



298 Garden Hill Drive  
Los Gatos, CA 95032  
Fax: (408) 355-2290

ParkPermits@prk.sccgov.org

# PARK USE PERMIT

PERMIT NUMBER: 17003	PERMIT DATE(S): 01.01.17 – 12.31.17	Permit Type: <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Concessionaire <input type="checkbox"/> Filming <input type="checkbox"/> Special Use
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PERMITTEE		
Organization: SILICON VALLEY DISC GOLF CLUB (if applicable)		
Primary Contact: JIM CHALLAS	Email Address: <a href="mailto:JIM.CHALLAS@APMORTGAGE.COM">JIM.CHALLAS@APMORTGAGE.COM</a>	
Day Phone: 408-599-3222, X7302	Cell Phone: 408-802-1074	
Address: 22 SOUTH 2 <sup>ND</sup> STREET		
City: CAMPBELL	State: CA	Zip: 95008
Alternate Contact: STEVE SCHMIDT	Email Address: <a href="mailto:SMITTY@SVDGC.ORG">SMITTY@SVDGC.ORG</a>	
Day Phone: 408-802-0055	Cell Phone: 408-802-0055	

PERMITTED PARK USE	
Activity/Event Name: DISC GOLF COURSE	Attendance: 50
Park(s): HELLYER	Area(s): LA RAZA
Date(s) of Activity/Event: 01.01.2017 – 12.31.2017	Time(s) of Activity/Event: PARK HOURS
Description of Activity/Event: DISC GOLF LEAGUE AND TOURNAMENT PLAY	

Permit Fee: \$160.00	Date Paid:	<input type="checkbox"/> Cash <input type="checkbox"/> Check #: _____ <input type="checkbox"/> Credit Card: _____
Additional Fees:	Paid / Due:	
Addendum: <input checked="" type="checkbox"/> Required / See attached <input type="checkbox"/> Not Applicable		

16 DEC 29 10 10 AM '16

**Acceptance of Park Use Permit:**

This Park Use Permit is valid for the activity or event, location and date(s) as noted above.  
No permit for use of any facility in any County Park shall be transferable without consent in writing of the Director of the Department or his designated agent.

**Agreement to Abide by Rules and Regulations:**

Permittee and each of its members acknowledges receipt and review of and agrees to abide by the rules, regulations, and conditions adopted by the Santa Clara County Board of Supervisors as set forth in the County Ordinance Code, Division B14, and as noted in the Park Use Permit Conditions (Version 3, 3/2014), Addendum to Park Use Permit Conditions for Concessionaires (Version 3, 3/2014), Addendum to Park Use Permit Conditions for Annual / Special Use Permits (Version 3, 3/2014), and Addendum to this Park Use Permit (if applicable).  
Permittee understands that permission for use of park facilities is contingent upon compliance with these rules and regulations.

**Hold Harmless and Indemnification Agreement:**

Permittee agrees to indemnify the County, its officers, agents and employees and hold them harmless from and against all loss, damage, expense and liability resulting from injury to or death of any person, or loss of or damage to property, or claims of such injury, death, loss or damage arising out of or connected with the use of the permitted facilities by permittee. In addition, permittee waives all claims or causes of action against the County, its officers, agents or employees for damage to or loss of property of any kind or for injury to persons occurring in or upon the permitted facilities arising from any cause other than the active negligence or willful misconduct of the County, its officers, agents or employees and to which the permittee or his agent in no way contributed, either actively or passively, causing such damage, loss or injury.

Signature of Authorized Representative:	Date: 12-28-2016
County Approval:	Date: 12/29/16

**PERMIT NOT VALID UNTIL SIGNED BY PERMITTEE AND COUNTY**

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## **ADDENDUM TO PARK USE PERMIT #17003**

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THE FOLLOWING ADDITIONAL TERMS AND CONDITIONS SHALL APPLY  
TO THE PARK USE PERMIT ISSUED TO

### **SILICON VALLEY DISC GOLF CLUB**

1. This permit authorizes the Permittee to use and maintain the Disc Golf Course at Hellyer County Park.
2. Facility Use:
  - a. The Disc Golf Course is a public facility and must remain open for public use at all times except when the Permittee schedules an event or tournament.
  - b. Permittee covenants and agrees to use the property for disc golf purposes only.
  - c. Permittee shall limit area of play and club activities to those areas designated for use as a disc golf course in this permit.
  - d. Should play occur beyond the bounds of the designated area, the Department reserves the right to request the Club to erect fencing at their expense to control traffic in out of bounds areas. The Department shall approve fencing design and placement.
  - e. Permittee shall utilize existing footpaths to circulate throughout the course. Permittee shall also post out of bound areas and use brush barriers to act as erosion control mitigation.
  - f. A minimum setback of 100 feet shall be established around the seasonal pond identified in the Negative Declaration.
  - g. Permittee must insure that their use does not impede upon any trail use or other park facilities.
  - h. Permit also includes use of La Raza area restroom breezeway for storage of course equipment and site maintenance tools.
3. The Permittee will have the right to hold an organized disc golf tournament on the second Saturday of each month, a weekly league during the day-light savings months, and an end of year bag tag challenge. These are subject to the following stipulations and regulations:
  - a. The events shall be open to all members of the general public who pay and participate in accordance with all tournament/league rules and regulations as administered by Permittee.
  - b. The registration fee may be set and collected by the Permittee.
  - c. When events or tournaments are scheduled the facility may be considered closed to the general public.
  - d. If club sponsored events attendance exceeds site sanitary capacity, permittee, at own expense, will provide portable toilets (general formula is 1:100 people over capacity for 5 hour event). At least one portable toilet must be handicapped accessible.
  - e. If the ratio of attendance to available parking spaces exceeds 3.5 people per parking space, the Permittee will be required to provide off-site parking and shuttle service arrangements.
4. Permittee is required to obtain a separate Special Event Permit for any event or activity, besides the activities mentioned in item #3, with more than 50 participants expected, invitational or open to the public events, and events requiring extended hours or setup arrangements. A Special Event Permit must be requested from the Park Use Coordinator at least one month in advance of the event date.
5. This Permit is for nonexclusive use of the designated area. The Department retains the right to schedule other Special Use activities by outside groups or individuals. The Department will notify Permittee of any such scheduled activities no less than two weeks prior to an activity date.
6. Permittee is not authorized to sublease or approve reservation requests for park use from outside groups or individuals. Any such requests must be directed to the Park Use Coordinator.

7. No site improvements shall be made to the site without the written permission of the Director of Parks and Recreation.
8. Permittee will be responsible for safety and maintenance checks of the facility prior to use, to ensure that the activity may be safely conducted.
9. Permittee is responsible to ensure participants observe all Club rules, regulations and safety procedures at all times.
10. The general public will be required to observe park regulations and disc golf course rules and the Permittee will assist and cooperate in educating the general public in proper facility use.
  - a. Permittee/club members shall use educational methods only to respond to any participants violating club rules. If compliance is not obtained, the permittee/club member shall contact a Park Ranger immediately.
11. All vehicles must stay on roadways at all times (no driving on trails or paths authorized). Vehicles are not authorized to park in areas not designated for parking.
12. Permittee shall not commit, suffer or allow any waste on said property and are not to use or permit the use of said property for any illegal or immoral purposes. Permittee further agrees to comply with all State laws, local ordinances or other governmental regulations in connection with pest control, land use, etc. which may be required by the proper authorities.
13. Smoking is prohibited at all County park facilities, including the disc golf course, pursuant to County Ordinance B13-82 (c).
14. Permittee acknowledges that this Permit may create a possessory interest subject to property taxation. Permittee will pay and discharge, before delinquency, all taxes (including, without limitation, possessory interest taxes under this Permit) which are or may be at any time or from time to time levied, charged, assessed or imposed upon or against the Permitted Use, Permit Area or any interest or activity arising under this Permit.
15. Site Maintenance:
  - a. Disc Golf Course Area: Permittee shall not conduct any stripping of site vegetation that creates bare ground and may potentially cause erosion or soil de-stabilization in or adjacent to the permitted course area. Seasonal site maintenance and mowing of course or access paths to the basket sites shall only be undertaken after coordination with and approval of Hellyer County Park's Senior Maintenance Worker.
  - b. Adjacent Riparian Area Habitat: Any site maintenance of the vegetation (grass mowing excepted) must occur during the months of June 15 - October 15 with Parks approval. Riparian vegetation cannot be removed or altered between October 15 and June 15 (grass may be mowed but not to bare soil) in order to conform to California State Department of Fish & Game regulations related to Riparian Vegetation. This restriction also applies to pruning. Permittee shall cooperate with County in any native re-vegetation of the La Raza riparian area, as outlined in the Coyote Creek Integrated Natural Resources Management Plan and Master Plan, approved March 2007, should plans to do so be undertaken by the County.
  - c. Permittee is required to implement the Mitigation Planting and Maintenance Plan as required in the Negative Declaration for the fairways located on the east side of the Coyote Creek. An eighty- percent survival rate of all plant material will be required at the end of each permit year. The Permittee will replace diseased, dying or dead plants. The Department's Natural Resource Technician will annually update specifications for the quantity, type, recommended planting times, and maintenance of plants if needed.
  - d. Permittee is required to submit an annual maintenance work plan to the Park Use Coordinator, Sr. Park Ranger, Sr. Maintenance worker, and Natural Resource Technician by February 1<sup>st</sup>, 2016 for review and approval. This work plan should include the plans for any scheduled work parties and any other maintenance the permittee will be conducting on-site for the calendar year. The work plan should include weed control and the targeting of invasive species and any other maintenance related tasks.
  - e. A Quarterly Maintenance Checklist including specific recommended site improvement projects for permit year 2016 will be completed by the Permittee and submitted to the Department Park Use Coordinator in the months of March, June, September and December. The Checklist shall include a report indicating survivorship of plant material as referenced in Item #5 above.
  - f. Should nesting birds be found in the La Raza area, mechanical activities (i.e., mowers, blowers, etc.) are restricted to the months of September 15 - January 31.
  - g. Permittee is required to comply with the County's Integrated Pest Management and Pesticide Use

Ordinance, Division B28 of the Santa Clara County Ordinance Code. Permittee is prohibited from using any pesticide without approval from Park Staff and the County's IPM Manager.

- h. Any use of an internal combustion engine for site maintenance must comply with the conditions as outlined in the California Division of Forestry Memorandum of Understanding (CDF-MOU), Exhibit C.
- i. Vehicles or equipment used for the maintenance of the area must be equipped with approved spark arrestor.

16. Course Closures

- a. Permittee acknowledges that Park staff may close the La Raza course or any section thereof at their discretion for general maintenance, repair, or unsafe conditions at any time during the permit period. Park staff will notify Permittee 14 days in advance of the closure except for unsafe conditions where immediate closure (partial or total) may be required. Park staff will notify Permittee as soon as is practical.
- b. Temporary closure of the La Raza area may be required January – March due to wet/muddy course, high creek flows, or other sensitive site conditions in order to prevent habitat damage or soil compaction of the area. The area will be re-opened as soon as conditions improve.

17. Authorization for food and beverage concession shall be by separate Special Use Permit only.

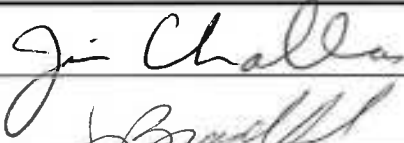

18. No solicitation of funds, or collection of fees is permitted.

19. Permittee must notify park of any repairs, construction, or projections that will occur on the La Raza course.

**ACCEPTANCE OF ADDENDUM TO PARK USE PERMIT:**

This Addendum is an integral part of the terms and conditions of the Park Use Permit. Permit Holder understands that permission for use of Park facilities is contingent upon compliance with these terms and conditions, and the rules, regulations, and conditions adopted by the Santa Clara County Board of Supervisors as set forth in the County Ordinance Code, Division B14, and as noted in the Park Use Permit Conditions (Version 2, 2/2013), Addendum to Park Use Permit Conditions for Concessionaires (Version 1, 2/2012), and Addendum to Park Use Permit Conditions for Annual / Special Use Permits (Version 1, 2/2012).

I, as the official representative of the permitted organization, agree on behalf of all the members of the organization, to the terms and conditions to which this permit is granted and fully understand the permit conditions as set forth.

Signature of Authorized Representative: 	Date: 12.28.2016
Park Use Coordinator: 	Date: 12/29/2016