

RECREATION AND COMMUNITY SERVICES



FIELD ALLOCATION POLICY AND RENTAL USE PROCEDURES

CITY OF SANTA CLARITA
RECREATION AND COMMUNITY SERVICES

**FIELD ALLOCATION AND USE PROCEDURES
TABLE OF CONTENTS**

Introduction.....	1
Intent/Background.....	1-2
Definition of Terms.....	2-3
Priority Group Classification.....	3-4
Allocation Process and Procedures.....	4-5
Allocation Procedure Formula.....	5-6
Notice of Non-Use of Fields.....	6
Athletic Field Lining/Marking.....	6
Rules and Regulations.....	6-7
Traffic and Parking.....	8
Public Address System Use.....	8
Maintenance.....	8
Field Closures.....	9
Modifications.....	9
Storage.....	9-10
Food Vendors/Concessions.....	10
Banners.....	10
Suspension of Use.....	11
Denial of Use.....	11
Code of Conduct.....	11-12
Policy Violation.....	12
Fees/Payments.....	13
Cancellations/Refunds.....	13
Good Neighbor Policy.....	13-14
Indemnity and Insurance Requirements.....	14-16

INTRODUCTION

The City of Santa Clarita is dedicated to fostering a healthy and active community. The City recognizes that youth sports are a fundamental component of this goal and that field availability is necessary to achieve this for City programming and facilities by the Department of Recreation and Community Services.

The purpose of this policy is to outline the allocation procedures and rental policies for the permitted use of athletic fields in the City. Due to the great amount of requests and limited number of fields and facilities available, the Department of Recreation and Community Services has established criteria for priority use. The objective of this policy is to create a clear written policy that:

- Incorporates a "turf recovery period" to maintain safe, quality fields
- Fairly distributes available fields
- Maximizes playing time

Priority is given according to the Priority Group Classification. City staff will monitor proper use of allocations and permits. **Submission of an Application and Agreement Request does not constitute approval.** The City has exclusive discretion in deciding the scheduling of City fields and such decisions shall be final.

INTENT/BACKGROUND

It is the City's desire to balance the needs of local user groups to secure regular field space and the needs and expectations of residents so they will have access to City facilities for their use and enjoyment. Some sites have restrictions on use due to the location of the field, limited parking and/or impact on adjacent residences.

The City has experienced tremendous growth in sports including new sports organizations and emerging sports. As the increased demand for use of City fields and facilities continues, it is necessary to emphasize the sharing in the use of all athletic fields among present and future sports organizations and to streamline the field allocation process to be effective and responsive to all involved. The Department of Recreation and Community Services reserves the right to make any decision regarding sports programming that is in the best interest of the Department and residents of the City.

In an effort to ensure as many user groups as feasible have access to field time, a two-tiered system will be in place to alleviate larger organizations having full access. An allocation of no more than 50% of available time will be distributed to organizations comprised of 500 or more participants. The remaining 50% will be allocated to organizations with less than 500 participants. (Refer to page five for formula). User groups in order of priority classification, who submit their application, deposit, and rosters within the allotted timeframe will have their organization's name placed into "Random.org". Similar to a lottery system, this software will randomly draw names in no particular order. Based on the order in which your organization is

selected, will determine your allocation. For example, if you receive the #1 slot, your organization will have their fields allocated before those listed after you.

For the purpose of this document, 2,588 primetime hours are available Monday - Friday from 5:00 pm – 8:00 p.m. from August through November for organizations/groups to rent. Hours for City programs, Joint Use Agreement hours, and maintenance are not included in the primetime hours.

An average of 15 primetime hours per week, per field, are available with hours decreasing as the time changes later in the season. There are 11 multi-purpose fields (three non-lighted and nine lighted) available during the season with the breakdown as follows:

- Old Orchard, Bridgeport, and Pacific Crest = three Non-lighted multi-purpose fields
- Central Park = up to six Lighted multi-purpose fields
- Valencia Heritage = two Lighted multi-purpose fields
- Sports Complex Field = one Lighted multi-purpose fields

DEFINITION OF TERMS

City: For the purpose of the document, the City of Santa Clarita and/or the Department of Recreation and Community Services will be referred to as “City”.

Participant: Participant(s) shall include only those players who are fully registered with the user organization. Non-players such as coaches, officials, and staff shall not be considered participants.

Organization: Organizations shall include only those user groups listed on the Priority Group Classification.

Resident Status: Defined as groups or organizations comprised of at least 75% City of Santa Clarita residents. Team rosters will be required by City staff to verify residency.

Non-Resident Status: Defined as groups or organizations comprised of less than 75% City of Santa Clarita residents.

Youth Status: Defined as persons 17 years of age or under.

Non-Profit Status: Organizations must be established as a locally established non-profit organization. Non-profit is defined as an organization that is so defined by the Internal Revenue Service, 501(c) 3 or (c) 4.

Commercial Status: Businesses or leagues that are running a business and making a profit from the use of community fields.

Season: Refers to tryouts, clinics, camps, games, practices, and end of season league tournaments.

In-Season User: An Organization whose sport is "in-season" shall be based on the premise of CIF guidelines and given first priority access to City facilities:

- Fall/Winter (August – December): Soccer, Football, Cross Country
- Spring/Summer (January – July): Baseball, Softball, Rugby, Lacrosse, Volleyball

Out-of-Season User: An Organization whose sport is not "in-season" and is given second priority to City facilities. An out-of-season user group may only reserve a field after all in-season user groups' requests have been processed.

City Facility: Any field or facility which is City owned.

Dedicated Fields: For safety, maintenance, and demand, some fields will be dedicated for specific use only.

PRIORITY GROUP CLASSIFICATION

City sponsored or co-sponsored organizations, activities, and/or events take priority over each group classification. This includes City recreation programs and/or leagues. As such, community priority group classification is as follows:

GROUP A: Agencies with approved Facility Use Agreements with the City of Santa Clarita. Such agreements may include Joint Use Agreements (JUA) and/or Memorandum of Understanding (MOU) with an approved formal Facility Use Agreement.

GROUP B: Local non-profit youth organizations with a 501(c) 3 or (c) 4 status comprised of at least 75% residents of the City of Santa Clarita. Resident status means within City boundaries and can be verified on the City's website. Proof of an organization's local chapter designation may be required.

GROUP C: Local non-profit youth organizations with a 501(c) 3 or (c) 4 status comprised of less than 75% residents of the City of Santa Clarita. Resident status means within City boundaries and can be verified on the City's website. Proof of an organization's local chapter designation may be required.

GROUP D: Local non-profit public or private school with a 501(c) 3 or (c) 4 status comprised of at least 75% residents of the City of Santa Clarita. Resident status means within City boundaries and can be verified on the City's website.

Any group not listed above will be offered field time based on availability after the allocation process.

Any new group that falls under Group A or B and that were not a part of last year's allocation will be placed into Category C for the first year.

*Organizations whose primary mission is community sports will take priority over institutions whose primary mission is education and who do not have a formal agreement with the City.

Any team or group joining, merging, or splitting into a new organization that splits mid-season, will lose their field space and must re-apply the following year during the allocation period.

ALLOCATION PROCESS AND PROCEDURES

As a part of the allocation process the organization will enter into a contract agreement with the City. It is the responsibility of the organizations president and designated board members to enforce City rules and regulations regarding the conduct of their group while on permitted facilities.

The allocation of fields will follow the guidelines of this document. Fields will be allocated and permitted in the spring and/or fall for in-season sports.

Allocation permits are issued after a request has been presented, reviewed, and approved. All required documents must be submitted, deposits paid, insurance requirements met, and approval has granted. **A request does not constitute approval.**

The following required documents must be submitted as a complete package by the specified dates. Incomplete packages will not be accepted.

- Field Request Form
- Prior season roster of all players including both residents and non-residents
- Proof of Non-Profit status (501 (c) 3 or 4)
- Liability Insurance Certificate and Additional Insured Endorsement
- Deposit
- List of current season's board members

Traditional sports seasons have priority use:

- In-season sports are required to submit a field application and the prior year's roster enrollment data at the time of the field request. Deadlines for submittals for 'in-season' sports will be as follows:
 - October 1 - November 1 for spring/summer sports
February 1 – March 1 for fall/winter sports

Spring/Summer Sports (baseball, softball, lacrosse, rugby, volleyball)

- Priority use is from the beginning of late January until mid-June

Fall/Winter - Sports (soccer, football, cross country)

- Priority use is from August to late November

Any organization missing these deadlines will have access to any remaining fields on an ‘as available’ basis only.

GUIDELINES:

- A. Each league/organization must present enrollment data indicating first and last name, and full address including zip code of all participants. This information shall remain confidential. The number of City residents within each organization’s enrollment will be determined and confirmed by the City prior to the field allocation meeting. Incomplete, manipulated, or altered rosters will result in the request being denied. Failure to provide rosters by the deadline will result in field time being considered only after the allocation to organizations who adhered to the established timeline.
- B. Fields will be allocated to leagues/organizations based on the percentage of verifiable total City residents in relation to all teams in that priority group. A request for field allocation will not be considered unless all invoices for prior use have been paid in full.
- C. Allocation requests during off-season play will be reviewed after allocations are granted for in-season sports. Park locations are subject to availability and not guaranteed.
- D. Only designated league representatives or board members will be allowed to reserve fields for their affiliated organizations. A current seasons’ listing of board members or representatives must be submitted with the application. Coaches or other individuals must receive written permission from their league representative to book fields for the organization, under the organization’s name. A list of coaches must be submitted to the City prior to booking any field. Coaches not on the organization’s list will be allocated fields after Groups A - C on the Priority Group Classification.
- E. The City reserves the right to cancel an allocation to accommodate the needs of any City sponsored/co-sponsored tournament, special event, or activity.
- F. City staff may schedule meetings during the year which will require the attendance of at least two representatives from each participating organization to review the allocation process.
- G. All field users must have a copy of their field permit available for inspection at all times by City staff or law enforcement, or requested by the public for proof of permit.

ALLOCATION PROCEDURE FORMULA

Fields will be allocated to organizations/teams based on the percentage of verifiable total City residents and the Priority Group Classification.

No one organization may be allocated more than 50% of available field time. Because the number of participants may vary greatly, the City will utilize a two-tiered system as follows:

- Tier 1 - Organizations comprised of 500 or more participants
- Tier 2 - Organizations comprised of less than 500 participants

The total number of an organization’s participants that are City residents will be divided by the total number of residents in the Priority Group Classification.

Formula Example:

For the purpose of this document we will use the following example:

Total available hours = 2000. Tier 1 will receive 50% of hours for a total of 1,000 hours.

Team A has 750 residents

Team B has 900 residents

Total residents for both organizations is 1650

Team A 750 residents divided by 1650 = 45% of available 1,000 hours

Team B 900 residents divided by 1650 = 55% of available 1,000 hours

NOTICE OF NON-USE OF FIELDS

Any user organization that has been allocated space and does not intend to use it on a regular basis must notify the City so that the field may be re-allocated or otherwise used. Fields returned with less than two weeks notification will not be reassigned but will become available on a first come first served basis. Failure to do so may result in forfeiture of all fields for the remainder of the season. If an allocated field is not used three (3) times by the designated organization, the field(s) may be reassigned. Prior to reassignment, organizations will be notified by City staff.

ATHLETIC FIELD LINING/MARKING

- Lining of City fields with chalk or paint is not permitted
- Burning lines on any City of Santa Clarita parks and/or fields is not permitted
- Any user failing to comply with these guidelines is subject to the following:
 - a. Forfeiture of any/all deposit(s)
 - b. Payment for all damages occurring to the facility
 - c. Termination of any/all field use permit(s) for one year

RULES AND REGULATIONS OF FIELD USE

Organizations/Groups agree to abide by all park rules and the City of Santa Clarita Municipal Code with great consideration to Title 14, Parks and other Public Places.

- A. User groups must designate a representative, an adult 18 years or older, to be present during any/all of their practice and/or game time(s) at each City field/facility used. Field use begins and ends at the time stated on the permit. Field reservations are scheduled back to back and groups are not allowed on fields prior to their start time

shown on the City issued permit, and are required to have the field clear of equipment and participants off the field at the end time indicated on the permit.

- B. An organization is responsible for the action/conduct of their coaches, players, parents, and spectators and have made them aware of City policies. Failure of any member of an organization to abide by established rules will result in revocation of permits for the entire organization for the season and possible future applications.
- C. Games and practices can begin no earlier than 12:00 p.m. (noon) on weekdays with the exception of summer months at designated parks, and 8:00 a.m. on weekends unless prior approval from the Director of Recreation and Community Services or their designee has been made. No games and/or practices may be scheduled for holidays without prior approval from the Director of Recreation and Community Services or their designee.
- D. Games and practices can end no later than 10:00 p.m. nightly, unless prior approval is given by the Director of Recreation and Community Services.
- E. Weekend use, on a regular basis, may be subject to limited hours at the discretion of the City.
- F. Game schedules must be submitted a minimum of two (2) weeks in advance of the first game.
- G. Use of metal cleats for baseball/softball practice is prohibited. Metal cleats will be allowed for CIF games only.
- H. Removal of rubber pitching plates or inset bases is prohibited on any softball diamond.
- I. Alcoholic beverages are prohibited at any sporting event or youth activity at all City parks.
- J. At the conclusion of games, practices, and activities, organizations must leave the park/facility quickly, quietly, clean, and clear of debris. Failure to do so will result in a forfeiture of deposit and if applicable, will be assessed a maintenance cleaning fee.
- K. Due to maximum occupancy limits of facilities and fields as well as parking availability, maximum group sizes may be instituted, or a request may be denied when applying for a facility permit.
- L. Users may not sublease, transfer, or re-assign fields under any circumstances. Subleasing of fields may result in revocation of all permits.
- M. Any unauthorized use, including using other park facilities with a reservable field without a permit or interfering with another permitted use, will result in the revocation of any permit indefinitely pending an investigation which may end the season.

TRAFFIC AND PARKING

- A. Driving, operating, or parking any motor vehicle within the City parks and/or facilities is prohibited, except in areas specifically designated as parking areas. In case of medical emergencies, only emergency vehicles will be allowed on the park for rescue purposes.
- B. Organizations must inform their participants and spectators to park in public parking areas. It is the organization's responsibility to alleviate traffic and parking issues. Cars improperly parked, especially against red curbs or in fire lanes may be cited.

PUBLIC ADDRESS SYSTEM USE

- A. Sound amplification equipment may be allowed in City parks and/or facilities, but is limited to public address systems, stereo equipment, stationary and portable components, and/or bullhorns. All sound levels must be in compliance with the City of Santa Clarita's Municipal Code (Ord. 11.44.040.A).
- B. Only persons 18 years and older will be allowed to operate any public address system.
- C. All public address system use for athletic events must pertain to the game being played. Special announcements should be kept to a minimum. 'Play-by-play' announcing is prohibited.

MAINTENANCE

- A. The City will maintain parks, facilities, and fields for safe public use.
- B. The City will provide all maintenance such as field preparation, lining of the fields, setting of bases, and installation of permanent equipment. Fees may be required depending on the type of maintenance required. Requests for field lining must be made at least 10 working days in advance of date requested and include a scaled drawing.
- C. User groups/organizations are responsible for maintenance such as lightweight field preparation, setting and removal of temporary bases or goals, as approved on application permit.
- D. Motorized vehicles are not permitted on fields for the preparation of athletic fields or other activities unless prior written permission is obtained by the City.
- E. Each user group is responsible for the facility being free of trash or debris caused by their group's usage, including checking restrooms and parking areas.
- F. User groups are required to report any and all damage or acts of vandalism to the City immediately.

FIELD CLOSURES

- A. The City attempts to be flexible in accommodating user groups but, ultimately, the health and safety of the user and condition and playability of the fields takes priority. An annual rest and recovery is scheduled at all sites on a rotating basis.
- B. The City reserves the right to cancel or suspend field use permits when field conditions could result in injury to players or cause damage to the fields. Permits may be canceled when the health and safety of participants are threatened due to impending conditions, included but not limited to heavy rains, smog alerts, pesticide applications, overwatering or irrigation system defect, or acts of nature (fires). No organization/team shall play on any field closed for renovations or repairs.
- C. During inclement weather, the City Park's staff will assess the playability of all City-owned fields to determine if use will occur. The Director or designated representative shall have the authority to close any/all fields. Closure of fields will be determined by 2:00 p.m. Monday through Friday and 7:00 a.m. on Saturdays and Sundays and posted on the City's website at santa-clarita.com/fieldconditions or by calling the Field Condition Hotline at (661) 290-2241.
- D. All organizations shall agree to cancel all practices and/or games when notified of closed fields due to maintenance or inclement weather.
- E. The City requests that individuals and groups adjust, refrain, or limit their use of heavy traffic areas during practices, regardless of weather, to assist in providing the best field conditions possible, i.e. goal areas, pitching areas, etc. Multi-purpose field use, especially practices, should be conducted in such a way that the action takes place on different sections of the turf, thus reducing excessive damage in one area. Rotate use, and when possible, stay off fringe or bare grass areas to limit erosion and further damage.

MODIFICATIONS

Any request to modify or improve any City facility shall be submitted for review by the City for consideration. No permanent structures or equipment shall be erected on City facilities unless approved by the City and dedicated for community use.

STORAGE

- A. The City may provide, for a fee, storage containers or designated gated areas at Central Park only for an organization's seasonal use as described therein. There is limited availability of such containers and they will be made available on a first-come, first-served basis.
- B. Storage permits are issued on a seasonal basis according to the sports' 'In Season' guideline.

- C. The City provides only the structures and existing equipment, as presented in the original design of the storage unit. It is the group's responsibility to provide any and all other equipment, i.e., storage racks. No permanent storage containers or shelves are allowed without prior written permission of the City. Any alterations to the structure are prohibited.
- D. The City assumes no liability or responsibility for any equipment kept in the storage areas.
- E. User groups are not allowed to alter or change the locks on any storage unit or concession area. The City will issue one set of keys to user groups for their seasonal use. Duplication of keys by user groups is not allowed. All keys must be turned in at time of final inspection.
- F. User groups are required to keep the facility clean with equipment properly stored for safety. Upon conclusion of the permit, the user shall clear out all equipment and appropriately clean the area for inspection by City staff. No equipment may be left.

FOOD/VENDORS/CONCESSIONS

- A. Concession stand building at Central Park is available for rent with approval for an additional fee.
- B. Organizations must receive City approval to sell food or operate a concession stand. Any user group that offers food or items for sale must have a current Seller's Permit and/or Los Angeles County Health Permit as required.
- C. A copy of the permit issued by the Los Angeles County Department of Health will be required and must be on file with the City two (2) weeks before the event.
- D. Any organization wishing to sell or invite a vendor to sell food (including food trucks) or merchandise, must obtain approval from the City Reservations office, and provide the necessary documents which include but are not limited to, a business license and health permit. Sales of concessions by an organization may only take place during times fields are allocated to user group.

BANNERS

In general, the City does not permit the display of banners. Separate regulations governing the display of temporary advertising banners in City parks are regulated through Community Development.

SUSPENSION OF USE

The City reserves the right to cancel or suspend at any time, a Facility Permit for emergency situations or when deemed necessary for the safety and best interest of the customers, the City of Santa Clarita, and all concerned.

DENIAL OF USE

Denial of use can be made by the City on the basis of the following reasons:

- A. The facility is incapable of accommodating the proposed activity for the number of participants involved.
- B. The applicant has failed to comply with all the conditions required for the activity, or with the facility usage policies, procedures, and/or regulations.
- C. Falsification or omission of information provided to the City's Recreation and Community Services Division.
- D. The nature of the activity may endanger the participants, facility, equipment, or staff.
- E. Or based on any substantive reason(s), as deemed by the City.

Failure to abide by the aforementioned Field Allocation and Use Procedures may result in:

- Loss of security deposit
- Cancellation of permit without a refund
- Other action as deemed appropriate by the Director of Recreation and Community Services

The Director of Recreation and Community Services has jurisdiction over all Field Allocation and Use Procedures, and therefore has the right to modify any item contained in this document.

CODE OF CONDUCT

CODE OF CONDUCT

The benefits of Recreation are endless - promoting health, building strong families, and creating a sense of community. To ensure the quality of programs and public safety, all program participants, parents, spectators, coaches, and volunteers must abide by this Code of Conduct:

- All persons shall act with respect towards others; respect their privacy, and personal safety
- All persons shall treat public and private property, City facilities, and equipment with respect
- Observe program rules and regulations at all times
- Behave in a responsible manner, always exercising self-discipline
- Cooperate with or assist the City staff in maintaining safety, order, and discipline

NEVER TOLERATED AND REASON FOR IMMEDIATE REMOVAL AND DISMISSAL

- Abusive language or disrespect towards a staff member, volunteer, another participant, or member of the public
- Discourtesy or rudeness to a fellow participant, staff member, or volunteer
- Verbal, physical, or visual harassment of another participant, staff member, or member of the public of any kind
- Bullying or taking unfair advantage of any participant
- Possession or usage of alcoholic beverages or illegal drugs on the City of Santa Clarita property, or reporting to the program while under the influence of drugs or alcohol
- Possession of dangerous or unauthorized materials such as firearms, weapons, or other similar items on City property
- Conduct endangering the life, safety, health, or wellbeing of others
- Failure to leave area in the condition in which you found it, including restrooms, gym, hallways, and any other area used - this includes vandalism/graffiti
- Failure to follow any Department of Recreation and Community Services policy or procedure

Each individual or organization that reserves fields will be responsible for the conduct and actions of all individuals involved in the rental. It will be the individual or organization's responsibility to make all individuals aware of the Code of Conduct and rules and regulations.

POLICY VIOLATION (THREE STRIKES)

The City uses a three-strike policy for violations of Field Use Agreement and Code of Conduct:

- First Strike: Written warning to the user group and restitution for damages/costs if applicable.
- Second Strike: Written notice of three day suspension of fields/facilities and restitution for damage/costs if applicable.
- Third Strike: Permit will be revoked for the remainder of the year and possible loss of future allocation.

Additional Supervision: Additional Recreation personnel will be assigned if required by the City. Any expenses or cost as a result will be billed to the organization.

FEES/PAYMENTS

- A. The City's Schedule of Fees and Charges as approved by City Council determine all fees to be charged pursuant to this policy, including security deposits.
- B. Individuals, Leagues, and Youth Organizations * – Deposits and fees due at time of application a minimum of 14 days prior to requested date and time of application submittal.
- C. Tournaments - Refundable security deposit to accompany application a minimum of 30 days prior to tournament date. Balance of fees for fields, lighting, and field prep fees will be due two weeks prior to tournament date when game schedule has been determined.

*Quarterly invoices issued to approved youth organizations are to be paid in full, within 30 days of receipt.

CANCELLATION/REFUNDS/CHANGES

- A. Permits revised or cancelled by the user at least 14 days prior to the event will be refunded in full. No refund will be issued if permitted use is altered or cancelled with fewer than 14 days notice.
- B. Permit dates cancelled by the Department of Recreation and Community Services due to inclement weather may be rescheduled as availability allows or may be refunded in full.
- C. The Recreation and Community Services Department may cancel use of City fields/facilities for any of the following:
 - When the City begins improvements or maintenance involving any of the facilities
 - When the health and safety of participants are threatened due to impending conditions, including but not limited to heavy rains, pesticide spraying, and/or forces of nature
 - Non-adherence to Athletic Field Use and Allocation Policy or City Ordinance

GOOD NEIGHBOR POLICY

All organizations shall be aware of the "Good Neighbor" policy and respect the property and needs of the nearby residents, other teams, and the City of Santa Clarita. Building constructive relationships with our neighbors is essential. Being a good neighbor includes the following:

- Maintaining clean and attractive facilities, supervising the conduct of the players and spectators, and respecting the interest of property owners

- Give priority to traffic safety and the reduction of parking issues such as parking in or blocking driveways, public alleys, sidewalks, and curbs painted red, which are violations of the law
- Educate participants and guests to arrive quietly and to depart in the same manner to avoid disrupting the neighborhood
- Foster and maintain good community relations and cooperation with neighbors and authorities
- Observe quiet hours for lighted fields after 10:00 p.m. and dusk for unlighted fields
- Respect the speed limit and minimize use of car horns

INDEMNITY AND INSURANCE REQUIREMENTS

The City of Santa Clarita is not responsible for accidents, injuries, or loss/damage to property of individuals/groups using public fields and facilities. The applicant will be held responsible for all actions, behavior, and damages caused by his/her participants, guests, or attendees. All applicants requesting use of fields will be required to provide the City with an **original** certificate of insurance providing proof of the following:

- A. City and its respective elected and appointed boards, officials, officers, agents, employees, and volunteers (individually and collectively, "Indemnities") shall have no liability to User or any other person for, and User shall indemnify, defend, protect, and hold harmless Indemnities from and against, any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively, "Claims"), which Indemnities may suffer or incur or to which Indemnities may become subject by reason of or arising out of any injury to or death of any person(s), damage to property, loss of use of property, economic loss, or otherwise occurring as a result of or allegedly caused by the User's negligent or willful acts or omissions, its agents, officers, directors, or employees, committed in performing any of the activities specified.
- B. If any action or proceeding is brought against Indemnities by reason of any of the matters against which User has agreed to indemnify Indemnities as provided above, User, upon notice from City, shall defend Indemnities at its expense by counsel acceptable to City, such acceptance not to be unreasonably withheld. Indemnities need not have first paid for any of the matters to which Indemnities are entitled to indemnification in order to be so indemnified. The limits of the insurance required to be maintained by User shall not limit the liability of User hereunder. The provisions of this section shall survive the expiration or earlier termination of the field allocation agreement.
- C. The provisions of this section do not apply to claims occurring as a result of the City's active negligence or willful acts of omission.
- D. All insurance shall be primary insurance and shall name City of Santa Clarita as an additional insured. The naming of an additional insured shall not affect any recovery to which such additional insured would be entitled under the policy if not named as an

additional insured, and an additional insured shall not be held liable for any premium or expense of any nature on the policy or any extension thereof solely because they are an additional insured thereon. All applicants requesting use of fields will be required to provide the City with an **original** certificate of insurance providing proof of the following:

1. General liability and property damage in an amount no less than \$1,000,000 per one occurrence.
2. The City of Santa Clarita must be named as additionally insured.
3. The certificate must be submitted a minimum of 14 days prior to use and delivered to:

City of Santa Clarita
Recreation and Community Services
Attention: Facility Reservations
20880 Centre Pointe Parkway
Santa Clarita, CA 91350

- E. If the operation under this Agreement results in an increased or decreased risk in the opinion of the City's Risk Manager, then User agrees that the minimum limits here in above designated shall be changed accordingly upon written request by the Risk Manager.
- F. User agrees that provisions of this paragraph as to maintenance of insurance shall not be construed as limiting in any way the extent to which User may be held responsible for the payment of damages to persons or property resulting from User's activities, or the activities of any person or persons for which User is otherwise responsible.
- G. **A Certificate of Insurance, and an additional insured endorsement** (see attached sample), evidencing the above insurance coverage with a company acceptable to the City's Risk Manager shall be submitted to City prior to the execution of any field allocation agreement.
- H. The terms of the insurance policy or policies issued to provide the above insurance coverage shall provide that said insurance may not be amended or canceled by the carrier, for nonpayment of premiums otherwise, without 30 days prior written notice of amendment or cancellation to City. In the event that said insurance is canceled, User shall, prior to the cancellation date, submit new evidence of insurance in the amounts heretofore established.
- I. All required insurance must be in effect prior to the field allocation agreement and it or a successor policy must be in effect for the duration of the field allocation agreement. Maintenance of proper insurance coverage is a material element of the Agreement, and the failure to maintain and renew coverage or to provide evidence of renewal may be treated by the City as a material breach of contract. If User, at any time during the term of this Agreement, should fail to secure or maintain any insurance required under this Agreement, City shall be permitted to obtain such insurance in User's name and shall be compensated by User for the cost of the insurance premiums.

- J. User agrees to procure and maintain general liability and property damage insurance at its sole expense to protect against loss from liability imposed by law for damages on account of bodily injury, including death therefrom, suffered or alleged to be suffered by any person or persons whomsoever, resulting directly from any act or activities of User or any person acting for User or under its control or direction, and also to protect against loss from liability imposed by law for damages to any property of any person caused directly or indirectly by or from acts or activities of User or any person acting for User, or under its control or direction. Such public liability and property damage insurance shall also provide for and protect City against incurring any legal cost in defending claims for alleged loss. Such general liability and property damage insurance shall be maintained in the following minimum limits: A combined single-limit policy with coverage limits in the amount of \$1,000,000 per occurrence will be considered equivalent to the required minimum limits.

S/PR/Recreation/Facilities/Field Allocation Policy/ Field Allocation Final JJ 9-28-18