



# COMMUNITY SERVICES POLICY

## Aquatics Facility Reservation Policy

City Council Resolution Number: 19-79

City Council Adopted: 05/22/2018

City Council Amended: 08/13/2019

  
Director of Community Services

### 1.0 POLICY STATEMENT

The Community Services Department (Department) is responsible for managing the City's aquatics facilities for the enjoyment of the public. The Aquatics Facilities Reservation Policy (Policy) is established to ensure that the use of City facilities 1) aligns with the City's core mission, vision, and values; 2) provides equitable and fair access to all users; 3) remains equitably and fairly priced; 4) operates in a fiscally responsible manner; and 5) supports a healthy, safe, vibrant, and sustainable community.

### 2.0 POLICY PURPOSE AND INTENT

The purpose of the Policy is to provide an effective framework for the administration of reservation permits that provide equitable and reasonable access to City aquatics facilities. In accordance with the Irvine Municipal Code (IMC) Sec. 3-4-302, *the appropriate entity shall bear in mind that the public parks are intended for the use and enjoyment of all of the people of the City and uses which will substantially impair the rights of the public in general to use the park in favor of specific individuals or groups should not be permitted.*

The intent of this Policy is to guide access, reservations, and use of the City's aquatics facilities by residents, community organizations, businesses, and nonresident users. City athletic parks and other special use facilities are not governed by this Policy.

### 3.0 POLICY ESTABLISHMENT AND PERMIT FEES

In accordance with IMC Sec. 3-4-102, *the Community Services Department may from time-to-time establish reasonable rules, procedures, policies or regulations governing the use and enjoyment of any park and open space area, building, structure, equipment, apparatus or appliance thereon in order to maximize the use and enjoyment of parks by the public in addition to those contained in this division, and no person shall disobey or violate the same.*

The Department shall implement and administer the Policy, as adopted by the City Council. The fees and charges associated with this Policy are reviewed and approved by the City Council.

#### 4.0 **RESERVATION PERMIT CATEGORIES**

Reservation permit categories are established to balance reservation requests and a formal permitting process is administered to ensure equitable access for the following groups: private individuals, nonprofit organizations, government agencies, and commercial entities. Priority is given to City of Irvine programs, services, and events.

The resident and nonresident permit categories below define the assignment of fees and scheduling priority.

Category	Irvine Permits (R)	NonResident Permits (N)
A	<ul style="list-style-type: none"><li>▪ Youth Nonprofit Organizations</li><li>▪ Schools (K-12)</li><li>▪ Government</li></ul>	<ul style="list-style-type: none"><li>▪ Youth Nonprofit Organizations</li><li>▪ Schools (K-12)</li><li>▪ Government</li></ul>
B	<ul style="list-style-type: none"><li>▪ Adult Nonprofit Organizations</li><li>▪ Households</li><li>▪ Universities and Colleges</li></ul>	<ul style="list-style-type: none"><li>▪ Adult Nonprofit Organizations</li><li>▪ Households</li><li>▪ Universities and Colleges</li></ul>
C	<ul style="list-style-type: none"><li>▪ Commercial</li><li>▪ For Profit Entity</li></ul>	<ul style="list-style-type: none"><li>▪ Commercial</li><li>▪ For Profit Entity</li></ul>

#### **Nonprofit Organization Permits**

Nonprofit organization permits are offered for incorporated nonprofit, civic, social, cultural, and religious organizations. To qualify for Category A (R), membership-based organizations shall verify participation equal to, or greater than, 70 percent Irvine residents. Rosters for membership will be reviewed at the time of application. The applicant shall produce rosters and attendance records upon request of the City.

#### **Household Permits**

Examples of Household Permits include: private pool parties, and children's birthday parties. Reservations that require attendees to pay an admission fee, and/or pay for goods or services, may be invoiced at Category C reservation rates.

#### **Commercial and Profit-Seeking Permits**

Reservation requests for these activities shall be invoiced at Category rates when the activity and use is primarily commercial or profit-seeking in nature, such as charging admission or requiring attendees to pay for goods or services. This does not apply for permits of nonprofit organizations for philanthropic and fundraising purposes, or activities with program fees typical for the nonprofit organization (e.g. fees for youth programs, private lessons for organization's youth participants). A Business License is required for all activities involving fees for goods or services

#### 5.0 **RESERVATION CALENDAR**

Aquatics facilities are scheduled through seasonal allocations to meet community needs for City programs and local youth aquatics organizations. Seasonal allocation schedules are reviewed by the Irvine Aquatics Advisory Board (IAAB) at its regular quarterly meetings.

Application forms shall be submitted a minimum of 30 days prior to IAAB meetings. Requests received with less than 30 days' notice, or events requested to be held on City observed holidays, may be accommodated subject to space availability, staffing, and reservation logistics.

Applications for swim meets, tournaments, special events, clinics, and camps separate from daily practice schedules shall be submitted a minimum of 30 days prior to IAAB meetings. Special event reservations approved by the City and IAAB supersede all scheduled group workouts. Groups displaced by events will be relocated to alternate City aquatics facilities, as space permits.

## **6.0 PERMIT REQUIREMENTS**

As determined by the City, public and private events such as national/international championships, tournaments, meets, or other gatherings with large numbers of attendees that may present public safety and site logistical concerns due to the size and nature of the event, may require any and/or all of the following:

- Special Event Permit from the Public Safety Department
- Additional liability insurance as determined by the City's Risk Manager
- Hold Harmless Agreement and Certificate of Workers Compensation
- Security services
- Fees for additional services (e.g. event staff, custodial, parking management, and portable restrooms)
- Additional event plans (e.g. event, marketing, parking, security, crowd-control, ticketing, waste management/recycling)
- List of vendors with business name, address, and contact information
- Parking of RV's, buses, or oversized vehicles may be restricted
- Installation of temporary structures (e.g. bleachers, stages, fences, tents)
- Additional requirements and City department approvals as identified by the City

### **Additional Staff**

To ensure the safety of all and guests, and to maintain a quality standard of supervision, lifeguard services are required for all water activities at the City's aquatics facilities. Lifeguard services are defined as on-deck supervision of water activities by City lifeguards. Fees for lifeguard services are charged to the organization utilizing the service.

The number of lifeguards required for an activity or event shall be based on the City's Aquatics Supervision Standards and will be determined at the time of application approval. Lifeguard services shall be billed to the applicant in 15-minute increments for each lifeguard on duty for the reservation.

In addition to lifeguard personnel, reservations may require additional program, facility, or maintenance personnel due to the size or nature of the event. This includes staff that are scheduled after regular operating hours for the facility, and staff that are scheduled specifically for the event/reservation. Full costs associated with the assigned staff will be applied.

### **Tournament, Meet, and Special Event Permits**

Swim meets, tournaments, and events drawing tourism to Irvine aquatics centers with out-of-town athletes, teams, officials, spectators, and staff must meet the requirements below to qualify for Category A, B, and C (R) rates.

- a) Organization must contact Destination Irvine to review Irvine hotel accommodations.
- b) Organizations directing teams to lodging and accommodations must direct teams to Irvine accommodations, and provide documentation demonstrating these efforts.
- c) Organizations not meeting these requirements will be invoiced in accordance with Category C (N) reservation rates.
- d) Priority for future events will not be provided to organizations not meeting all of the requirements above.

## **7.0 FEES, PAYMENTS, DEPOSITS, AND INSURANCE**

### **Fees**

Aquatics fees as referenced in this Policy, are listed in the City Council approved fee schedule (Aquatics Facilities Reservation Fees), and commencing in FY 2021-2022 the Community Services Department may implement subsequent reservation fee increases of up to five percent annually (rounded up to the nearest dollar) in accordance with City Council Resolution 19-79.

### **Payments**

Facility reservation fees for Categories A (R) and B (R) organizations must be paid within 30 days of the end of the reservation. Reservation fees for organizations in all other categories must be paid prior to permit issuance, a minimum of 30 days in advance of use. Future reservations may be canceled or denied for organizations with outstanding balances.

### **Deposits**

Facility applicants may be required to pay a deposit at the time of application. Deposits will be refunded following the event assuming all conditions set forth in the permit are fulfilled.

Any expense incurred by the City to repair or replace equipment and/or facilities not returned to their original condition due to the applicant's use will be billed to the applicant.

### **Insurance**

The City may require liability insurance for reservations of City aquatics facilities. Insurance requirements are subject to change without notice. Insurance requirements must be fulfilled prior to approval of the application, and proof of insurance must be provided 30 days or more prior to the reservation/event.

## **8.0 RESERVATION CANCELLATIONS AND CHANGES**

### **Cancellations**

Cancellations and refunds are processed as follows:

<b>Cancellation Date</b>	<b>Fees Refunded</b>	<b>Deposit Refunded</b>
5 days or more	100%	100%
4 days or less	50%	0%
No Show	0%	0%

All cancellations incur a Processing Fee for each occurrence.

Failure of the applicant or authorized event contact person to arrive at a scheduled event, and/or failure to provide a written cancellation notice is considered a No Show. Applicants with three or more No Shows may lose reservation privileges and remaining reservations may be canceled for the calendar year.

**Changes**

Reservation changes include, but are not limited to: date, time, rooms, pools, hours of reservation, number of teams/attendees, and amenities. One change is permitted at no charge; a Processing Fee may be charged for each subsequent change.

<b>Changes</b>	<b>Processing Fee</b>
31 days or more	One change, no charge; a Processing Fee per change thereafter.
30 days or less	First change, 25 percent of total deposit; a Processing Fee per change thereafter.

On the day of the event, additional fees shall be invoiced to the nearest half hour when any member of applicant’s party arrives prior to, or departs after, the approved reservation time. Fees charged shall be 150 percent of the applicable hourly rate. No refunds or credits will be given for early departure from a scheduled reservation.

**9.0 RESERVATION HOURS**

**Regular operating hours** for the William Woollett Jr. and Northwood High School Aquatics Centers are as follows:

<b>Year Round</b>	<b>Woollett</b>	<b>Northwood</b>
Monday – Friday	6 a.m. – 9 p.m.	4 p.m. – 9 p.m.
Saturday and Sunday	6 a.m. – 8 p.m.	6 a.m. – 8 p.m.

Reservation requests extending beyond regular hours or on City observed holidays are subject to additional personnel costs above and beyond the reservation fees. (See Section 6.0, Additional Staff.)

**10.0 FACILITY AND SITE REQUIREMENTS**

Requests shall be submitted on approved City application forms. Applicants must be at least 21 years of age; and when applicable, the applicant must provide evidence they are

authorized to reserve facilities on behalf of an organization. Reservation permits are nontransferable. The applicant, or a designated contact person 21 years of age or older, must be present for the entire activity/event. The City may allow reservation permits to designate a limited number of event contact persons to be present in lieu of the applicant.

Unless stated otherwise, reservation periods are in 15-minute increments. The date and hours for the permit shall include the entire activity/event, including time for set-up before and clean-up after the activity/event.

Applicants are responsible for following all facility rules, regulations, and requirements of the reservation permit. Failure to comply may result in the forfeit of up to 100 percent of deposit and fees. In these instances, the City reserves the right to deny future applications.

The City reserves the right to modify, relocate, or cancel reservations to accommodate unanticipated community needs, maintenance needs, inclement weather, or unforeseen circumstances. As space is available, accommodations will be provided at an alternate aquatics facility. When alternate pool space is not available or is not acceptable to the applicant, an alternate date or refund will be provided.

A reservation may be canceled by the City when an organization is not in compliance with any City policy. A confirmed reservation may be canceled before or during an event due to unsafe conditions, and/or actions of participants. When appropriate, a mutually agreeable alternate date or a prorated refund may be arranged.

Reservations may be canceled due to misrepresentation or falsification of information, and/or failure to comply with City policy and procedural requirements. Such cancellations may be subject to forfeit of all fees and deposits paid.

To ensure public safety, City staff may access all activities/events in order to ensure rules, regulations, and all applicable laws are being followed during the reservation.

All category organizations, including coaches and/or personnel, are responsible for understanding and adhering to the requirements in the Aquatics Group Users Handbook.

### **Occupancy Levels/Americans with Disabilities Act (ADA) Accommodations**

To ensure public safety, it is important to observe the maximum capacity of all facility areas as established by the Orange County Fire Authority. Events exceeding maximum limits are subject to immediate closure. Reasonable accommodations are provided in accordance with ADA.

### **Smoking**

Smoking is prohibited at all City parks, except in designated smoking areas.

### **Emergency Response**

Applicants may be held responsible for all charges related to a police or fire department response associated with the actions and behavior of participants during the reservation.

### **Inspection and Condition Facilities**

Reserved facilities must be left in the same condition as received by the applicant. Any damage or defacement of City facilities, equipment, and/or facility amenities, including

grass/foilage, will be deducted from the reservation deposit and/or billed to the applicant to repair or replace the damage as determined by the City. The City reserves the right to bill the applicant for damages incurred above the deposit amount.

No candles or open flames, tape, nails, staples, etc., are permitted on the walls, ceilings, windows, or furniture of any facility unless approved by the site supervisor at the time of the pre-event site walk-through. Rice, confetti, glitter, or birdseed-throwing is not allowed. The applicant will be held responsible for any damage to the facility.

### **Reservation Walk-Through**

The applicant and/or event contact person must arrange and attend a reservation walk-through meeting at the reserved site at least 14 days prior to the reservation. Caterers and special event coordinators should also attend the reservation walk-through meeting. Failure to complete a site meeting may result in event cancellation and forfeiture of fees and deposits.

### **Equipment Rental**

Additional equipment may be available for rent in conjunction with a reservation. Equipment rentals cannot be guaranteed and shall be arranged directly with staff at the reservation walk-through meeting. Fees and/or deposits are required, and must be paid no later than the day of the event.

### **Concession Stand Use**

Concession stand use must be requested on the reservation application. Warming of prepared food is allowed in the concession stand, but all kitchen supplies must be provided by the applicant. Refrigerator space may be limited due to use by City programs; discuss usage with the on-site meeting contact. Refer to the City Council approved fee schedule for concession stand rates.

### **Additional Permits and Licenses**

Applicants are responsible for obtaining any necessary permits and licenses required by the City or other regulatory agencies including, but not limited to: Special Event Permit, Business License, Alcohol and Beverage Control (ABC) Permit, Orange County Health Department Temporary Food Facility (TFF) Inspection Permit, Orange County Fire Authority Permit, Film Permit, and Vendor Permit.

### **Loading/Unloading and Deliveries**

Motorized vehicles may be permitted on facility grounds for loading and unloading of supplies only, with prior approval of the site supervisor. City staff is not authorized to sign for any deliveries. Deliveries must be made within the reservation time only and the applicant must accept all deliveries.

### **Mobile Food Trucks**

Mobile Food Trucks must be approved during the application process. Vehicle insurance, with specified limits, and food service permits are required as outlined in the terms of the reservation permit.

### **Advertising**

For any event advertised to the public, a copy of the advertisement is required with the following disclaimer printed on the flyer or electronic communication: "*This event is a*

*private reservation and is not endorsed or sponsored by the City of Irvine.” A copy of the flyer and/or electronic communication must be submitted for approval. Use of the City logo is restricted and requires advance written approval of the City’s Public Information Office.*

### **Installation of Temporary Structures, Displays, and Exhibitions**

Public facilities are intended for the use and enjoyment of City residents. Installation of temporary structures, displays, and exhibits that may substantially impair the rights of the public to use the facilities in favor of specific individuals or groups will not be permitted.

Temporary structures, displays, or exhibits associated with an approved reservation, must be approved through the special event permitting process.

### **Vendors**

Individuals or businesses displaying or selling items, or providing a service (including mobile food trucks and caterers), must have a reservation permit or be a service-provider for an event/applicant with a reservation permit. Other vendors must submit an application, pay a Vendor Permit Fee, and must have a current City Business License. Contact Regulatory Affairs at 949-724-6310 for information regarding securing a Business License.

The event applicant is responsible for submitting proof of Business License(s) to the site supervisor, or designee, at the reservation walk-through meeting. Due to the nature of the service or items being displayed/sold, proof of liability insurance and an Orange County Health Department TFF inspection permit may be required.

### **Public Address and Amplified Sound Systems**

Use of public address and amplified sound systems may be permitted in designated locations in accordance with the terms of the reservation permit. Requests for public address systems must be approved during the application process (IMC Section 3-4-125).

## **11.0 COMMERCIAL FILMING AND PHOTOGRAPHY**

Commercial filming/photography at a City facility requires a City Film Permit, available through the Irvine Police Department. A detailed description of the activity, type of filming (still or video), and script copy are required. The City may request screen credit be given.

A professional photographer hired by the applicant to shoot a sports event is not required to obtain a Film Permit. The photographer is required to have a current City Business License and provide proof of insurance. If the photographer is making images available for sale, or arranging to make images for sale following the event, the photographer must secure a Vendor Permit from the City. The filming/photography location must be returned to its original condition immediately after the filming. All reasonable safety precautions must be observed.

Cancellation of a filming/photography event may occur at the discretion of the City if the terms of the approved Reservation/Film Permit are violated. Specific regulations, policies, and procedures may vary by facility.



## **12.0 ALCOHOL**

Permits for alcohol associated with reservation of aquatics facilities is limited. When reservation permits are approved for alcohol, applicants must provide the following and pay associated fees:

- Liquor liability insurance
- City of Irvine Alcohol Use Permit
- Licensed bartender or serving attendant, 21 years of age or older, who has completed "Special Event Server Training"
- Security services

Applicants must provide an Alcohol Beverage Control License for events where alcohol is sold, donations are accepted, and/or admission is by fee/donation.

## **13.0 SECURITY SERVICES**

The City may require security guards and/or Irvine Police Department personnel at events held at City facilities. Fees are subject to full cost recovery for City personnel and current City security contract rates. Applicants may contract with an independent security company, subject to the approval of the Irvine Police Department.

## **14.0 CUSTODIAL SERVICES**

Clean-up following a reservation must be accomplished by the end of the approved permit time or additional charges may be assessed. Custodial services (porters) are available and may be required based on the size and nature of event. Custodial services are subject to the current City contract rate. Porters are scheduled for a minimum of four hours.

## **15.0 ADDITIONAL CITY POLICIES AND AGREEMENTS**

This Policy may be subject to other City Council approved policies and agreements that establish separate user reservation relationships and arrangements for specific programs and/or entities.

**AQUATICS FACILITIES**  
**RESERVATION FEES - PROPOSED**  
 Effective January 1, 2020

AREA			HOURLY FEES BY CATEGORY					
			A		B		C	
			Youth Nonprofits, Schools (K-12), Government		Adult Nonprofits, Households, Universities and Colleges		Comercial and For Profit Entities	
POOL RESERVATIONS		DEPOSIT	RESIDENT	NONRESIDENT	RESIDENT	NONRESIDENT	RESIDENT	NONRESIDENT
Instructional Pool Fee <sup>1</sup> (25-Yard)		\$200	\$10	\$40	\$50	\$60	\$110	\$140
Competition Pool Fee <sup>1</sup> (50-Meter)		\$200	\$12	\$78	\$100	\$140	\$220	\$250
ADDITIONAL FEES AND NOTES	FEE	NOTES						
Pool Fees <sup>1</sup>	Varies	For shared pool space, fees will be charged proportionately.						
Events/Tournaments	Varies	Events/Tournaments that do not meet 70 percent Irvine residency of event participants will be charged category non-resident rate.						
Lifeguard Fees	Varies	Lifeguard services are billed separate of pool fees during all reservations. Supervision standards are one lifeguard for the Instructional pool and two lifeguards per Competition pool.						
Classroom	N/A	Classroom space may be utilized by organizations during their rental time pending availability.						
Processing Fee	\$30	Fee is charged for each change involved in an approved reservation (Refer to Section 8.0 in Reservation Policy).						
Concession Stand	\$75 and \$125	An additional fee charged per event. Non-profit and for-profit fees are charged as shown.						
Canopy	\$5	An additional fee charged per event per canopy.						
Vendor Permit	\$50	Fee is charged per event per vendor (Refer to Section 10.0 in Reservation Policy).						
Contract Support	Contract Terms	Reservation support from City contract personnel will be charged at current contract rates. (Examples include: parking management, porters, security.)						
Additional Staff Support	Varies	Additional staff costs required for all reservations are charged to the applicant at full-cost to the City (Refer to Section 6.0 in Reservation Policy).						

EXHIBIT B