requests that are exceptions to this policy. These requests will be reviewed on a case-by-case basis and may require Parks and Recreation Advisory Board, City Manager, or City Council approval.

PERMIT APPEAL PROCESS

Individuals, groups, or organizations that have been denied use of City-owned parks and/or recreational facilities by the management of the Departments, whether for profit or non-profit use, have access to an appeal process to the City Council through City Council Policy Number 6001-1. This policy will be outlined on all facility permit requests.

APPEALS TO DISCIPLINARY ACTION OF CITY OF LAS CRUCES RECREATION PROGRAMS/ACTIVITIES

1. Suspension Process

- a. Verbal discussion by the program administrator that puts the patron on notice that their behavior is unacceptable and will not be tolerated in the future. Incident report and documentation of discussion to be filed on site with a copy sent to the Department Director.
- b. Immediate suspension by program administrator, not to exceed two normal workdays. Saturday and Sunday for purposes of this policy are not considered normal workdays.
- c. Suspension of 30 to 60 days by Department Director. Written notice will be sent to the patron via certified mail.
- d. Suspension longer than 60 days by Review Board. Written notice will be sent to the patron via certified mail.

2. Appeal Process

If an individual believes that a Disciplinary Action imposed by City Facility or City Sponsored program personnel is not reasonable, the decision may be appealed. The appeal process will follow the steps outlined in City Council Resolution 02-323, Ban from Public Facility Policy.

- a. All incidents will be documented on an incident report. The next higher level of authority shall review the incident and the action taken.
- b. Immediate suspension can be appealed to the Department Director.
- c. Suspension by Department Director can be appealed to the Review Board.
- d. Suspension by the Review Board can be appealed to City Council.

All appeals beyond the Department Director will require a notice of appeal in writing requesting to appeal and stating the reason and facts as to why an appeal is being requested. The notice of appeal in writing must be submitted no less than fifteen (15) working days prior to the next Review Board or City Council Meeting.

JUSTIFICATION – This change is being implemented to comply with City Council Resolution 02-323 - Ban From Public Facilities Policy.

CITY OF LAS CRUCES PARKS AND RECREATION APPEALS TO DISCIPLINARY ACTION OF TEAMS/LEAGUES

1. Any individuals, groups, or organizations which have been disqualified or suspended from further participation in a City-sponsored or co-sponsored activity and wish to appeal must have exhausted all league or organization appeals processes. After doing so, they may appeal to the Parks and Recreation Advisory Board and ultimately to the City Council if necessary.
2. Individuals, groups, and organizations will abide by the terms of this policy and any management issues brought forward to City staff and/or Board Members such as (but not limited to):
 - a. Disciplinary inconsistencies.
 - b. Disbursement of funds.
 - c. Open board meetings.
 - d. Complaints from the public regarding questionable and ethical practices.

Said items or issues, at the appropriate times, may be considered or addressed by the Parks and Recreation Advisory Board and ultimately by the City Council and may be grounds for revoking the permitted facility and/or funds by the City of Las Cruces.

PENALTIES

1. All individuals, groups or organizations in violation of this policy or any facility regulations or City Ordinances may have their permit revoked immediately and/or may be issued a citation(s) for ordinance violations.

Any event at which individuals, groups or organizations create a noise nuisance to residents within the proximity of the facility being utilized will be subject to cessation by members of City staff, or if necessary, the Police Department.

CITY FEE WAIVER POLICIES (as established by City Council)

1. City Fee Waiver Policy.
2. Park Facility Fee Waiver for Military Services at Veterans Memorial Park.
3. Official City Sponsored or co-sponsored events as approved by City Council.

**CITY OF LAS CRUCES
PARKS AND RECREATION PROGRAMS AND FACILITIES
2012/2013 FEES & CHARGES/FACILITY USE SCHEDULE**

I. GENERAL RECREATION PROGRAMS

General Instructions:

Program	Session	FY 11/12	FY 12/13
Fitness/Circuit Training	1 class	\$2.00	\$2.00
Fitness Punch Card	30 visits	\$48.00	\$48.00
Gymnastics – Parent/Tot	8 classes	\$30.00	\$30.00
Gymnastics – Beginning	8 classes	\$30.00	\$30.00
Gymnastics – Intermediate	8 classes	\$30.00	\$30.00
Children’s Dance Classes (Monthly)	4 classes	\$30.00	\$30.00
Adult Dance	8 classes	\$35.00	\$35.00
Cheer/Dance	8 classes	\$30.00	\$30.00
Racquetball/Pickleball	1 hour/court	\$2.00	\$2.00
Racquetball/Pickleball Racquet Rental	1 racquet	\$1.00	\$1.00
Teen Dance – Club Fusion	1 admission	\$3.00	\$3.00
Water Fitness Class	1 class	\$2.00	\$2.00
Water Fitness Class Punch Card	30 visits	\$48.00	\$48.00
Sticks for Kids - Youth	8 weeks	\$30.00	\$30.00
Sports 101 - Youth	8 classes	\$30.00	\$30.00
Weight Room	Daily Fee	\$1.00	\$1.00
Weight Room Punch Card	24 visits	\$20.00	\$20.00
Therapeutic Program Dance	1 admission	\$2.00	\$2.00
Fitness Classes/Lap Swim	1 hour	\$2.00	\$2.00
Shower Fee	1 each	\$1.00	\$1.00
Towel Fee	1 each	\$1.00	\$1.00
Start-Smart Sports Program-Youth	Per person	\$30.00	\$30.00
Summer Recreation Program (includes field trip fees)	AM Session	\$30.00	\$90.00
	PM Session	\$30.00	\$90.00
Activity Camps	AM Session		\$45.00
	PM Session		\$45.00
Preschool Class	8 classes	\$45.00	\$45.00
Locker Rental	Daily	\$.50	\$.50
Locker Rental	Weekly	\$2.50	\$2.50
Locker Rental	Monthly	\$10.00	\$10.00

Program	Session	FY 11/12	FY 12/13
Locker Rental	Yearly	\$120.00	\$120.00
Locker Deposit (long-term use)*		\$20.00	\$20.00
Music Lessons	Monthly	\$35.00	\$35.00

*Long term use is defined and applied to "yearly lockers".

Art Classes (Youth)	Monthly	\$15.00	\$15.00
Art Classes (Adult)	Monthly	\$20.00	\$20.00
Lunch Bucket Basketball	Daily Fee	\$2.00	\$2.00
¹ After School Program (180 school days X 4)	Semester (2)	\$273.00	\$360.00
Copy Fee	Per copy	\$.50	\$.50
Indoor Cycling	1 class	\$2.00	\$2.00
Special Programs/New Opportunities*			

¹ Late registration midway through program will be accepted based on availability; a fee of \$4.00 per day (for each day remaining in program) will be assessed.

*Staff will pursue additional program opportunities throughout the year and set fees based on Council's direction concerning rates of recovery.

Therapeutic Recreation Programming – Private Entities

A programming fee will be charged for Therapeutic Recreation Program administered activities held at any private entity (outside of a City building). The Therapeutic Recreation programming fee will be a minimum of 25 cents per participant/care provider per activity. This fee may vary based on the activity, allowing for a wide-range of diversity in venues and opportunities for program participants. The Therapeutic Recreation Program will work with care providing agencies, care providers and participant families to set activity programming fees for more costly and expansive activities. This programming fee will provide a minimal cost recovery and help off-set direct expenses incurred for the facilitation and delivery of such activities.

Sports League Program:

Program	Session	FY 11/12	FY 12/13
Adult Basketball*			
Winter League	11 games	\$420.00	\$465.00
Summer League	9 games	\$395.00	\$435.00
Holiday Camp	Per person	\$60.00	\$60.00
Racquetball League	12 games	\$12.00	\$12.00
Flag Football Tournament- Adult	6games/team	\$200.00	\$200.00
Flag Football Tournament-Youth	6 games/team	\$150.00	\$150.00

Program	Session	FY 11/12	FY 12/13
3-on-3 Basketball	Per person	\$10.00	\$20.00
Basketball Coaches Certif.	1 year	\$30.00	\$30.00
Officiating Clinic	1 year	\$25.00	\$30.00
Youth Sports Leagues (City)	8 games	\$35.00/chld	\$35.00/chld
Sports Tournament – Adult			\$200.00
Sports Tournament – Youth			\$150.00
Non-Traditional Sports Tournaments – Adult			\$200.00
Non-Traditional Sports Tournaments - Youth			\$150.00

* Adult Leagues run at 100 percent recovery of direct cost.

**Youth Leagues run at 85 percent recovery of direct cost.

The Parks and Recreation Section will have the authority to research and pursue new and innovative revenue sources by utilizing new and creative programming or single event activities for all ages and abilities.

Special Events:

Program	Session	FY 11/12	FY 12/13
Youth Running Events/Late Fee	1 race	\$15.00/\$25.00	\$15.00/\$25.00
Adult Running Events/Late Fee	1 race	\$20.00/\$25.00	\$20.00/\$25.00
Running Event Series	3 5K races	\$30.00	\$30.00
Duathlon/Duathlon Late Fee	1 race	\$30.00/\$35.00	\$30.00/\$35.00

- II. **SWIMMING** (In the event of pool closures and capacity, open recreation and swim time will be split into two equal sessions. All swimming pools will have split sessions during summer months (Memorial Weekend thru Labor Day).

Community Education Classes:

Program	Session	FY 11/12	FY 12/13
First Aid	4 hrs.	\$25.00	\$50.00
CPR-PR		\$45.00	\$70.00
Recertification (CPR-PR or First Aid)	One time	\$20.00	\$45.00
Recertification (Lifeguard Skills)	One time	\$60.00	\$85.00
Home Swimming Pool/Spa Water Safety	1.5 hours	\$25.00	\$25.00
Open Water Safety	1.5 hours	\$25.00	\$25.00
Home Swimming/Water Safety/Open Water	3 hours	\$45.00	\$45.00
Swim Steps (8 & Under Swim Test Preparation)	1 Session	\$1.00	\$1.00

Daily Fees (Frenger/East Mesa/Laabs):

	Age Group	FY 11/12	FY 12/13
Infant	0-2 years	Free	Free
Youth	3-19 years	\$2.00	\$2.00
Adult	20-59 years	\$4.00	\$4.00
Senior	60 +years	\$3.00	\$3.00
Child Watch Fee (Parent/Guardian)	N/A	\$1.00	\$1.00

30 Punch Admission Card (Frenger/East Mesa/Laabs):

	Age Group	FY 11/12	FY 12/13
Infant	0-2 years	Free	Free
Youth*	3-19 years	\$50.00/30 punch	\$50.00/30 punch
Adult*	20-59 years	\$110.00/30 punch	\$110.00/30 punch
Senior*	60 +years	\$80.00/30 punch	\$80.00/30 punch

*Reduced rate at \$10 off of proposed Youth, Adult and Senior 30 Punch Admission. Monthly Passes/punch cards purchased at Frenger/East Mesa/Laabs Pool can ONLY be used at these Venues.

Rentals: Frenger Swimming Pool (Entire Pool)

Amount of Group	FY 11/12	FY 12/13	Guards On Duty
1-20 People	\$75.00/hr	\$75.00/hr	2 Guards
21-45 People	\$85.00/hr	\$85.00/hr	3 Guards
46-60 People	\$95.00/hr	\$95.00/hr	4 Guards
61-90 People	\$105.00/hr	\$105.00/hr	4-5 Guards

Rentals: Laabs/East Mesa Swimming Pools (Entire Pool)

Amount of Group	FY 11/12	FY 12/13	Guards On Duty
1-20 People	\$150.00/hr	\$150.00/hr	4 Guards
21-45 People	\$170.00/hr	\$170.00/hr	6 Guards
46-80 People	\$190.00/hr	\$190.00/hr	8 Guards
81-102 People	\$210.00/hr	\$210.00/hr	8-10 Guards
103-124 People	\$230.00/hr	\$230.00/hr	8-10 Guards
125-146 People	\$250.00/hr	\$250.00/hr	8-10 Guards
147-165 People	\$270.00/hr	\$270.00/hr	10-12 Guards
166-185 People	\$290.00/hr	\$290.00/hr	10-12 Guards
186-200 People	\$310.00/hr	\$310.00/hr	10-12 Guards

Rentals: Laabs/East Mesa Swimming Pools (Zero Entry and Slide)

Amount of Group	FY 11/12	FY 12/13	Guards on duty
1-20 People	\$75.00/hr	\$75.00/hr	2 Guards

21-45 People	\$85.00/hr	\$85.00/hr	3 Guards
46-80 People	\$95.00/hr	\$95.00/hr	4 Guards
81-102 People	\$105.00/hr	\$105.00/hr	4-5 Guards

Swim Team Rentals as per agreement.

Rentals will be based on overall demand (public use) and safety window of opportunity (amount of daylight).

Holidays/Maintenance Closures:

Swimming pools may be closed on City observed holidays with the exception of Memorial Day, Fourth of July and Labor Day.

LAS CRUCES REGIONAL AQUATIC CENTER

Special Events:

Program	Session	FY 11/12	FY 12/13
Children's' Triathlon and Races	1 race	\$15.00	\$15.00

Daily Fees:

	Age Group	FY 11/12	FY 12/13
Infant	0-2 years	\$2.00	\$2.00
Youth	3-19 years	\$3.00	\$3.00
Adult	20-59 years	\$4.00	\$4.00
Senior	60 + years	\$3.00	\$3.00
Child Watch Fee (Parent/Guardian)	N/A	\$1.00	\$1.00

30 Punch Admission Card

	Age Group	FY 11/12	FY 12/13
Infant	0-2 years	\$50.00/30 punch	\$50.00/30 punch
Youth*	3-19 years	\$80.00/30 punch	\$80.00/30 punch
Adult*	20-59 years	\$110.00/30 punch	\$110.00/30 punch
Senior*	60+years	\$80.00/30 punch	\$80.00/30 punch

*Reduce rate at \$20.00 off of proposed Youth, Adult and Senior 30 Punch Admission Card.

Gift certificates are available for purchase at all swimming pool facilities.

Swimming Lessons:

Program	Levels	FY 11/12	FY 12/13
Private Lessons	All Ages	\$30.00/hour	\$35.00/hour

Infant/Toddler/Preschool/ Level 1 & 2	Beginner	\$40.00/8 classes	\$45.00/8 classes
	Levels 3 & 4 (Intermediate)	\$55.00/8 classes	\$60.00/8 classes
	Levels 5, 6 & 7(Advanced)	\$55.00/8 classes	\$60.00/8 classes
Lifeguarding (does not include books or pocket mask)		\$155.00/30 hours	\$180.00/30 hours
Lifeguarding Instructor (LGI) Does not include books		\$170.00/26 hours	\$195.00/26 hours
Water Safety Instructor (WSI) Minimum age 16 years. Does not include books		\$190.00/15 hours	\$190.00/15 hours
Be A Guard WSIA & Guard Start (Working at Pools) Minimum age 15 years. Must have passed Level 3		\$95.00/15 hours	\$95.00/15 hours

*Lifeguard Training fee is refundable upon successful completion of certification process and upon hire with the City of Las Cruces (completion of 90 days of service).

Rentals: (Warm Water Pool)

Amount of Group	Guards on Duty	FY 11/12	FY 12/13
1-20 People	2 Guards	\$100.00/half hour	\$100.00/half hour
21-30 People	4 Guards	\$200.00/half hour	\$200.00/half hour

Rentals: (Party Room)

Room	FY 11/12	FY 12/13
Party Room/Wet	\$50.00/1 ½ hours	\$100.00/3 ½ hours

*If pool swim session is to be utilized in conjunction with Party Room rental, pool fees will also be assessed.

III. FACILITIES RENTAL

Meerscheidt, Mesilla Park, Henry Benavidez, East Mesa and Life Center (Weekend):

Rental Area	FY 11/12	FY 12/13
Multi Purpose Room	\$50.00/hr	\$50.00/hr
Class Room	\$30.00/hr	\$30.00/hr
Any additional room associated with Multi Purpose Rental	\$20.00/hr	\$20.00/hr
Auditorium (Mesilla Park Community Center only)	\$60.00/hr	\$60.00/hr
Gym Rentals (Meerscheidt Rec Center only)	\$40.00/hr	\$40.00/hr

Mesilla Park (weekday operations only):

Rental Area	FY 11/12	FY 12/13
Multi Purpose Room	\$25.00/hr	\$25.00/hr
Class Room	\$15.00/hr	\$15.00/hr
Any additional room associated with Multi Purpose Rental	\$10.00/hr	\$10.00/hr
Auditorium (Mesilla Park Community Center only)	\$30.00/hr	\$30.00/hr
Workshops		\$1.00/day

East Mesa/Henry Benavidez (weekday operations only):

Rental Area	FY 11/12	FY 12/13
Multi Purpose Room Only	\$25.00/hr	\$25.00/hr

Meerscheidt Recreation Center (weekday operations only):

Rental Area	FY 11/12	FY 12/13
Class Care (ages 5-11 years)		\$1.00/per person
Multi Purpose Room Only	\$25.00/hr	\$20.00/hr
Gymnasium – Half Court		\$10.00/hr
Gymnasium – Full Court		\$20.00/hr

City approved professional security guard services by the renter at a ratio of one guard for every 50 guests (licensed/bonded).

In an effort to reduce staff overtime costs, no rentals will be offered on Sundays.

IV. FUNDRAISING RENTALS FOR RECREATION FACILITIES

- A. Rate applies to any individual, group or organization holding fundraisers (i.e. enchilada dinners, dances, tournaments, etc.) excluding sponsored leagues.
- B. The cost of the rental fee in cases of fundraising will be the baseline amount of the facility rental plus 10 percent of the gross profit.
- C. This policy applies to all individuals, groups or organizations whether profit or non-profit, private or public.
- D. Individuals, groups or organizations charging the public will provide a financial statement and 10 percent of the gross profit 10 working days after the rental.
- E. Staff may require service Security Guards

V. MERCHANDISE

Merchandise	Amount Requested	FY 11/12	FY 12/13
Program/Event T-Shirts			
Short Sleeve	Each	\$10.00	\$10.00
Long Sleeve T-Shirts	Each	\$15.00	\$15.00
Sweatshirts	Each	\$20.00	\$20.00
Swim Pant Fee/Youth	Each	\$1.00	\$1.00
Goggles	Each	\$10.00	\$10.00
Towels	Each	\$10.00	\$10.00
Swim Cap	Each	\$4.00	\$4.00
Reusable Water Bottle	Each	\$5.00	\$5.00

VI. PARK PERMIT FEE

Facility Requests	Number of Hours/Day Fee	FY 11/12	FY 12/13
Park area/section	4	\$50.00	\$50.00

VI. SPORTS LEAGUES (PER FIELD/PER GAME FEE)

Sport/Age Group	FY 11/12	FY 12/13
Recreational Youth Baseball/Softball/Soccer/Football (Local – 18 years and under)	\$0	\$0
Select Youth Baseball/Softball/Soccer/Football (Local - 18 years and under)	\$10.00	\$10.00
Adult Baseball/Softball	\$20.00	\$20.00
Adult Football/Soccer	\$15.00	\$15.00
Senior Softball/Baseball (Local)	\$0	\$0
Adult Tournaments (per 12 hours)		
4 Field Complex	\$400.00	\$400.00
3 Field Complex	\$300.00	\$300.00
Single fields	\$100.00	\$100.00
High Noon #6-16 (additional soccer fields at \$100 per day)	\$500.00	\$500.00
Burn Lake		\$300.00
Provencio Van Dame	\$300.00	\$300.00
Soldados	\$200.00	\$200.00
Apodaca Baseball	\$200.00	\$200.00
Youth Tournaments (per 12 hours)		
4 Field Complex	\$200.00	\$200.00
3 Field Complex	\$150.00	\$150.00
Single fields	\$50.00	\$50.00
High Noon #6-#16	\$500.00	\$550.00

(additional soccer fields at \$50 per day)		
Burn Lake		\$150.00
Provencio Van Dame	\$150.00	\$150.00
Soldados	\$100.00	\$100.00
Apodaca Baseball	\$100.00	\$100.00
Camping Fees		
RV/Trailer	\$10.00 per night	\$10.00 per night
Tents	\$5.00 per night	\$5.00 per night
Yearly Fee for League/Season		
BMX		\$1,000.00
Volleyball		\$250.00
Horseshoe Courts (Entire)		\$100.00
Horseshoe Courts (Single Court)		\$5.00/4 hr Max
Skate Park		\$50.00/4 hr Max

VII. MOBILE CONCESSION/VENDING FEES

Park Space	Monthly Fee Without Service FY11/12	Monthly Fee W/Service FY 11/12	Monthly Fee Without Service FY 12/13	Monthly Fee W/Service FY 12/13
*Park/Ball field	\$50.00	\$100.00 (elect.)	\$50.00	\$100.00 (elect)

*These fees apply to private or for profit entities. Fees must be paid every month (March-Oct.) regardless if vendor is selling any product.

RESOLUTION NO. 11-215**A RESOLUTION APPROVING THE PARKS AND RECREATION FEES AND CHARGES/FACILITY USE POLICY AND REPEALING RESOLUTION 10-273 AND RESOLUTION 10-251.**

The City Council is informed that:

WHEREAS, the City of Las Cruces Parks and Recreation Section is requesting to repeal Resolution No. 10-273 attached as Exhibit "A" and Resolution No.10-251 attached as Exhibit "B"; and

WHEREAS, the City of Las Cruces Parks and Recreation Section currently operates under two separate policies that set the fees and charges for facility use and recreational programs; and

WHEREAS, in an effort to continue to streamline operations and improve customer service, staff is recommending combining the Fees and Charges/Facility Use Policy and the Regional Aquatic Center Fee Schedule into one Parks and Recreation Fees and Charges/Facility Use Policy; and

WHEREAS, the proposed policy was developed with the intent of keeping fees reasonable and lessen the burden on the City general fund; and

WHEREAS, the Parks and Recreation Advisory Board reviewed and approved the proposed policy at a joint Public Hearing, Parks and Recreation Advisory Board Meeting on Thursday, March 17, 2011; and

WHEREAS, the new policy and fee structure was developed in an effort to achieve cost recovery goals established by the City Council.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT Resolution 10-273 and Resolution 10-251 be repealed and replaced by this Resolution and new Fees and Charges/Facility Use Policy is attached as Exhibit "C".

(II)

THAT City staff is hereby authorized to do all deeds as necessary in the accomplishment of the herein above.

DONE AND APPROVED this 18th day of April 2011.

APPROVED:



Mayor

ATTEST:



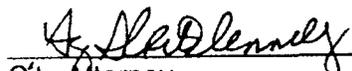
City Clerk

(SEAL)

Moved by: Connor

Seconded by: Small

APPROVED AS TO FORM:



City Attorney

VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Connor:	<u>Aye</u>
Councillor Pedroza:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Sorg:	<u>Aye</u>
Councillor Thomas:	<u>Aye</u>

"DRAFT"

**PARKS AND RECREATION ADVISORY BOARD MEETING
January 19, 2011**

1 The Parks and Recreation Advisory Board Meeting was held on January 19, 2012, at
2 City Hall, 700 Main Street, Las Cruces, New Mexico.

3
4 **PARKS & RECREATION ADVISORY BOARD MEMBERS PRESENT:**

5 Mr. Isaac Chavez, Board Chair, Mr. Ron Camunez Board
6 Vice-Chair, Mr. Eli Guzman, Ms. Alice Ward, Mr. Wayne
7 Hancock, Ms. Dawn Rue

8
9 **ABSENT:** Mr. Mark O'Neill

10
11 **OTHERS PRESENT:** Mr. Mark Johnston, Parks and Recreation Director, Ms.
12 Carol Conners-Lyons, Executive Administrative Assistant
13 and Advisory Board Recording Secretary, Mr. Rudy Trevino,
14 Parks District Manager, Ms. Sonya Delgado, Management
15 Operations Analyst, Ms. Kari Morales, Ms. Alisa Tafoya and
16 Mr. Robbie Tafoya.

17
18 Meeting was called to order at 6:01 p.m. by Mr. Chavez, and he recognized the
19 meeting as having a legal quorum.

20
21 **I. Introductions**

22 Board Members introduced themselves and stated the district they represent.

23
24 **II. Conflict of Interest**

25 None

26
27 **III. Approval of Minutes**

28
29 Mr. Camunez moved to approve the minutes from the November 17, 2011 Parks and
30 Recreation Advisory Board Meeting, and Ms. Ward seconded the motion. The Parks
31 and Recreation Advisory Board Meeting Notes from November 17, 2011 were
32 approved. Motion passed 6-0.

33
34 Mr. Ron Camunez voted YES Mr. Wayne Hancock voted YES
35 Mr. Isaac Chavez voted YES Mr. Eli Guzman voted YES
36 Ms. Alice Ward voted YES Ms. Dawn Rue voted YES

37
38 **E. 2012/2013 Fees & Charges/Facility Use Policy-----ACTION**

39
40 Mr. Chavez stated that the next item on the agenda is our annual review of the fees
41 and charges for facility use. He stated that he noted that there are not a lot of huge
42 changes and asked Mr. Johnston to go through the document with the Board.

1 Mr. Johnston stated that he would like to go through the document by exception. Page
2 one is mainly cleanup indication change from section to department. Page two, no
3 changes. Page 3 indicates deleting of some facilities that we will be eliminating.
4

5 Mr. Chavez asked if it was necessary to list groups (Page 3), because as Mr. Hancock
6 stated earlier and had a good point because these names change. Can we just say
7 groups that meet the requirements can be co-sponsored or will receive supplementary
8 funds? It seems that we are tying ourselves into something, because one of the
9 mentioned groups could not meet the requirements. We would have to cut them out
10 because they do not meet the financial stipulations required. They could come back
11 and state because they are mentioned in the policy they are guaranteed at least this
12 year. He suggested that the verbiage be changed to 'any group that meets stipulated
13 requirements can apply for funding'.
14

15 Mr. Johnston stated that this part will be deleted, and the changes made. He went on
16 to Page 4, a payment plan has been introduced. He stated that for some of the
17 programs, individuals need a payment plan, and we've never had that in the written
18 document. This will afford exposure to some of the programs to people who cannot
19 pay the \$200-\$300 all at once and will put them on a 'what they can afford' payment
20 plan.
21

22 Mr. Chavez stated that the payment plan is something that we need to let our
23 constituents know about. A lot of people might get intimidated and don't try to apply for
24 these programs, because the cost seems so over bearing. Two hundred dollars is an
25 overbearing cost for just about any family these days including my own. I know that
26 you may not want to advertise, because everyone is going to want a payment plan, but
27 there needs to be some way that we can let families know about this.
28

29 Mr. Johnston stated that what they will end up doing is advertise it in the Parks and
30 Recreation information. He further stated that there has been a clean up of ages,
31 because we are finding that there are a lot of youth who are still in highschool at age
32 19. Page 5, we've added a section for seniors recognizing that they are 60 years and
33 older. There is a 50% deduction on programs for those 60 years and older when they
34 have valid proof that they are a part of our senior program.
35

36 Mr. Chavez asked if this was a new discount or have always had it but had never put it
37 in this document?
38

39 Mr. Johnston advised that this was new.
40

41 Mr. Hancock asked if the ID was a picture ID or just an ID card?
42

43 Mr. Johnston stated that some folks would have an ID card, some folks would have the
44 ID from Munson Senior Center. To get the ID card from Munson, the person goes
45 through an assessment to get the card, and there is no charge to get the ID from
46 Munson.

1
2 Mr. Johnston continued on Page 6-9 no changes—we worked on all this last year.
3 Page 10, we inserted additional insured endorsement. This is new and is now
4 required. This was the endorsement that Mr. Tafoya mentioned earlier in the meeting
5 and is required according to our Legal department.
6
7 Mr. Chavez stated that when they rent the Convention Center, they are required to do
8 this same thing.
9
10 Mr. Johnston continued on Page 11 – we added in the surrounding Main Street so that
11 we now have the component for the SOP as identified here as we move forward. Page
12 12, no changes. Page 13, we added the endorsement language on the insurance
13 again.
14
15 Mr. Hancock asked if on Page 11 if we could possibly add that we are going to
16 acknowledge letters that we receive in writing so that we can prevent the kind of
17 problem that we had tonight.
18
19 Mr. Chavez asked Mr. Johnston if this is the proper place to put this, or is there
20 somewhere else Mr. Hancock is saying that if you receive something—such as the
21 resignation from Mr. Tafoya, you probably need to send a formal response in the form
22 of a letter stating that we received your resignation; however, he's not sure if this is the
23 proper place to insert this.
24
25 Mr. Johnston stated that would and should be addressed in the contract. Some of the
26 non-profits operate differently than others, and we actually have to drop a contract—for
27 example, it's different than the little league running the fields.
28
29 Mr. Hancock stated that he was concerned that if it is in the contract, and then it's not
30 done; then it could be considered a breach of the contract. Whereas, if it is just in
31 procedure, and it was overlooked for some reason, then it would not be a problem.
32
33 Mr. Johnston asked if he could run it past Legal.
34
35 Mr. Hancock thanked Mr. Johnston.
36
37 Mr. Chavez asked Mr. Johnston to bring a copy of a standard contract template, and
38 the Board can see how it reads.
39
40 Mr. Johnston agreed to bring the contract template to the February 2012 Board
41 meeting. Page 14, cleaned up page to indicate Department instead of Section. Page
42 15 – this is the concession/vendor policy that we tightened up last year. This now
43 shows the flat fee of \$50 for no services and \$100 for services—plugging into
44 electricity. This will also mimic the fee schedule that is currently being charged to
45 mobile vendors downtown in the parking lots. Now, we are across the board with these
46 fees/charges. Page 16, we introduced the Community Gardening. We are in the

1 process in developing the second community garden at Gomez Park and should have
2 it opened the first part of March 2012.

3
4 Mr. Chavez stated that we keep saying that this community garden is the second, but
5 isn't the Heske a community garden?

6
7 Mr. Johnston stated that Heske is a community garden but not for community
8 gardening.

9
10 Mr. Chavez stated that he noted in a Centennial booklet that Heske was denoted as
11 Emma Heske Community Garden, and he was thinking that it was not the same thing
12 as gardening.

13
14 Mr. Johnston continued and said that the Walk of Honor/Brick Pavers has been going
15 on for years. It has been included in our one working document. Page 17, change
16 there on the dog owners—there has been a change in the law in that the dog owner
17 can have their pet on a twelve (12) foot leash instead of an eight (8) foot leash. Page
18 18, struck out extra language on advertising, because we've been given the authority
19 to advertise. We did not want to limit ourselves to 4 X 8 banners if we can, in fact,
20 have a 6 X 10 or a 10 X 20. And, if you will remember, Council has given us authority
21 to advertise, and we get to keep the money that we make and use the money for
22 programming. He stated that they were going to hit it hard this year. Last year, we had
23 it rolling; however, he had to pull Jake Gutierrez off of it due to his job.

24
25 Page 19 contains the addition of the Parks and Recreation appeals process. Page 20,
26 no changes. Page 21 cleans some of the fees. He pointed out that the Summer
27 Recreation Program had a \$30 fee. The fee is being changed to \$90. This is what he
28 calls 'truth in advertising'. It is much the same as when you go to the airport. You
29 purchase a ticket for \$30. The next thing you know you have a \$25 fee, a \$15 fee and
30 yet another \$15 fee. When the summer recreation programs are run, they go on field
31 trips and the Aquatic Center. So, it's constantly \$5 here, \$6 there, etc and children
32 have to bring money with them. By the end of the program, it balances out to about
33 \$90. So, novel concept, we will collect the money up front, kids don't have to handle
34 money, and we'll take care of the business. But we definitely have to put that \$30 in
35 there, and he'll have explanation. Our activity camps are those that we piloted last
36 year – Sports Camps 101. They were a big hit. Page 22, some minor changes to
37 make sure we hit our returns on investment that are dictated by Council. We defined
38 long term use of yearly lockers. That was a question that cam up last year. Page 23,
39 here again, just cleaned it up from what it was called to a three (3) on three (3)
40 tournament. We did not have Sports tournament adults or sports tournament youth in
41 here, but we are running them. Down at the bottom you will see Community Education
42 Classes. Those additional charges are a direct result of the American Red Cross. It is
43 pass through dollars and cents. Page 24, here again, we cleaned up our age groups
44 so that they match across the board. Page 25, we had a bit of redundancy at the
45 Regional Aquatic Center, because we already called it out earlier. Therefore that area
46 is being deleted. Page 26 is a direct reflection of our costs; so, we have our cost

1 recovery. Page 27, you'll actually see where we lowered some prices. We found that
2 some of our rentals were dropping off; so, we are going to lower them. On some
3 rentals, we raised the price; however, we increased the time. This will make it easier
4 on staff as it will coincide with the sessions of the rentals and not have
5 guests/customers vacate in the middle of a session.

6
7 Mr. Chavez asked for a definition of the dry room.

8
9 Mr. Johnston advised that there were two; however, one was too small and was not
10 working out. Therefore, that has become the First Aid room, and we will be creating a
11 patio at the Aquatic Center this year. So, you'll be able to rent the room and the patio
12 in one.

13
14 Mr. Chavez asked where the patio will located?

15
16 Mr. Johnston replied that the patio will be located on the southeast side.

17
18 Mr. Johnston continued with Page 28, we struck the Club Fusion referrals, because the
19 building is up for sale. Page 29, camping will only be allowed in conjunction with
20 special events and will be limited to no more than seven (7) days.

21
22 Mr. Chavez stated that is not in there right now; so, the camping is unlimited.

23
24 Mr. Camunez questioned if the Occupy Las Cruces are still at Johnson Park?

25
26 Ms. Ward stated that they are still there?

27
28 Ms. Rue stated that they have a big party planned for Friday or something going on.

29
30 Ms. Ward asked if this ruling would be retro active? How are you going to handle that?

31
32 Mr. Johnston stated that he has put them on notice, that the fees and charges policy is
33 moving forward to Council which has a restriction on camping.

34
35 Mr. Chavez asked if this will go into effect when City Council approves it?

36
37 Mr. Johnston stated that he is going to ask for the effective date of adoption. So, when
38 we go forward which will be in early February, I'll ask for an effective date upon
39 adoption.

40
41 Mr. Johnston continued with Page 30, these are the yearly fees that we talked about.
42 For example, the BMX track is \$1000. These are the fees that were in a different
43 policy, but are here now. It is for our mobile concession vendors.

44

1 Mr. Chavez stated that this is in this policy now. Before, this \$1000 was never
2 charged. It was done in-kind for them taking care of the tracks. I want to make sure
3 this is understood.

4
5 Mr. Hancock asked if the in-kind was being eliminated?

6
7 Mr. Johnston stated that in-kind was still authorized.

8
9 Mr. Chavez replied that this was on a case-by-case basis at the Director's discretion.

10
11 Mr. Johnston stated that is correct.

12
13 Mr. Chavez asked if there was a motion to approve this Parks and Recreation
14 Department 2012/2013 Fees and Charges/Facility Use Policy as amended?

15
16 Mr. Hancock made the motion to approve as amended.

17
18 Mr. Camunez seconded the motion to approve as amended.

19
20 Mr. Chavez stated that it has been properly moved and seconded to approve the Parks
21 and Recreation Department 2012/2013 Fees and Charges/Facility Use Policy as
22 amended. Is there any further discussion?

23
24 Motion passed 6-0.

25
26 Mr. Ron Camunez voted YES

Mr. Wayne Hancock voted YES

27 Mr. Isaac Chavez voted YES

Mr. Eli Guzman voted YES

28 Ms. Alice Ward voted YES

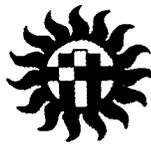
Ms. Dawn Rue voted YES

29
30 **ADJOURNMENT**

31
32 With no further business meeting was adjourned at 8:00 PM

33
34
35
36 Carol Conners-Lyons, Recording Secretary

Isaac Chavez, Chair P&R Board



City of Las Cruces
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 15

Ordinance/Resolution# 12-150

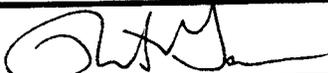
For Meeting of _____
(Ordinance First Reading Date)

For Meeting of February 21, 2012
(Adoption Date)

TITLE: A RESOLUTION APPROVING THE PARKS AND RECREATION DEPARTMENT 2012/2013 FEES AND CHARGES/FACILITY USE POLICY AND REPEALING RESOLUTION 11-215.

PURPOSE(S) OF ACTION:

Approve Parks and Recreation Fees and Charges.

COUNCIL DISTRICT: All		
<u>Drafter/Staff Contact:</u> Mark Johnston	<u>Department/Section:</u> Parks & Recreation	<u>Phone:</u> 541-2550
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

Over the past few years, staff has consolidated several different policies into one Parks and Recreation Fees and Charges/Facility Use Policy. The proposed policy addresses further consolidation and identifies new programs that are being offered. The policy is intended to establish a standardized approach to assessing fees for the use of City facilities, parks, participation in recreation programs; for determining which users or groups should pay at what percentage; to keep all fees at a fair market level in order to encourage participation; to strive for a degree of cost recovery; and to lessen the burden on the City and the General Fund. Resolution 11-215 established Parks and Recreation Fees and Charges in 2011 and must be repealed in order to approve the new fees and charges policy.

City Council established a target for cost recovery for recreation programs at 85-100 percent of direct costs, 33 percent for aquatics, 85 percent for youth (not to go below 75 percent) and 100 percent recovery for adult programs and special recreation programs. The policy and fees structure is developed with a goal of achieving the set cost recovery.

The Parks and Recreation Advisory Board reviewed the proposed policy at their regular meeting on January 19, 2012 and set forward a recommendation to City Council for approval.

SUPPORT INFORMATION:

1. Resolution.

(Continue on additional sheets as required)

2. Exhibit "A", Proposed Parks and Recreation 2012/2013 Fees and Charges/Facility Use Policy.
3. Attachment "A", Resolution 11-215.
4. Attachment "B", Draft excerpt from the January 19, 2012 Parks and Recreation Advisory Board meeting minutes.

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input type="checkbox"/>	See fund summary below
	No	<input checked="" type="checkbox"/>	If No, then check one below:
	Budget Adjustment Attached	<input type="checkbox"/>	Expense reallocated from:
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the Fund.
Does this action create any revenue?	Yes	<input checked="" type="checkbox"/>	Funds will be deposited into this fund: Various in the amount of <u>\$1,000,000+/-</u> for FY12/13.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

Purposed fee structure will only increase revenues slightly above current revenues.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

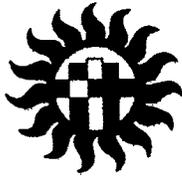
1. Vote "Yes"; this will approve the Parks and Recreation Department 2012/2013 Fees and Charges/Facility Use Policy.
2. Vote "No"; this will not approve the Parks and Recreation Department 2012/2013 Fees and Charges/Facility Policy which will leave the existing Fees and Charges Policy in place until repealed.
3. Vote to "Amend"; and provide changes to the resolution.
4. Vote to "Table"; and provide staff with further direction.

REFERENCE INFORMATION:

N/A

(Continue on additional sheets as required)

12-150



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of February 21, 2012
(Adoption Date)

TITLE:

A RESOLUTION APPROVING THE PARKS AND RECREATION DEPARTMENT 2012/2013 FEES AND CHARGES/FACILITY USE POLICY AND REPEALING RESOLUTION 11-215.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact Mark Johnston		541-2550	1/25/12
Department Director Mark Johnston		541-2550	1/25/12
Other			
Assistant City Manager /CAO Management & Budget Manager		2048 2107	1/26/12 1-26-12
Assistant City Manager/COO		2271	2/2/12
City Attorney		541-2128	02/2/12
City Clerk		541-2115	2/8/12

"DRAFT- EXCERPT"**PARKS AND RECREATION ADVISORY BOARD MEETING
February 21, 2013**

1 The Parks and Recreation Advisory Board Meeting was held on February 21, 2013, at
2 City Hall, 700 Main Street, Las Cruces, New Mexico.

PARKS & RECREATION ADVISORY BOARD MEMBERS PRESENT:

3
4
5 Mr. Ron Camunez, Board Chair, Mr. Mark O'Neill, Mr. Eli
6 Guzman, Ms. Elizabeth Brown, Ms. Laura Haas

7
8 **ABSENT:** Ms. Dawn Rue

OTHERS PRESENT:

9
10 Mr. Mark Johnston, Director Parks & Recreation; Ms.
11 Veronica Quezada, Acting PRAB Recording Secretary; Mr.
12 Rudy Trevino, Parks Manager; Lorraine Padilla, LCYSA;
13 Brian Cox, Public; B. Allen, Public; F. Medina, Public; Albert
14 Casillas, MVSC.

15
16 Meeting was called to order at 6:00 p.m. by Mr. Camunez, and he recognized the
17 meeting as having a legal quorum.

I. Introductions

18
19
20
21 Board Members introduced themselves and stated the district they represent.

II. Conflict of Interest

22
23
24
25 No conflict of interest

III. Approval of Minutes

26
27
28
29 Mr. Camunez moved to approve the minutes from the January 24, 2013 Parks and
30 Recreation Advisory Board Meeting. Ms. Haas noted a correction on page 2; line 26
31 Ms. Guzman should be Mr. Guzman. With noted correction to be corrected, Ms. Brown
32 motioned to approve the minutes with Mr. Guzman second. With noted changes, the
33 Parks and Recreation Advisory Board Meeting minutes from January 24, 2013 were
34 approved. Motion passed 5-0.

35
36 Mr. Ron Camunez voted YES Ms. Eli Guzman voted YES
37 Mr. Mark O'Neill voted YES Ms. Elizabeth Brown voted YES
38 Ms. Laura Haas voted YES

39
40 Chair- All those opposed. Motion is carried.

IV. Public Comment

1
2 **Old Business**

3
4
5 **New Business**

6
7 A. *Las Cruces Youth Softball Association Concerns*Information

8
9 B. *Fees & Charges/Facility Use Policy*.....Action Item

10
11 Mr. Johnston- Mr. Chair, members of the board, if you recall last meeting we kind of
12 went through all the changes. The one change I was not sure of at that time is on page
13 6, and that was the medical aquatic fees; that was the 20 percent discount;
14 recommendation is just to eliminate it. It essentially amounts to 40 cents, a 40 cent
15 reduction and the paperwork and the possibility of having HIPPA violations is not worth
16 it so we're striking that section.

17
18 Mr. Johnston- Mr. Chairman, members of the board, I'll go through this pretty quick
19 cause I know we've taken a long time tonight. What you see in this document is mostly
20 clean up but on page 6 we eliminated the whole Medical Aquatic Fee. We felt that the
21 restorative medical pool program covered it and that will cover those that really require
22 assistance and the 40 cents was more paperwork and hassle than what it was really
23 worth.

24
25 On Page 7 more little clean up, Mesilla Park is now Frank O'Brien Papen. Page 8 and
26 9 just a little date clean up on the bottom, 10 and 11, date clean up at the bottom and a
27 little bit of formatting at the middle of page 10. Page 12 and 13 same thing at the
28 bottom and little bit of clean up. Then on Page 14 you'll see carnivals and
29 amusements. We now have a reorganization so it's the community development and I
30 think there'll be more reorganization so that will change further again next year. But
31 we'll get that. Let's go all the way back to page 22. That's where we start our rates
32 and fees. You'll see very minor change in our fees so that we meet our 100% cost
33 recovery just because of the cost of things. So we're trying to keep our fees down,
34 especially for our youth programs. The numbers are showing that our prices are right,
35 in the market cause our numbers keep going up and up; on page 25 at little bit of
36 cleanup. \$5 increase on children's leagues that pays for the shirts. On page 26-27,
37 nothing but updates on the years. On page 28 and 29, clean-up of Frank O'Brien
38 Papen, clean-up of the dates. And then on Page 30, Park area section, the cost for
39 services water and electricity we are recommending from the flat \$50 to \$100. It's
40 amazing how many folks are requesting electricity these days and then come and plug
41 everything they can into that electrical outlet. So this will hopefully curb that activity a
42 bit. With that Mr. Chairman...

43
44 Mr. Camunez- Are there any questions from the board? It's basic; it's clear; nothing
45 major. So does anyone have a comment, wish to comment? None apparent; then I'll
46 ask for a motion to approve the Fees and Charges.

1
2 Mr. O'Neill- I'll make a motion to approve the Fees and Charges for Parks and Rec.
3 Department as presented.

4
5 Ms. Haas- I'll second.

6
7 Mr. Camunez- It's been moved and second to approve the 2013/2014 Fees and
8 Charges/Facility Use for the Parks and Recreation Department for the City of Las
9 Cruces. All those in favor say Aye. Opposed?

10
11
12 Mr. Ron Camunez voted YES Ms. Eli Guzman voted YES
13 Mr. Mark O'Neill voted YES Ms. Laura Haas voted YES
14 Ms. Elizabeth Brown voted YES

15
16 Motion carried.

17
18 C. Recognition for Mr. Hancock.....Information

19
20
21 D. Venue for Future Meetings-.....Discussion

22
23
24 E. Staff Reports on Requested Items.....Information

25
26
27 **MEMBERS COMMENTS**

28
29
30 **ADJOURNMENT**

31
32 With no further business, the meeting is adjourned at 7:30 PM.

33
34
35
36
37 _____
38 Shelly Hernandez, Recording Secretary

Ron Camunez, Chair P&R Board

**CITY OF LAS CRUCES
PARKS AND RECREATION DEPARTMENT
2012/2013/2014 FEES & CHARGES/FACILITY USE POLICY**

INTRODUCTION

The City of Las Cruces Parks and Recreation Department has the responsibility to establish policy for recovering costs for using the City's parks, recreation facilities and taking part in various recreation programs. This policy is meant to be a guide to Administration, the Parks and Recreation Advisory Board, and the City Council, in developing a fair and consistent fee schedule.

AUTHORITY

The authority to establish appropriate fees and facility use on an annual basis rests with the City Council. The Parks and Recreation Advisory Board shall act in an advisory capacity to the Parks and Recreation Department and to the City Council in the establishment of the policy.

FACILITATION

The Parks and Recreation Section shall develop fees and recommend appropriate uses of parks facilities and participation in recreation programs. The fee will be reviewed annually by staff, the Parks and Recreation Advisory Board, and ultimately approved by the City Council with the adoption of each annual budget.

PURPOSE OF POLICY

The policy is intended to establish a standardized approach to assessing fees for the use of City facilities, parks and participation in recreation programs; for determining which users or groups should pay at what percentage; to keep all fees at a fair market level in order to encourage participation; to strive for a degree of cost recovery; and to lessen the burden on the City and the General Fund.

USER FEES

User fees are established by the City Council. All applicable fees and/or deposits must be paid by cash, credit card, check, or money order, made payable to the order of the City of Las Cruces, a minimum of ten working days prior to the approved event.

CATEGORIES OF COST RECOVERY

1. **MINIMAL COST RECOVERY** – Small percentage of direct program costs. Normally 0-20 percent of direct cost:

Program Examples:

- Therapeutic Art
- Summer Recreation
- Therapeutic Dances

2. **PARTIAL COST RECOVERY**

Recreation programs will strive to recover 85 percent of direct program cost.

Program Examples:

- Teen Dances
- Youth Classes
- Youth Athletics

NOTE: Addressed in Resolution No. 93-264

3. **FULL COST RECOVERY:**

Recreation programs will strive to recover 100 percent of direct program costs.

Program Examples:

- Adult Recreation
- Adult Classes
- Adult Athletics

NOTE: Addressed in Resolution No. 93-264

4. **SPECIAL RECREATION PROGRAM COST RECOVERY:**

Recovery of 100 percent of direct program costs associated with the Special Parks and Recreation Programs Fund. Fund will be utilized for introduction of new programs, classes and special events.

TARGETED COST RECOVERY

Targeted cost recovery for recreation programs is 85-100 percent of direct costs, 33 percent for Aquatics, 85 percent for Youth (not to go below 75 percent), and 100 percent recovery for adult programs and special recreation programs.

DEFINITIONS DIRECT COST

Costs directly associated with providing activities and/or services required for program functionality. Examples: cost for instructor/leader, supplies, materials, building rental, advertising, etc.

FACILITIES

Existing City Parks and Recreation Facilities including recreation centers, tennis and other playing courts, sports fields, swimming pools, and parks. Examples are, but not limited to, the following:

- Meerscheidt Recreation Center
- Community Center
- Henry Benavidez Center
- Tennis Courts
- Public Pools
- Branigan Field
- Harty Complex
- Paz Complex
- Regional Aquatic Center (RAC)
- Triviz Multi-Purpose Path
- La Llorona Park
- Veterans Memorial Park
- Mesilla Park Frank O'Brien Papen
- East Mesa Recreation Center
- Volleyball Courts
- Ron Galla Complex
- Soccer Complexes
- Maag Complex
- Apodaca Fields
- Lions Park
- Young Park
- Four Hills Park
- Pioneer Women's Park

PROGRAMMING HOURS OF OPERATION

In order to provide the most efficient and effective use of Parks and Recreation staff, facilities, and programs, the City of Las Cruces Parks and Recreation Department reserves the authority to change facility hours of operation in accordance with recreation programming. At designated facilities, City of Las Cruces Parks and Recreation staff will be on site only during scheduled recreation programming hours. Any change in programming hours of operation at a designated facility will be posted in advance. Facility hours may be further adjusted based on staffing levels, budget constraints and/or public demands.

SPONSORSHIP OF GROUPS

Groups that meet all criteria as set forth by the Parks and Recreation Advisory Board may be co-sponsored and/or supplementary funded by the City of Las Cruces: (Group sponsorship subject to change).

REFUND POLICY

The Parks and Recreation Department will refund fees for the following only:

1. Department cancellation of activity due to low registration.
2. Department cancellation of activity due to inclement weather.
3. Department cancellation of activity due to mechanical malfunctions.
4. Inability of class or league to proceed with activity.
5. A 25 percent service charge assessed prior to the second game or class with no refund to be granted after the second class or game.

6. In cases of emergency, i.e., death or illness, the deposit of the rental fee paid in advance to secure the rental will be refunded. A 25 percent service charge will be assessed to all cancellations other than emergencies of rentals of facilities and parks.

RETURNED CHECK POLICY

There will be a \$30.00 service charge on all returned checks as per the City's Finance Department.

PAYMENT PLAN

The Parks and Recreation Department is offering a payment plan to individuals who are unable to pay the full program amount at time of registration. Each individual will be reviewed on a case-by-case basis and a suitable payment plan must be agreed upon by both the individual and the City of Las Cruces. Scholarships may be available through the generous donations of citizens of Las Cruces.

TRANSFER POLICY

City Parks and Recreation Program transfers are permitted on a space available basis.

AGE CATEGORIES FOR RECREATION PROGRAMS

- Infant 0-2 years of age
- Child 3-12 years of age
- Youth 13-19 years of age
- Adult 20-59 years of age
- Senior 60 and over

SENIORS

The Parks and Recreation Department defines a senior as any individual who is 60 years of age and over. The senior population will be given a 50% discount off of all fees required to participate in our programs with the following document: ID from Munson Senior Center. Discount does not apply to league participation. If the individual does not present the ID card as proof, then all applicable fees for the program will apply without exception. All ID cards will be issued at Munson Senior Center free of charge.

RECREATION FACILITY AGE LIMITS

It is recommended that all children under the age of 18 be under the direct supervision of an adult 18 or older, however the Parks and Recreation Section shall use the information below as a guide for regular open hours at all facilities (pool rules differ):

1. Ages 1-7. Allowed admittance to the facilities (recreation/community) centers under direct supervision of an adult 18 or older, but never allowed in the weight room or group fitness classes. This age group must be accompanied by an adult at all times.
2. Ages 8-11. Must be accompanied by an adult 18 or older in the facilities. This age group is not allowed in the weight room or group fitness classes. Allowed use of the racquetball courts with an adult 18 or older.
3. Ages 12-14. This age group will be allowed access to most areas of the facilities without an adult, except for the weight room (14 and older will be allowed in the weight room with supervision of an adult; some group fitness classes, but not spinning). They will also be allowed use of the racquetball courts without an adult.
4. Ages 15-17. This age group may participate in all group fitness classes and will be permitted in the weight room (parent/legal guardian must sign a waiver) only under the direct supervision of an adult 18 or older.
5. Ages 18 and over. This age group will be allowed full access to facilities.
6. In swimming pool facilities children ages 8 and under must be accompanied by an adult in the water unless child has passed a designated swim test.

FAMILY DEFINITIONS

Husband, wife and children, including natural, adopted, foster and step-children, living within the same household, also, persons who are not married, including children, who are living in the same household.

ORGANIZATION AQUATIC FEE

1. The Organization or Agency must be non-profit and show financial need:
 - a. Verification of non-profit and low income status (prior year's tax filing)
 - b. Letter of Incorporation from State of New Mexico
2. The Organization or Agency must be located within Dona Ana County.
3. Member or clients of the Organization or Agency must reside within the same building.
4. Submit a letter to the Parks and Recreation Administrator-Director or designee with above documentation requesting discounted punch card or swimming pool pass.
5. Approved non-profit agencies will receive a 50 percent discount on the appropriate 30 punch card rate. For Profit agencies will be charged current rates. For Profit/Non-Profit agencies will adhere to the following:

- a. 1-10 clients – at least one supervisor required and actively supervising in water.
 - b. 11-20 clients – at least 2 supervisors required with one actively supervising in water.
 - c. 21-30 clients – at least 1 supervisor to 10 clients required.
6. Organizations wishing to utilize the discounted punch card must make arrangements to attend a mandatory swimming pool training and schedule pool time with Aquatic staff (available during June and July at outdoor pools only).

MEDICAL AQUATIC FEE

~~Individuals needing assistance for a prescribed medical need may receive a 20 percent discount on the appropriate punch card/swimming pool pass rate only after the following procedures have been met:~~

- ~~1. Proof that the individual's health insurance will not cover the cost of a punch card /swimming pool pass.~~
 - ~~2. A licensed physician's or certified physical therapy agency's prescription is provided for swimming as a therapeutic rehabilitative program.~~
 - ~~3. Submit request in writing to the Parks and Recreation Administrator for approval with copies of above documentation.~~
- ~~(The City is currently reviewing the possibility to accept insurance payment).~~

~~City of Las Cruces Parks and Recreation programs prohibit the release of personal information to anyone outside the organization. Release of information must be authorized in writing by the individual concerned, or required by law. Discussions of Protected Health Information (PHI) or personal information within the organization should be limited. Acceptable uses of PHI within the organization include, but are not limited to, exchange of personal information needed for provisions of specific city services, billing, and other essential operations, peer review, internal audits, and quality assurance activities.~~

RESTORATIVE/MEDICAL POOL PROGRAM

The City of Las Cruces Parks and Recreation Section-Department is offering use of the aquatic features and Warm Water Pool at the Las Cruces Regional Aquatic Center at a reduced fee for qualifying individuals and their care-provider(s). Individuals with medical conditions that would benefit from water exercise to enhance, restore, and maintain a person's functional abilities may qualify. Conditions can be acute, transient, or chronic. Individuals and their care-provider(s) will be charged an admission fee of \$1.00 per person to use the Aquatic Center's amenities for one hour during any open swim session. Individuals participating in this program must be accompanied by their care-provider(s).

Both the participant and care-provider(s) must pay for each session of use at the facility. A doctor's note validating the need for the use of the facility must be provided at the time of registration.

FREE SWIM

City staff has the authority to offer free swim session admission on a weekly basis for everyone (not to exceed capacity based on New Mexico Environment Department Public Swimming Pool Regulations).

SCHOOL DISTRICT YEAR-END PARTIES

Schools may schedule Frenger Pool or the Las Cruces Regional Aquatic Facility for end-of-the-year school parties, not to exceed two hours and a minimum of 50 students as availability allows (not to exceed capacity based on New Mexico Environment Department Public Swimming Pool Regulations). Adults/Students who plan to swim will pay the daily rate.

FACILITY USE/RENTALS (RECREATION CENTERS)

Facilities refer to Henry Benavidez, Club Fusion, East Mesa, Mesilla Park Frank O'Brien Papen Center, Life Center, Meerscheidt Center and Regional Aquatic Center. In consideration of the payment of the rental fee and the agreement with the Renter to comply with the Contract, the City of Las Cruces agrees to make space indicated available to the Renter for the dates and times set forth, and make available the equipment requested. By signing the Contract, the Renter agrees to the following:

I. Payment

- A. Reservations: Facility reservations are taken on a first-come, first-served basis by phone or in person. Reservations must be made two weeks prior to the event.

Reservations for group sports in the gymnasium are taken on a first-come, first-served basis by phone or in person. Reservations may be made beginning at 8:00 am on the Monday the week of the rental.

Deadline for arrangements and payment is 6:00 PM the Thursday ten business days prior to the date of usage. Otherwise, the reservation will be terminated.

- B. The Renter is responsible for loss or damage to CLC property. If, after inspection, room/facility is not left in a satisfactory condition, clean-up/damage fees will be assessed.
- C. Rental Fee: To secure reservation, one hundred percent (100%) of the rental fee is due at the time of the completion of this Contract.

D. Request for Changes: Any requests for changes to this Contract must be agreed upon in writing between the Renter and the City of Las Cruces staff. Requests must be completed no later than two (2) weeks prior to event or by mutual agreement.

E. Cancellation/Refund: If reservation is cancelled by Renter the City of Las Cruces will retain a 25% cancellation fee. The exceptions to this are injury, illness or in case of emergency or extenuating circumstances.

II. Set-Up, Supervision, Caterers, Decorations, Equipment, Clean-Up and Closing of Facility

A. Set-Up: Access to the facility for setting up including caterers set-up, will be during the hours on the face of the Contract ONLY.

The City of Las Cruces provides certain items for use to Renter and/or Caterer such as tables, chairs, and equipment within the facility(s). We do not provide linens, silver, or tableware. The City of Las Cruces staff's sole responsibility is to supervise the facility, the equipment and supply the above listed rental items for space being rented, along with trash cans and liners. The City of Las Cruces will not be responsible for moving, set-up and break-down including stacking of tables, chairs, and other equipment used during the event.

B. Supervision: Any individual at this event under the age of 18 must be supervised at all times. Any area of the facility that is not under Contract is off limits. Only activities conducive to the facility will be allowed. If required, security services must be present for the duration of the event. Parking is permitted at the facility. Please obey all posted signs.

C. Caterers: Caterers must have proper licenses and liability insurance coverage. The City of Las Cruces requires that a copy of the Caterer's Certificate of Insurance be made available when final payment is received for catered event.

D. Decorations: The renter shall not (a) cause or permit the facility to be injured, marred, or in any manner defaced or changed; (b) place any nails, tacks, screws or other fasteners into any part of the facility; (c) place or permit to be placed, signs on painted walls in any part of the facility. No decorations such as posters, pictures or banners are to be fastened to walls, woodwork or curtains inside or out.

E. Equipment: All equipment not owned by the City of Las Cruces and being used by Renter/Caterer must be removed at the conclusion of the event. The City of Las Cruces is not responsible for any lost, stolen or damaged property.

F. Clean-Up: At the conclusion of any event the facility must be returned to its pre-event condition. All City of Las Cruces equipment must be returned to the original designated areas. All food, beverages, equipment and rented supplies must be

removed from the premises immediately after each use of the facility(s) AND NO LATER THAN THE EXIT TIME STATED ON THE FACE OF THIS CONTRACT. Any catering areas used must be cleaned and left in "as found or better" condition. All trash must be removed from the building and placed in an appropriate dumpster. All floors must be swept and/or vacuumed after use of space. Renter will give floors a light mop where needed. Renter must immediately take care of any major spills. If renter is unable to remove spills, the City of Las Cruces will have area(s) professionally cleaned at the renter's expense.

III. Alcohol, Drugs and Tobacco

- A. Alcohol: No alcohol or liquor is allowed on City property without prior City Council approval.
- B. Drugs: No illegal drugs are allowed on City property.
- C. Smoking: No smoking is permitted inside any facility. Any person smoking must be at least 50 feet away from any facility entrance.
- D. ANY VIOLATION OF THESE RULES MAY CAUSE THE EVENT TO BE TERMINATED.

IV. Destruction and Damage

- A. Damage: If anyone damages the facility(s) during the rental period, the Renter shall be liable for all necessary repairs.
- B. Destruction: If the City of Las Cruces facility(s) are destroyed or damaged by fire or any other cause or unforeseen occurrence that shall make the fulfillment of the Agreement impossible, then the rental contract shall terminate and payments will be returned and Renter waives all rights to any claims against the City of Las Cruces.

V. Facility Use

- A. Compliance: Renter agrees that any use of City of Las Cruces facility(s) must comply with all statutes, ordinances, rules and regulations issued by Federal, State and Municipal governments, including all rules of the Las Cruces Police and Fire Departments. When requested, the Renter shall provide Liability insurance naming the City of Las Cruces, its employees and agents as additionally insured with the limits of \$1,000,000. If the City is to be named as additional insured, the insurance company must issue an endorsement stating that the City of Las Cruces is additional insured.
- B. License & Payments: Renter agrees to obtain or collect and to pay and deliver to the proper governmental agency or regulating authority, any and all license fees, permits, royalties and taxes required in connection with the use of the facility(s).

- C. Hazardous Materials: Renter agrees not to bring on to the premises any material, substance, equipment or object which is likely to endanger the life of, cause bodily injury to any person or property or which is likely to constitute a hazard.

VI. Responsibility and Indemnity

- A. Conduct: The conduct of all event participants while on City of Las Cruces property shall be the responsibility of the Renter. The Renter also accepts all responsibility for any injury to person(s) or property, or loss of or damage to property or theft of personal property on City of Las Cruces premises during the rental period or resulting therefrom. Failure by any individual or group to follow all applicable rules and regulations will be cause for eviction. The City of Las Cruces retains the right to evict objectionable persons from the premises. Repeated violations may result in denial of future reservation requests.
- B. Indemnity: The Renter shall release, indemnify, keep and save harmless the City of Las Cruces, its agents, officers or employees from any and all responsibility or liability for any and all damages or injury of any kind or nature whatever (including death) to all persons, whether agents or employees of the Renter or persons attending the event—
for which the premises have been lease, and to all property damage proximately caused by, incident to, resulting from, arising out of, occurring in connection with, the use of the Renter of the premises. The provisions of this section shall include any and all losses, damages, injuries, settlements, judgments, decrees, awards, fines, penalties, claims, costs and expenses, including reasonable attorney's fees.

VII. Security

- A. Building Security: Different uses of the facility(s) may entail different requirements concerning security. The City of Las Cruces is not responsible for any items left in the facility(s). The Renter will take the necessary precautions to protect personal property and to maintain order during event. ONE PROFESSIONAL SECURITY GUARD PER FIFTY (50) PARTICIPANTS MAY BE REQUIRED. Receipted confirmation of professional security services obtained must be presented at time of final payment.

CONTRACTS TO CONDUCT CITY PROGRAMMING

If the City contracts with any organization to conduct a city-sponsored program, it is the City's responsibility to ensure such activities are carried out by the contractor in compliance with the requirements of the Americans with Disability Act. The following language shall be included in all such contracts entered into by the City.

The Contractor shall ensure that all programs, services and activities are accessible to and useable by persons with disabilities in accordance with the Americans with Disabilities Act.

Parks and Recreation Department 10
~~2012/2013/2014~~ Fees & Charges/
Facility Use Policy

Including but not limited to, equal opportunity to participate and benefit, equally effective communication for persons with speech, hearing or cognitive disabilities, integrated seating, and the provision of reasonable modifications and/or accommodations and to maintain, and provide to the City upon request, a recorded of all such requests received, granted and/or denied and the reason for any denials.

PERMITTING PROCEDURE

1. Requests for exclusive use of a City-owned park/recreation facility or portion thereof by any individual, group or organization must be submitted in writing to the Department, and require a minimum of ten days submittal, in advance of the requested date and shall contain the reason for the request.
2. Requests for use of City-owned parking lots adjacent to City-owned parks and recreation facilities must be submitted in writing to the Departments a minimum of ten working days in advance of the requested date and shall contain the reason for the request.
3. Requests for use of the City-owned parking lots surrounding Main Street Downtown (Main Street from Picacho Street to Lohman Avenue) must be submitted in writing to the Parks and Recreation Department a minimum of ten working days in advance of the requested date and shall contain the reason for the request. Uses that compete with established businesses or the Farmers and Crafts Market are prohibited. Because of the proximity to businesses on Main Street Downtown, use of these parking areas shall only be permitted from 7:00 p.m. to 10:00 p.m., Monday through Saturday, or from 9:00 a.m. to 10:00 p.m., Sundays.
4. Permits for exclusive use of City-owned parks, recreation facilities or parking areas will be issued for a period not less than four hours for the established fee, with the following considerations:
 - a. Permit requests for all parks, pavilions, gazebos and shelters will be rented for an established fee and time period.
 - b. The proposed use will not unreasonably interfere with general public enjoyment of a facility.
 - c. The proposed activity is not anticipated to incite violence, crime or disorderly conduct.
 - d. The proposed activity will not entail unusual expense (overtime scheduling) or risk to the City.
 - e. The facility or portion thereof requested has not previously been reserved.

- f. The facility requested is suitable for the activity proposed.
- g. The proposed activity will not interfere with the promotion of public health, welfare and safety of the citizens of Las Cruces.
- h. All appropriate paperwork has been completed in full and accepted by the Departments.
- i. ~~i.~~—The individual, group or organization insures the permitted facility will be left in a clean and acceptable condition.

NON-DISCRIMINATION COMPLIANCE

Facility users will not discriminate against any person in access to or participation in any program contemplated by this policy, or in any facility used in connection therewith, on the basis of race, color, national origin, age, disability, or sex. Facility users will ensure that all programs, services and activities are accessible to an useable by persons with disabilities in accordance with the Americans with Disabilities Act, including but not limited to, equal opportunity to participate and benefit, equally effective communication for persons with speech, hearing, and other impairments, integrated seating and the provision of reasonable modifications and/or accommodations and shall adhere to the City of Las Cruces Communication Policy (if portable toilets are going to be provided, accessible units must also be provided at each blank of standard units).

INSURANCE

The City requires that users of City-owned facilities for special requests, one-time events, athletic leagues, tournament play, and recreational programs provide proof of liability insurance to cover such use of the facilities, with the City of Las Cruces named as an additional insured on the policy, if staff determines that such insurance is necessary. If the City is to be named as additional insured, then the insurance company must issue an endorsement stating that the City of Las Cruces is additional insured. This proof of insurance will be forwarded to the Departments no later than 30 working days prior to the scheduled event for annual routine requests or no later than ten working days prior to the scheduled event. The amount of this insurance shall coincide with the limitations of the *New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1*.

SPECIAL EVENTS AND SPORTS LEAGUE REQUESTS

Annual exclusive use requests for special events and use of athletic facilities must be submitted in writing to the Departments no later than December 30 for the following year and must contain the reason for the request.

1. The following information/documentation must be submitted along with the request for facilities:
 - a. On an annual basis 30 days prior to a special event, submit a detailed financial statement covering funds received and expended for the event or league operations to include local, state, regional or national tournaments for previous year special event or program. The City of Las Cruces may also require an audit at the organization's expense in cases where the City of Las Cruces provides funding or direct support.
 - b. On an annual basis 30 days prior to a special event, submit proof of insurance for upcoming special event, season or operations, or within ten days prior to the special event.
 - c. On an annual basis 30 days prior to a special event, submit proof of non-profit corporation status with the State of New Mexico Corporation Commission.
 - d. On an annual basis 30 days prior to a special event, submit prior year copy of Form 990 tax-exempt report filed with the Internal Revenue Service.
2. It shall be the responsibility of the individual, group, or organization to insure the permitted facility is left in a clean and acceptable condition.
3. Use of athletic facilities for scrimmages will be controlled and coordinated by league officials with approval of the Parks and Recreation Department.
4. It shall be the responsibility of the individual, group, or organization to follow up with the Parks and Recreation Department personnel five days prior to the event to secure needed equipment and ensure all services approved will be properly coordinated.
5. The Parks and Recreation Department shall reserve the right to reschedule, cancel, or postpone league games, tournaments, and/or parks special events due to inclement weather, or unforeseen City related events.
6. Leagues/Associations will provide program registration at a non-City facility(s) and conduct all business away from Parks and Recreation facilities.

FISHING

Fishing will be allowed at Burn Lake during normal park operating hours (5:00 a.m. to 11:00 p.m.) under the New Mexico Game and Fish Department Regulations. Fishing will be allowed at Young Park Pond for those 12 years of age and younger.

SWIMMING

Swimming is allowed at Laabs Pool, East Mesa Bataan Memorial Pool, Regional Aquatic Center and Frenger Pool. No swimming is allowed in the Young Park Pond.

CARNIVALS AND AMUSEMENTS

Requests for conducting Circuses, Carnivals/Amusement Parks and similar businesses must be submitted to the ~~Planning~~ Community Development Department's Permitting Office. If approved, these businesses must then apply for a Park Permit if the activity is conducted at a Parks and Recreation area or facility.

ROLLER SKATING, ROLLERBLADING AND SKATEBOARDING

The City of Las Cruces may designate and restrict areas and facilities for these purposes.

GOLFING

No hitting of golf balls allowed on any City or park facility as per *LCMC, Part II, Chapter CD 20.5, Section 20-36*, with the exception of City golf programming.

MOBILE CONCESSIONS/VENDING

Any individual, group, business entity or organization engaged in the sale of food, beverage, or any other merchandise at a public park within the City limits must obtain a permit from the Parks and Recreation Department. Applicant is responsible and required to meet all applicable city, state and health department laws and regulations, including acquiring all necessary permits for food and beverage preparation. All such permits must be provided to the City prior for the issuance of a permit from the Parks and Recreation Department. Applicant is required to provide the City a copy of proof of liability insurance coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence, naming the City of Las Cruces as an additional insured. The City of Las Cruces recognizes that some youth leagues/organizations utilize concession space to help off-set program costs. In this instance, insurance is required as well as financial records. All concession/vendors, to include mobile vendors, must be in good standing at all times. Good standing will be defined as no complaints, regular payment of required fees, and all appropriate documentation on file. The Parks and Recreation Department staff has the right to deny concession/vending permits based on non-compliance. All vendors must pay a required fee of \$50 per month (March – October) regardless if they are selling any product.

SPECIAL USE PERMITS (TO INCLUDE, BUT NOT LIMITED TO, MODEL AIRPLANES/MODEL ROCKETS/METAL DETECTING), AND REMOTE CONTROL CARS

Model Airplanes/rockets, metal detecting, and remote control cars are recognized as legitimate recreation activities when they are conducted in ways that do not damage the natural and cultural resources of City of Las Cruces park facilities.

A Facility Use Permit is required to use any city park for these activities. Use of metal detectors is limited to park areas only and not in ball field areas. To obtain a Facility use Permit visit the Parks and Recreation Administrative Office at 1501 E. Hadley.

INFLATABLE/PORTABLE PLAY EQUIPMENT

The City of Las Cruces allows inflatable play equipment at designated sites in certain parks. Some parks do not allow inflatable play equipment at all. Any business that operates/leases party and or event equipment, i.e. jumping balloons, dunk tanks, sporting equipment, etc., in a City park/facility is required to provide proof of general liability insurance in the amount of one million dollars (\$1,000,000) per occurrence, with the City of Las Cruces named as an additional insured.

The amount of the insurance shall coincide with the limitations of the New Mexico Tort Claims Act, NMSA 1978, Section 41-4-1. This proof of insurance must be forwarded to the Parks and Recreation Department for record keeping. Uninsured businesses may be held personally responsible for injury or damages caused by any uninsured or unauthorized inflatable or portable play equipment.

VEHICLES AND DRIVING IN CITY PARKS

Driving or parking vehicles on the grass or landscaping located in a City park or on City property is prohibited except during events for which a permit has been granted. Driving on park property results in damage to both turf and irrigation sprinkler systems and can result in costly repairs. Items should be hand carried from the street or parking lot to the interior of a park. This is also true for local businesses that offer tents or other large items for party rentals or other activities. In addition, no parking is allowed on the grass surrounding soccer fields and softball/baseball fields. This section does not apply to City vehicles, emergency vehicles or public utility service vehicles.

WELLNESS PROGRAM

The City of Las Cruces has expanded the current workplace Wellness Program by recognizing the value of improving the health and well-being of its employees. The program *is designed to improve employee morale, loyalty, and productivity. Employees have been provided access to physical fitness classes, the weight room and cardio rooms, nutrition classes, diabetes checks, health fairs, and golf opportunities through a partnership with New Mexico State University.* Staff will continue to seek ways to increase the benefits for City of Las Cruces employees and their family members.

COMMUNITY GARDENING

Parks and Recreation Department
2012/2013/2014 Fees & Charges/
Facility Use Policy

15

The City of Las Cruces offers local citizens use of public property for community gardening activities. Gardeners are encouraged to plant vegetables and other annual plants. All

gardening participants must be registered. The application deadline for gardeners will be February 28 of each year. Registration is accepted at the Parks and Recreation Department, 1501 E. Hadley. Garden plots will be rented on a first-come, first-served basis and for an established fee and time period.

WALK OF HONOR BRICK PAVERS

The City of Las Cruces offers the opportunity to purchase personalized quarry tile brick pavers to be used in the construction of a walk of honor for veterans within the City's Veterans Memorial Park on Roadrunner Parkway. Bricks may be purchased at the Parks and Recreation Department for an established fee and time period. Bricks will be ordered twice yearly (every six months).

PARK OPENING AND CLOSING HOURS

1. City parks may be open from 5:00 a.m. until 11:00 p.m., except for emergencies, permitted special events and in parks where hours are posted differently from those operating under the normal operating time. *Refer to LCMC, Chapter 22, Parks and Recreation, Article I. "In General", Section 22-1*
2. Unidad Park and Butterfield Shooting Range hours of operation are sunrise to sunset.
3. Individuals shall not be allowed in any City park during closing times unless authorized by permit.
4. The City Manager has the authority to change opening and closing hours of City parks.
5. Parks and Recreation Department employees or Police employees are not restricted by the opening and closing hours when in performance of their duties.
6. For further information regarding park operations, please *refer to LCMC, Chapter 22, Section 22-1*, available in the City Clerk's Office.

WEAPONS

As the owner of public lands and facilities, the City does not and will not consent to or permit any person to possess a deadly weapon of any type, concealed or otherwise, on or in any City park(s) or public facility(s), with the exception of Butterfield Shooting Range. The consent of any person to be in or on a public park(s) or facility(s) while carrying a deadly weapon of any type, concealed or otherwise, is expressly withdrawn by the City.

PET OWNER'S RESPONSIBILITIES

The City of Las Cruces requires by *LCMC*, Chapter 1, Section #7-4.a that all pet owners clean up after their pet while they visit our parks and facilities.

In addition, dog owners must have their dogs under their control and on a lead not longer than twelve (12) feet; off leash recreation is provided at the "Off Leash Dog Park", directly behind the Meerscheidt Recreation Center, 1600 E. Hadley St.

Pet owners will be restricted from bringing their pets to athletic complexes, unless designated as a service animal.

MERCHANDISING, ADVERTISING AND SIGNS

1. Individuals, groups or organizations, while utilizing City-owned parks and/or facilities, are prohibited from the following unless authorized by the Departments in writing:
 - a. Calling to the public attention an article or service for sale or hire.
 - b. Posting or erecting any sign on City-owned property unless authorized by the City Sign Code.
 - c. Collection of money by an individual, group, or organization from the public for services and/or merchandise where all or some of such monies will be disbursed to an entity, individual, group or organization, will only be authorized by permit. Applicable park rental fees may apply.
2. a. The Parks and Recreation Department has created advertising opportunities that will develop partnerships with our local business community to increase the visibility of their respective businesses and to ensure the sustainability of offering quality/affordable programs to the citizens of Las Cruces. The manner in which these advertisements will be offered will be a personalized banner to be displayed at designated athletic facilities. Fees will be established as per City Council approval.

EXCEPTIONS

There may be requests that are exceptions to this policy. These requests will be reviewed on a case-by-case basis and may require Parks and Recreation Advisory Board, City Manager, or City Council approval.

PERMIT APPEAL PROCESS

Individuals, groups, or organizations that have been denied use of City-owned parks and/or recreational facilities by the management of the Departments, whether for profit or non-profit use, have access to an appeal process to the City Council through City Council Policy Number 6001-1. This policy will be outlined on all facility permit requests.

APPEALS TO DISCIPLINARY ACTION OF CITY OF LAS CRUCES RECREATION PROGRAMS/ACTIVITIES

1. Suspension Process

- a. Verbal discussion by the program administrator that puts the patron on notice that their behavior is unacceptable and will not be tolerated in the future. Incident report and documentation of discussion to be filed on site with a copy sent to the Department Director.
- b. Immediate suspension by program administrator, not to exceed two normal workdays. Saturday and Sunday for purposes of this policy are not considered normal workdays.
- c. Suspension of 30 to 60 days by Department Director. Written notice will be sent to the patron via certified mail.
- d. Suspension longer than 60 days by Review Board. Written notice will be sent to the patron via certified mail.

2. Appeal Process

If an individual believes that a Disciplinary Action imposed by City Facility or City Sponsored program personnel is not reasonable, the decision may be appealed. The appeal process will follow the steps outlined in City Council Resolution 02-323, Ban from Public Facility Policy.

- a. All incidents will be documented on an incident report. The next higher level of authority shall review the incident and the action taken.
- b. Immediate suspension can be appealed to the Department Director.
- c. Suspension by Department Director can be appealed to the Review Board.
- d. Suspension by the Review Board can be appealed to City Council.

All appeals beyond the Department Director will require a notice of appeal in writing requesting to appeal and stating the reason and facts as to why an appeal is being requested. The notice of appeal in writing must be submitted no less than fifteen (15) working days prior to the next Review Board or City Council Meeting.

JUSTIFICATION – This change is being implemented to comply with City Council Resolution 02-323 - Ban From Public Facilities Policy.

CITY OF LAS CRUCES PARKS AND RECREATION APPEALS TO DISCIPLINARY ACTION OF TEAMS/LEAGUES

1. Any individuals, groups, or organizations which have been disqualified or suspended from further participation in a City-sponsored or co-sponsored activity and wish to appeal must have exhausted all league or organization appeals processes. After doing so, they may appeal to the Parks and Recreation Advisory Board and ultimately to the City Council if necessary.
2. Individuals, groups, and organizations will abide by the terms of this policy and any management issues brought forward to City staff and/or Board Members such as (but not limited to):
 - a. Disciplinary inconsistencies.
 - b. Disbursement of funds.
 - c. Open board meetings.
 - d. Complaints from the public regarding questionable and ethical practices.

Said items or issues, at the appropriate times, may be considered or addressed by the Parks and Recreation Advisory Board and ultimately by the City Council and may be grounds for revoking the permitted facility and/or funds by the City of Las Cruces.

PENALTIES

1. All individuals, groups or organizations in violation of this policy or any facility regulations or City Ordinances may have their permit revoked immediately and/or may be issued a citation(s) for ordinance violations.

Any event at which individuals, groups or organizations create a noise nuisance to residents within the proximity of the facility being utilized will be subject to cessation by members of City staff, or if necessary, the Police Department.

CITY FEE WAIVER POLICIES (as established by City Council)

1. City Fee Waiver Policy.
2. Park Facility Fee Waiver for Military Services at Veterans Memorial Park.
3. Official City Sponsored or co-sponsored events as approved by City Council.

**CITY OF LAS CRUCES
PARKS AND RECREATION PROGRAMS AND FACILITIES
2012/2013/2014 FEES & CHARGES/FACILITY USE SCHEDULE**

I. GENERAL RECREATION PROGRAMS

General Instructions:

Program	Session	FY 12/13	FY 13/14
Fitness/Circuit Training	1 class	\$2.00	\$2.00
Fitness Punch Card	30 visits	\$48.00	\$48.00
Gymnastics – Parent/Tot	8 classes	\$30.00	\$30.00
Gymnastics – Beginning	8 classes	\$30.00	\$30.00
Gymnastics – Intermediate	8 classes	\$30.00	\$30.00
Children’s Dance Classes (Monthly)	4 classes	\$30.00	\$30.00
Adult Dance	8 classes	\$35.00	\$35.00
Cheer/Dance	8 classes	\$30.00	\$30.00
Racquetball/Pickleball	1 hour/court	\$2.00	\$2.00
Racquetball/Pickleball Racquet Rental	1 racquet	\$1.00	\$1.00
Teen Dance – Club Fusion	1 admission	\$3.00	\$3.00
Water Fitness Class	1 class	\$2.00	\$2.00
Water Fitness Class Punch Card	30 visits	\$48.00	\$48.00
Sticks for Kids - Youth	8-4 weeks/8 sessions	\$30.00	\$30.00
Sports 101 – Youth	8 classes	\$30.00	\$30.00
Weight Room – Meerscheidt	Daily Fee	\$1.00	\$1.00
Weight Room – Regional Aquatic Center			\$2.00
Weight Room Punch Card – Meerscheidt	24 visits	\$20.00	\$20.00
Weight Room – Regional Aquatic Center	30 visits		\$48.00
Therapeutic Program Dance	1 admission	\$2.00	\$2.00
Fitness Classes/Lap Swim	1 hour	\$2.00	\$2.00
Shower Fee	1 each	\$1.00	\$1.00
Activity ID Card	ALL	n/a	\$5.00
Towel Fee	1 each	\$1.00	\$1.00
Start Smart Sports Program Youth	Per person	\$30.00	\$30.00
Summer Recreation Program (includes field trip fees)	AM Session	\$90.00	\$90/\$100.00
	PM Session	\$90.00	\$90/\$100.00
Activity Sports Camps	AM Session	\$45.00	\$45.00
	PM Session	\$45.00	\$45.00
Preschool Class	8 classes	\$45.00	\$45.00
Locker Rental	Daily	\$.50	\$.50
Locker Rental	Weekly	\$2.50	\$2.50

Locker Rental	Monthly	\$10.00	\$10.00
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Program	Session	FY 12/13	FY 13/14
Locker Rental	Yearly	\$120.00	\$120.00
Locker Deposit (long-term use)*		\$20.00	\$20.00
Music Lessons	Monthly	\$35.00	\$35.00

*Long term use is defined and applied to "yearly lockers".

Art Classes (Youth)	Monthly	\$15.00	\$15.00
Art Classes (Adult)	Monthly	\$20.00	\$20.00
Lunch Bucket Basketball	Daily Fee	\$2.00	\$2.00/\$1.50
¹ After School Program (180 school days X 4)	Semester (2)	\$360.00	\$360.00
Copy Fee	Per copy	\$.50	\$.50
Indoor Cycling	1 class	\$2.00	\$2.00
Special Programs/New Opportunities*			

¹ Late registration midway through program will be accepted based on availability; a fee of \$4.00 per day (for each day remaining in program) will be assessed.

*Staff will pursue additional program opportunities throughout the year and set fees based on Council's direction concerning rates of recovery.

Therapeutic Recreation Programming – Private Entities

A programming fee will be charged for Therapeutic Recreation Program administered activities held at any private entity not including the building previously known as the "Life Center/Angel Care" (outside of a City building). The Therapeutic Recreation programming fee will be a minimum of 25 cents per participant/care provider per activity. This fee may vary based on the activity, allowing for a wide-range of diversity in venues and opportunities for program participants. The Therapeutic Recreation Program will work with care providing agencies, care providers and participant families to set activity programming fees for more costly and expansive activities. This programming fee will provide a minimal cost recovery and help off-set direct expenses incurred for the facilitation and delivery of such activities.

Sports League Program:

Program	Session	FY 12/13	FY 13/14
Adult Basketball*			
Winter League	11 games	\$465.00	\$465.00
Summer League	9 games	\$435.00	\$435.00
Camp Daily Drop-in Fee		N/A	\$15.00
Holiday Activity Camps	Per person	\$60.00	\$60.00
Racquetball League	12 games	\$12.00	\$12.00
Flag Football Tournament- Adult	6 games/team	\$200.00	\$200.00
Flag Football Tournament-Youth	6 games/team	\$150.00	\$150.00

Program	Session	FY 12/13	FY 13/14
3-on-3 Basketball	Per person	\$20.00	\$20.00
Basketball Coaches Certif.	1 year	\$30.00	\$30.00
Officiating Clinic	1 year	\$30.00	\$30.00
Youth Sports Leagues (City)-New	8 games	\$35.00/chld	\$3540.00/chld
Youth Sports Leagues (City)-returning w/shirt			\$30.00/chld
Sports Tournament – Adult		\$200.00	\$200.00
Sports Tournament – Youth		\$150.00	\$150.00
Non-Traditional Sports Tournaments – Adult		\$200.00	\$75-\$200.00
Non-Traditional Sports Tournaments - Youth		\$150.00	\$50-\$150.00

* Adult Leagues run at 100 percent recovery of direct cost.

**Youth Leagues run at 85 percent recovery of direct cost.

The Parks and Recreation Section will have the authority to research and pursue new and innovative revenue sources by utilizing new and creative programming or single event activities for all ages and abilities.

Special Events:

Program	Session	FY 12/13	FY 13/14
Youth Running Events/Late Fee	1 race	\$15.00/\$25.00	\$15.00/\$25.00
Adult Running Events/Late Fee	1 race	\$20.00/\$25.00	\$20.00/\$25.00
Running Event Series	3 5K races	\$30.00	\$30.00
Duathlon/Duathlon Late Fee	1 race	\$30.00/\$35.00	\$30.00/\$35.00

- II. **SWIMMING** (In the event of pool closures and capacity, open recreation and swim time will be split into two equal sessions. All swimming pools will have split sessions during summer months (Memorial Weekend thru Labor Day).

Community Education Classes:

Program	Session	FY 12/13	FY 13/14 *
First Aid	4 hrs.	\$50.00	\$50.00
CPR-PR		\$70.00	\$70.00
Recertification (CPR-PR or First Aid)	One time	\$45.00	\$45.00
Recertification (Lifeguard Skills)	One time	\$85.00	\$85.00
Home Swimming Pool/Spa Water Safety	1.5 hours	\$25.00	\$25.00
Open Water Safety	1.5 hours	\$25.00	\$25.00
Home Swimming/Water Safety/Open Water	3 hours	\$45.00	\$45.00
Swim Steps (8 & Under Swim Test Preparation)	1 Session	\$1.00	\$1.00

* Fees subject to current Red Cross pricing

Daily Fees (Frenger/East Mesa/Laabs):

	Age Group	FY 12/13	FY 13/14
Infant	0-2 years	Free	Free
Youth	3-19 years	\$2.00	\$2.00
Adult	20-59 years	\$4.00	\$4.00
Senior	60 +years	\$3.00	\$3.00
Child Watch Fee (Parent/Guardian)	N/A	\$1.00	\$1.00

30 Punch Admission Card (Frenger/East Mesa/Laabs):

	Age Group	FY 12/13	FY 13/14
Infant	0-2 years	Free	Free
Youth*	3-19 years	\$50.00/30 punch	\$50.00/30 punch
Adult*	20-59 years	\$110.00/30 punch	\$110.00/30 punch
Senior*	60 +years	\$80.00/30 punch	\$80.00/30 punch

*Reduced rate at \$10 off of proposed Youth, Adult and Senior 30 Punch Admission. Monthly Passes/punch cards purchased at Frenger/East Mesa/Laabs Pool can ONLY be used at these Venues.

Rentals: Frenger Swimming Pool (Entire Pool)

Amount of Group	FY 12/13	FY 13/14	Guards On Duty
1-20 People	\$75.00/hr	\$75.00/hr	2 Guards
21-45 People	\$85.00/hr	\$85.00/hr	3 Guards
46-60 People	\$95.00/hr	\$95.00/hr	4 Guards
61-90 People	\$105.00/hr	\$105.00/hr	4-5 Guards

Rentals: Laabs/East Mesa Swimming Pools (Entire Pool)

Amount of Group	FY 12/13	FY 13/14	Guards On Duty
1-20 People	\$150.00/hr	\$150.00/hr	4 Guards
21-45 People	\$170.00/hr	\$170.00/hr	6 Guards
46-80 People	\$190.00/hr	\$190.00/hr	8 Guards
81-102 People	\$210.00/hr	\$210.00/hr	8-10 Guards
103-124 People	\$230.00/hr	\$230.00/hr	8-10 Guards
125-146 People	\$250.00/hr	\$250.00/hr	8-10 Guards
147-165 People	\$270.00/hr	\$270.00/hr	10-12 Guards
166-185 People	\$290.00/hr	\$290.00/hr	10-12 Guards
186-200 People	\$310.00/hr	\$310.00/hr	10-12 Guards

Rentals: Laabs/East Mesa Swimming Pools (Zero Entry and Slide)

Amount of Group	FY 12/13	FY 13/14	Guards on duty
1-20 People	\$75.00/hr	\$75.00/hr	2 Guards

21-45 People	\$85.00/hr	\$85.00/hr	3 Guards
46-80 People	\$95.00/hr	\$95.00/hr	4 Guards
81-102 People	\$105.00/hr	\$105.00/hr	4-5 Guards

Swim Team Rentals as per agreement.

Rentals will be based on overall demand (public use) and safety window of opportunity (amount of daylight).

Holidays/Maintenance Closures:

Swimming pools may be closed on City observed holidays with the exception of Memorial Day, Fourth of July and Labor Day.

LAS CRUCES REGIONAL AQUATIC CENTER

Special Events:

Program	Session	FY 12/13	FY 13/14
Children's' Triathlon and Races	1 race	\$15.00	\$15.00

Daily Fees:

	Age Group	FY 12/13	FY 13/14
Infant	0-2 years	\$2.00	\$2.00
Youth	3-19 years	\$3.00	\$3.00
Adult	20-59 years	\$4.00	\$4.00
Senior	60 + years	\$3.00	\$3.00
Child Watch Fee (Parent/Guardian)	N/A	\$1.00	\$1.00

30 Punch Admission Card

	Age Group	FY 12/13	FY 13/14
Infant	0-2 years	\$50.00/30 punch	\$50.00/30 punch
Youth*	3-19 years	\$80.00/30 punch	\$80.00/30 punch
Adult*	20-59 years	\$110.00/30 punch	\$110.00/30 punch
Senior*	60+years	\$80.00/30 punch	\$80.00/30 punch

*Reduce rate at \$20.00 off of proposed Youth, Adult and Senior 30 Punch Admission Card.

Gift certificates are available for purchase at all swimming pool facilities.

Swimming Lessons:

Program	Levels	FY 12/13	FY 13/14
Private Lessons	All Ages	\$35.00/hour	\$35.00/hour

Infant/Toddler/Preschool/ Level 1 & 2	Beginner	\$45.00/8 classes	\$45.00/8 classes
	Levels 3 & 4 (Intermediate)	\$60.00/8 classes	\$60.00/8 classes
	Levels 5, 6 & 7(Advanced)	\$60.00/8 classes	\$60.00/8 classes
Lifeguarding (does not include books or pocket mask)		\$180.00/30 hours	\$180.00/30 hours
Lifeguarding Instructor (LGI) Does not include books		\$195.00/26 hours	\$195.00/26 hours
Water Safety Instructor (WSI) Minimum age 16 years. Does not include books		\$190.00/15 hours	\$190.00/15 hours
Be A Guard WSIA & Guard Start (Working at Pools) Minimum age 15 years. Must have passed Level 3		\$95.00/15 hours	\$95.00/15 hours

*Lifeguard Training fee is refundable upon successful completion of certification process and upon hire with the City of Las Cruces (completion of 90 days of service).

Rentals: (Warm Water Pool)

Amount of Group	Guards on Duty	FY 12/13	FY 13/14
1-20 People	2 Guards	\$100.00/half hour	\$100.00/half hour
21-30 People	4 Guards	\$200.00/half hour	\$200.00/half hour

Rentals: (Party Room)

Room	FY 12/13	FY 13/14
Party Room/Wet	\$100.00/3 ½ hours	\$100.00/3 ½ hours

*If pool swim session is to be utilized in conjunction with Party Room rental, pool fees will also be assessed.

III. FACILITIES RENTAL

Meerscheidt, Mesilla Park Frank O'Brien Papen Center, Henry Benavidez, and East Mesa and Life Center (Weekend):

Rental Area	FY 12/13	FY 13/14
Multi Purpose Room	\$50.00/hr	\$50.00/hr
Class Room	\$30.00/hr	\$30.00/hr
Any additional room associated with Multi Purpose Rental	\$20.00/hr	\$20.00/hr
Auditorium (Mesilla Park Frank O'Brien Papen Community Center only)	\$60.00/hr	\$60.00/hr
Gym Rentals (Meerscheidt Rec Center only)	\$40.00/hr	\$40.00/hr

Mesilla Park Frank O'Brien Papen (weekday operations only):

Rental Area	FY 12/13	FY 13/14
Multi Purpose Room	\$25.00/hr	\$25.00/hr
Class Room	\$15.00/hr	\$15.00/hr
Any additional room associated with Multi Purpose Rental	\$10.00/hr	\$10.00/hr
Auditorium (Mesilla Park Frank O'Brien Papen Community Center only)	\$30.00/hr	\$30.00/hr
Workshops	\$1.00/day	\$1.00/day

East Mesa/Henry Benavidez (weekday operations only):

Rental Area	FY 12/13	FY 13/14
Multi Purpose Room Only	\$25.00/hr	\$25.00/hr

Meerscheidt Recreation Center (weekday operations only):

Rental Area	FY 12/13	FY 13/14
Class Care (ages 5-11 years)	\$1.00/per person	\$1.00/per person
Multi Purpose Room Only	\$20.00/hr	\$20.00/hr
Gymnasium – Half Court	\$10.00/hr	\$10.00/hr
Gymnasium – Full Court	\$20.00/hr	\$20.00/hr

City approved professional security guard services by the renter at a ratio of one guard for every 50 guests (licensed/bonded).

In an effort to reduce staff overtime costs, no rentals will be offered on Sundays City Holidays.

IV. FUNDRAISING RENTALS FOR RECREATION FACILITIES

- A. Rate applies to any individual, group or organization holding fundraisers (i.e. enchilada dinners, dances, tournaments, etc.) excluding sponsored leagues.
- B. The cost of the rental fee in cases of fundraising will be the baseline amount of the facility rental plus 10 percent of the gross profit.
- C. This policy applies to all individuals, groups or organizations whether profit or non-profit, private or public.
- D. Individuals, groups or organizations charging the public will provide a financial statement and 10 percent of the gross profit 10 working days after the rental.
- E. Staff may require service Security Guards

V. MERCHANDISE

Merchandise	Amount Requested	FY 12/13	FY 13/14
Program/Event T-Shirts			
Short Sleeve	Each	\$10.00	\$10.00
Long Sleeve T-Shirts	Each	\$15.00	\$15.00
Sweatshirts	Each	\$20.00	\$20.00
Swim Pant Fee/Youth	Each	\$1.00	\$1.00
Goggles	Each	\$10.00	\$10.00
Towels	Each	\$10.00	\$10.00
Swim Cap	Each	\$4.00	\$4.00
Reusable Water Bottle	Each	\$5.00	\$5.00

VI. PARK PERMIT FEE

Facility Requests	Number of Hours/Day Fee	FY 12/13	FY 13/14
Park area/section	4	\$50.00	\$50.00
Park area/section with Water & Electric	4	\$50.00	\$100.00

VII. SPORTS LEAGUES (PER FIELD/PER GAME FEE)

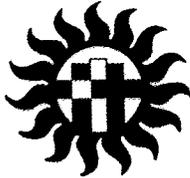
Sport/Age Group	FY 12/13	FY 13/14
Recreational Youth Baseball/Softball/Soccer/Football (Local – 18 years and under)	\$0	\$0
Select Youth Baseball/Softball/Soccer/Football (Local - 18 years and under)	\$10.00	\$10.00
Adult Baseball/Softball	\$20.00	\$20.00
Adult Football/Soccer	\$15.00	\$15.00
Senior Softball/Baseball (Local)	\$0	\$0
Adult Tournaments (per 12 hours)		
4 Field Complex	\$400.00	\$400.00
3 Field Complex	\$300.00	\$300.00
Single fields	\$100.00	\$100.00
High Noon #6-16 (additional soccer fields at \$100 per day)	\$500.00	\$500.00
Burn Lake	\$300.00	\$300.00
Provencio Van Dame	\$300.00	\$300.00
Soldados	\$200.00	\$200.00
Apodaca Baseball	\$200.00	\$200.00

Youth Tournaments (per 12 hours) 4 Field Complex 3 Field Complex Single fields High Noon #6-#16 (additional soccer fields at \$50 per day) Burn Lake Provencio Van Dame Soldados Apodaca Baseball	\$200.00 \$150.00 \$50.00 \$500.00 \$150.00 \$150.00 \$100.00 \$100.00	\$200.00 \$150.00 \$50.00 \$550.00 \$150.00 \$150.00 \$100.00 \$100.00
Camping Fees RV/Trailer Tents	\$10.00 per night \$5.00 per night	\$10.00 per night \$5.00 per night
Yearly Fee for League/Season BMX Volleyball Horseshoe Courts (Entire) Horseshoe Courts (Single Court) Skate Park	\$1,000.00 \$250.00 \$100.00 \$5.00/4 hr Max \$50.00/4 hr Max	\$1,000.00 \$250.00 \$100.00 \$5.00/4 hr Max \$50.00/4 hr Max

VIII. MOBILE CONCESSION/VENDING FEES

Park Space	Monthly Fee Without Service FY12/13	Monthly Fee W/Service FY 12/13	Monthly Fee Without Service FY 13/14	Monthly Fee W/Service FY 13/14
*Park/Ball field	\$50.00	\$100.00 (elect.)	\$50.00	\$100.00 (elect)

*These fees apply to private or for profit entities. Fees must be paid every month (March-Oct.) regardless if vendor is selling any product.



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
(Ordinance First Reading Date)

For Meeting of April 1, 2013
(Adoption Date)

TITLE:

A RESOLUTION APPROVING THE PARKS AND RECREATION DEPARTMENT 2013/2014 FEES AND CHARGES/FACILITY USE POLICY AND REPEALING RESOLUTION 12-150.

Purchasing Manager's Request to Contract (PMRC)

Yes No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact Mark Johnston	<i>[Signature]</i>	541-2550	3/12/13
Department Director Mark Johnston	<i>[Signature]</i>	541-2550	3/12/13
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>[Signature]</i>	2100 2107	3/15/13 3/15/13
Assistant City Manager/COO	<i>[Signature]</i>	- 2271	3/20/13
City Attorney	<i>[Signature]</i>	2128	3/20/13
City Clerk	<i>[Signature]</i>	52115	3/22/13