



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: NOVEMBER 27, 2018
FROM: CITY MANAGER'S OFFICE WARDS: ALL
SUBJECT: PROPOSED FACILITY FEE EXEMPTION POLICY

ISSUES:

Receive a report on existing policies and procedures for issuing facility fee waivers; and approve a citywide Facility Fee Exemption Policy.

RECOMMENDATIONS:

That the City Council:

1. Receive a report on existing policies and procedures for approving facility fee waivers at City-owned facilities; and
2. Approve a citywide Facility Fee Exemption Policy to establish consistency, equity and fairness for evaluating and processing outside requests for facility fee exemptions.

COMMITTEE RECOMMENDATION:

The Finance Committee met on September 12, 2018 with Chair Adams and Vice Chair Conder present and member Soubirous absent, to receive a report on the City's existing policies and procedures for approving facility fee waivers at City-owned facilities and consider the proposed Facility Fee Exemption Policy. After discussion, the Committee voted unanimously to forward the proposed Facility Fee Exemption Policy to the City Council for approval.

BACKGROUND:

At the October 11, 2017 Finance Committee meeting, a request was made by Member Soubirous to receive a report on outside groups using City-owned facilities for free, including the processes used by City staff for determining which groups are eligible to receive a facility fee waiver.

Following this meeting, the City Manager's Office began researching this topic and spent several months meeting and corresponding with each City department to identify the policies and procedures that are currently in place, both citywide and at the department level, for issuing facility

fee waivers to outside organizations. Through these meetings, staff obtained a listing of all groups that were authorized to use a city facility for free in 2017 (Attachment 1).

DISCUSSION:

In 2017, approximately 175 outside groups were authorized to use a City facility for free or at a reduced rate. These groups include a wide range of local non-profits, community service groups, professional associations, local schools, and other governmental agencies. Many of the groups used a facility on a recurring basis for meetings and events/activities.

Existing Procedures for Rental Fee Exemptions

Through meetings and correspondence with City departments, the City Manager's Office identified the following administrative policies, department policies, and internal procedures that are currently used to evaluate and approve facility fee waivers for outside groups:

1. *City Sponsorship Program* (Attachment 2) – this City Council policy provides guidelines and criteria for granting City funds or in-kind services, including use of facilities, for the purpose of supporting local festivals, special events, community projects or programs.
2. *Administrative Policies* (Attachment 3) – City Council Chambers, Fox Performing Arts Center and Grier Pavilion have their own administrative policies that regulate the use of these sites. The administrative policies for these facilities include specific guidelines for allowing fee waivers and reductions that are unique to the types of uses generally permitted at each site.
3. *Departmental Policies* (Attachment 4) – Parks, Recreation and Community Services (PRCSD), Library and Community and Economic Development (CEDD) have their own departmental policies to evaluate fee waiver requests for facilities managed by these departments, including community centers and meeting rooms.
4. *Departmental Procedures* (Attachment 5) – Police and Fire have their own internal department procedures for regulating outside rentals in their department facilities and/or vacant properties managed by these departments.

The existing policies and procedures discussed above generally permit facility fee exemptions and/or reductions for meetings and events hosted by local government partner agencies, educational institutions, non-profits, and community-based organizations endorsed by the City of Riverside. Facility fee exemptions are not permitted for political activities/events and private parties.

Proposed Facility Fee Exemption Policy

Due to the numerous policies and procedures that vary throughout departments for approving rental fee exemptions, the City Manager's Office recommends a citywide policy that provides consistency amongst all departments for evaluating and processing outside requests for facility rental fee exemptions. The proposed Facility Fee Exemption Policy (Attachment 6) incorporates several requirements included in the existing departmental policies and defines the criteria that outside groups must meet in order to be considered for facility rental fee exemptions.

Qualifying Criteria

Under the proposed policy, facility fee exemptions will be considered on a case-by-case basis and may be granted if all of the following criteria are met:

1. Event/program provides an in-kind or other contribution of goods, services or programs that will benefit the residents of Riverside;
2. Event/program must be open to the public at no cost to participants, or have a low cost element;
3. Event/program is organized or co-sponsored by one or more of the following groups:
 - a. Other Governmental Agency
 - b. Local Public School
 - c. Community Service Group
 - d. Nonprofit Organization

Rental fee exemptions may also be granted for committees, boards or commissions acting under the authority or direction of the City Council.

Exclusions

This policy excludes facility fee exemptions for certain event/program types, as outlined below, and allows the City to revoke facility fee exemptions if the use of the facility is in conflict with the adopted mission and priorities of the City or if it impacts normal facility operations. Event/program types that are excluded from receiving a facility fee exemption include:

1. Private events, including weddings and memorial services;
2. Political/partisan activities that promote a campaign or candidate for public office;
3. Commercial uses including any event that limits access to the facility by charging an entry fee or selling materials or services for a profit;
4. Organizations that engage in propaganda or attempt to influence legislation; and
5. Religious services or activities.

Approved fee exemptions will be for facility and vacant property rental fees only, and will not apply to costs associated with staff time, equipment, audio/visual support, or other city fees including applicable deposits and insurance. The policy will not apply to the following City facilities, which are regulated by an existing citywide administrative policy, management agreement or adopted procedures:

1. City Council Chambers
2. Fox Performing Arts Center

3. Grier Pavilion
4. Riverside Convention Center
5. Riverside Municipal Auditorium
6. The Box and the Showcase

Reservation Frequency, Procedures and Additional Requirements

Reservations made using a fee exemption are limited for each group to a maximum of one (1) occurrence per month, up to three (3) hours per occurrence, or twelve (12) occurrences per year for facilities; and ten (10) occurrences per year for vacant land. All requests for fee exemptions must be made directly to the department managing the facility or property on an application provided by the City and will not be confirmed until the application has been signed by the City Manager, or his designee. Once a facility fee exemption is approved, the requesting groups must follow the normal reservation procedures and guidelines for each facility, including payment of any additional user costs, applicable security deposits and proof of insurance, if required.

Reservations made under this policy must occur during the facility's normal operating hours. The facility's name, address and telephone number may not be used as the official address of any group using the facility for meeting purposes, and the use of a facility shall not be publicized in any way as to imply City sponsorship or endorsement of the group and its activities.

Tracking and Reporting

Each department will be responsible for monitoring and tracking all approved rental fee exemptions. The City Manager's Office will work with each department to prepare a comprehensive report of all groups authorized to use a City facility under this policy. This report will be presented to the City Council six months following the approval of the policy, and on an annual basis thereafter.

FISCAL IMPACT:

The Facility Fee Exemption Policy was drafted to establish consistency, equity and fairness in the procedures used for evaluating and processing outside requests for facility fee exemptions. The policy will ratify existing guidelines that are already being used by departments to issue facility fee exemptions, and will not permit any new or additional fee exemptions. Therefore, there will be no fiscal impact associated with the adoption of this policy.

Prepared by:	Lea Deesing, Assistant City Manager
Certified as to	
availability of funds:	Edward Enriquez, Interim Chief Financial Officer/City Treasurer
Approved by:	Al Zelinka, AICP, City Manager
Approved as to form:	Gary G. Geuss, City Attorney

Concurs with:

A handwritten signature in cursive script, appearing to read "Steven K. Adams", is written over a horizontal line.

Steven K. Adams, Chair
Finance Committee

Attachments:

1. Groups Using City Facilities for Free in 2017
2. Administrative Policies:
 - a. Guidelines for Use of the Grier Pavilion
 - b. Guidelines for Use of the Fox Performing Arts Center
 - c. Guidelines for Use of the City Council Chambers
 - d. City Sponsorship Policy
3. Department Policies:
 - a. PRCSD Facility Rental Fee Exemption Policy and Procedures
 - b. Library Regulations for the Use of Meeting Rooms
 - c. Fire Department Facility Reservation/Rental Policies
4. Department Procedures:
 - a. Police Department Community Room Guidelines
 - b. CEDD Short Term Right of Entry Guidelines – Oversight Board Report 08/30/2012
5. Facility Fee Exemption Policy
6. Presentation