

**MEMORANDUM**

November 1, 2012

TO: Education Committee

FROM: Vivian Yao, Legislative Analyst *VY*

SUBJECT: **Discussion:** Silver Spring Civic Building Community Access Pilot Program

The Council is scheduled to discuss the Silver Spring Civic Building (SSCB) Community Access Pilot Program. Executive staff expected to participate in the discussion include:

- Ramona Bell-Pearson, Assistant Chief Administrative Officer
- Reemberto Rodriguez, Director, Silver Spring Regional Service Center
- Elizabeth Habermann, Financial Administrator, Office of Community Use of Public Facilities (CUPF)
- Jewru Bandeh, Operations Manager, CUPF/Silver Spring Civic Building

**I. BACKGROUND**

The FY13 Budget Resolution for Montgomery County Government appropriated \$200,000 to CUPF to support a pilot project "that focuses on enhancing the use of the Silver Spring Civic Building and reducing the cost for certain community uses." The expenditure of funding was conditioned upon the Council receiving a memo from the Executive detailing how the funds would be spent and eligibility criteria for users and uses of the funds. To the extent that the funds will be used to defray user costs, the memo to the Council was to provide information responsive to the following questions:

- Will the funds be used for a percentage fee decrease for particular categories of users or through a grant-based system for specific uses?
- Will funds support uses that involve fundraising, and if so, what is the rationale for using public dollars to support private fundraising efforts, and what public benefits will accrue?
- Will the funds support events that serve alcohol, and if so, what is the County's potential liability when alcohol is served at an event?
- Will there be any ceiling or cap on financial support to an individual user or for an individual use?

- Will individual users need to apply for financial support, and what specific criteria, if any, will be used to approve the request?

The Executive has directed that a pilot program known as the Community Access Pilot Program (Pilot Program) be established for managing the \$200,000 appropriation. The Council met on September 18 to discuss the use of Public Space in Silver Spring. At the meeting, Executive staff explained that the Pilot Program was intended to provide financial assistance and increase opportunities for groups, organizations, and community members that meet eligibility criteria and whose events meet the qualified uses of the facility program. Executive staff described the process that would be used to assess requests for support (see below); reported that it had been working on developing the criteria for the Community Access Pilot Program; and stated that a decision memo would soon be presented to the CAO for consideration. Guidelines and criteria for determining the expenditure of funds were not available in time for the September Council meeting.

## II. COMMUNITY ACCESS PILOT PROGRAM

On the November 2, the County Executive transmitted a memorandum to Education Committee Chair Ervin (©1-4), reporting on the implementation status of the Pilot Program and responding to questions in the FY13 Budget Resolution. **The County Executive reports that:**

- **application, eligibility information and qualifying criteria have been posted on the County website (see ©5-8);**
- **applications have been submitted for upcoming events; and**
- **a Review Committee has been established to review applications.**

### A. APPROVAL PROCESS

The County Executive describes the following approval process for organizations seeking support through the pilot program:

- Those seeking financial assistance will submit an application through the Pilot Program with supporting documentation and a CUPF application that details facility licensing requirements to the SSCB Operations Manager. The current application is attached at ©8.
- The Operations Manager will check the availability of the facility for the date requested and forward the application to the Review Committee for consideration of funding under the Pilot Program.
- The Review Committee will assess the application according to the developed criteria (see ©3-4) and make a funding recommendation.
- Recommendations from the Review Committee will be sent to CUPF to finalize the facilities reservation process. Applicants will be notified of any funding awarded. If the applicant does not qualify for financial assistance, they will be referred back to CUPF to consider whether to move forward with facility use without financial assistance.

## **B. ELIGIBILITY REQUIREMENTS AND FUNDING RESTRICTIONS**

### ***Eligible Organizations***

The County Executive clarifies in his memorandum that, in order to be eligible for funding, an organization must be one of the following:

- a County-based non-profit or not-for-profit;
- a youth, faith-based, art, cultural, club sorority/fraternity or similar community group;
- a community group involved in a collaboration with a County or Council office; or
- a civic group.

### ***Event Participation Cost and Fundraising Exception***

**Participation in the event for which support is being sought must be free or at a minimal cost, with the exception of fundraising events for community use and/or benefit.** The Executive clarifies in his memorandum that "the funds will support fundraising efforts for non-profit and not for profit organizations that have as their mission the service of County residents and supporting the County goals and mission." He explains that the "benefit that accrues to the public is the continuation of those non/not for profit organizations and the programs they operate." **The Committee may want to explore with Executive Staff whether public funds should be used to support fundraising events. The events that charge significant admission fees would presumably raise revenue that could cover the cost of building use. Does the continuation of the organizations and programs provide a sufficient justification to grant funding to non- and not-for-profit organizations? Is this justification consistent with how the County provides grants in other instances?**

### ***Alcohol Service***

The Executive explains that if applicants intend to serve alcohol at an event being supported by the pilot, no County funds may be used for the purchase of alcohol and the applicant will be legally responsible under the terms established by the County Attorney in the facilities user license agreement.

### ***Funding Ceiling***

The Executive states that "[i]f an applicant applies for assistance to cover multiple events in one application then the Review Committee may determine that the Groups qualifies for up to \$5000 per Group for all events scheduled during the Pilot Program period." This amount was set based on CUPF experience with similar scheduling patterns and would cover a variety of uses: 3-hour weekly weekday meeting in an activity room; 4-hour quarterly meetings in half of the Great Hall; 4-hour bi-weekly programs in an activity room on the weekend; or 1 special event on the full Plaza or in the Great Hall.

**The Committee may want to clarify whether the \$5,000 ceiling will apply to all groups; whether the ceiling will apply only to applications that include multiple event requests; or whether the Review Committee has discretion to waive this ceiling amount. Is there an absolute funding ceiling for particular users or uses?**

### C. RATING CRITERIA

The Review Committee will be assessing applications on the following criteria (see ©3-4):

- Financial need;
- Not-for-profit status;
- Location/mission serving Montgomery County residents;
- Addresses County's priority objectives;
- Service delivery benefits;
- Addresses unmet need/unique programming;
- Scope of impact; and
- Criticality of space to program success.

The Executive reports that the rating criteria will be used to determine an applicant's eligibility for the program as well as how much money the applicant will receive. The Review Committee will determine how to limit individual user applicants by giving a priority to new applicants at each review session.

**The Committee may want to explore the following issues related to the rating criteria:**

- **Financial Need:** Will users be expected to cover a certain portion of the costs of building use consistent with the County's public space use policies for other buildings? In what situations would users not be required to pay a portion of the use fees (e.g., financial need) and what factors would establish an organization's lack of access to funds?
- **Not-for-Profit Group:** This rating category assesses not-for-profit status as well as geographic (Montgomery County) preference. Since other criteria provide preferences for location and impact on/benefits for County residents, should this criterion be limited to assessing an organization's not-for-profit status?
- **Service Delivery Benefits:** The rating form provides examples of targeted populations. Do any other Pilot Program materials define or list all targeted populations?
- **Addresses Unmet Need/Unique Programming:** Does this criterion on the approach to address community problems apply to the organization's work in general or the specific activity/event that is proposed at the SSCB?
- **Priority to New Applicants at Each Review Session:** Will the priority encourage users to apply for multiple uses in a single application? Is the priority needed given the first-come, first-served application policy and the \$5,000 funding ceiling?

**Council staff comments:** The Committee should ask Executive staff to post information presented at today's session online, including the ceiling on funding for users and the criteria for assessing funding requests. As the development of this program has been an evolving process, Council staff recommends that any information posted online be reviewed for clarity and internal

consistency, e.g., making clear any difference between "Qualifying Criteria" and "General Eligibility Requirements" and defining non-eligible "private fundraising events."

Council staff also recommends that the Committee request a report on the accomplishments of the pilot program prior to consideration of the FY14 CUPF Operating Budget to include:

- a list of funding awards with information on the sponsoring organization, the activity/event being held, the space used, the amount awarded, the target audience, and the number of participants; and
- an analysis of whether the pilot program increased the use of the Civic Building by organizations that previously lacked access to the facility.



OFFICE OF THE COUNTY EXECUTIVE  
ROCKVILLE, MARYLAND 20850

Isiah Leggett  
*County Executive*

**MEMORANDUM**

November 1, 2012

**TO:** Valerie Ervin, Chair  
County Council Education Committee

**FROM:** Isiah Leggett  
County Executive

**SUBJECT:** Community Access Pilot Program - Silver Spring Civic Building

The purpose of this memorandum is to report to the Education Committee on the status of the Community Access Pilot Program for the Silver Spring Civic Building and Veteran's Plaza for which the \$200,000.00 appropriation was designated.

The application, eligibility information and qualifying criteria are listed on several County websites including the [silverspringcivicbuilding@montgomerycountymd.gov](mailto:silverspringcivicbuilding@montgomerycountymd.gov) website, the Community Use of Public Facilities (CUPF) website, soon to be on the main County website and Regional Service Center websites. Applications have been submitted for upcoming events and the Review Committee has been established to review applications. We have been waiting for the finalization of rating procedures and Council consent to review and approve the applications that have been submitted. With your consent today the Review Committee will approve the first group of applicants found to qualify for funding.

As indicated in earlier information conveyed to the full Council, the procedure to be followed requires the applicant to submit their information to the Civic Building Operations Manager at his email address or apply online at the Silver Spring civic building website. Both options are indicated on the application and website. The applicant will submit both an application for the Pilot program with supporting documentation indicating their program mission and benefits to County residents as well as submit a CUPF application that details the facility licensing requirements.

Once the application is received and accepted the Operations Manager checks the availability of the facilities to reserve the date requested and then forwards the application to the Review Committee for consideration for funding under the Pilot. The Committee will review the application to determine if the Applicant meets the criteria previously advertised and make a recommendation about the Applicant's availability to receive appropriate Pilot Program funds. Those recommendations will be sent forward to (CUPF) and the applicant will be notified of the funding granted and will be required to finalize the facilities reservation. If the Applicant does

not qualify under the criteria for financial assistance, they will still be referred back to CUPF to consider whether they want to use the facilities without financial assistance from the Pilot Program Fund.

The Review Committee has established a rating form to determine if the event and the organization qualify for funding. Please see the attached document indicating the criteria utilized by the Committee. The rating form will be used to determine the applicant's eligibility for the program as well as how much money the applicant will receive. Applicants that intend to conduct fundraising will be considered for funding so long as the event has a public interest purpose rather than a private fundraising purpose. The funds will support fundraising efforts for non-profit and not for profit organizations that have as their mission the service of County residents and supporting the County goals and mission. The benefit that accrues to the public is the continuation of those non/not for profit organizations and the programs they operate. Should the applicant intend to serve alcohol at the event, there will be no County funds utilized for the purchase of or service of alcohol and the applicant will be legally responsible under the terms established by the County Attorney in the facilities user license agreement. The Review Committee will determine how to limit individual user applicants by giving a priority to new applicants at each review session. If an applicant applies for assistance to cover multiple events in one application then the Review Committee may determine that the Group qualifies for up to \$5000 per Group<sup>1</sup> for all events scheduled during the Pilot Program period.

The published eligibility factors require at least one of the following:

- 1) County based non-profit or not-for profit (evidence of non-profit status will be required for those claiming legal non-profit status)
- 2) one of any of these or similar community groups such as: youth, faith-based, art, cultural, clubs, sorority/fraternity, etc.
- 3) a Community Group involved in a collaboration with a County Department, Office, or Councilmember Office
- 4) a Civic Group including but limited to homeowners associations, neighborhood associations, tenant associations, senior citizens groups, etc.

Participation in the event must be free or at a minimal cost to participants.

I appreciate the opportunity to work with the Council to meet the needs and interests of the Community through this Pilot Program. While this is only a year long program we hope to develop information that can be used to determine how best to structure future schedules and improve access to the civic building for the community.

Attachment

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<sup>1</sup> This was set based on CUPF experience with similar scheduling patterns. The amount would cover a variety of uses for example: 3=hour weekly weekday meeting in an activity room; 4=hour quarterly meetings in half of the Great Hall; 4=hour bi-weekly programs in an activity room on the weekend; or 1= special event on full Plaza or Great Hall

## **Silver Spring Civic Building & Veterans Plaza**

### **Rating Form Summary**

#### **Financial need**

- Group has no access to funds
- Group has minimum access to funds
- Funds are available such as enterprise or fundraising

#### **Not-for-profit Group**

- Montgomery County based Group
- Other jurisdiction not-for-profit
- Not a not-for profit organization

#### **Location/Mission serving Montgomery County residents**

- Principle and operational address in Montgomery County/serves County
- Principle office in Maryland with Montgomery County based operations/service area
- Not located in Maryland or Montgomery County or serves non-County residents

#### **Addresses County's Eight Priority Objectives**

**<http://montgomerycountymd.gov/government/missionStatement.html>**

- Addresses 3 or more of County Priority Objectives
- Addresses 1-2 of County Priority Objectives
- Does not address County Priority Objectives

#### **Service Delivery Benefits**

- Provides one or more service delivery opportunities to targeted populations (ex. low- income, disabled

veterans, at risk youth)

- Provides service delivery to non-targeted population

**Addresses unmet need/unique programming**

- Unique or novel approach to solving problem or way not currently addressed
- Commonly used approach to addressing community problems
- Duplicates services provided by County or organization receiving County funding

**Scope of impact**

- Program will have County-wide impact and benefits for residents
- Program primarily benefits County resident participants
- Program benefits non-County residents

**Criticality of Space to program success**

- SSCB location is critical to delivery of services (ex. nature of use, transportation limitations, etc.)
- SSCB location enhances delivery of services
- Alternate space resources better suit this need

## **Silver Spring Civic Building and Veterans Plaza**

### **Silver Spring Civic Building Community Access Pilot Program**

Effective date: July 1, 2012 through June 30, 2013

#### **Background Information**

Community representatives advised the County Executive and County Council that costs associated with the use of the Silver Spring Civic Building and Veterans Plaza (SSCBVP) pose a hardship to many groups and community members. In response, the County Executive and County Council established the Silver Spring Civic Building Community Access Pilot Program to better understand community needs and determine if there is a need to make changes to the availability of the facility. This Program is intended to provide financial assistance and increase opportunities to groups, organizations, and community members that meet the eligibility criteria and whose events meet the qualified uses of this facility program. A Review Committee will be established to evaluate applications for this program. Financial need will be given priority consideration under this pilot program. Costs associated with staff coverage for special events may or may not be covered by the pilot program.

#### **General Eligibility Requirements**

- County based non-profit groups that are able to show evidence of their non-profit status
- Various community groups (youth, faith based, art, cultural, clubs, sorority/fraternity, etc.) that are working on improving and/or positively impacting others in Montgomery County
- Participation must be free or at minimal cost to the participants
- Community group collaborations with County Departments, Offices and Councilmember Offices
- Civic Groups - including but not limited to homeowners associations, neighborhood associations, tenant associations, senior citizen groups, etc.

#### **General Information**

- This pilot program is being offered on a limited time basis during fiscal year 2013
- The selected groups under this pilot program must sign a Facility Use License Agreement and comply with all applicable building use guidelines/requirements
- Once your application is submitted to the SSCBVP Operations Manager it will be referred to the Pilot Program Review Committee to determine if your application meets the established criteria to receive financial support
- The Review Committee will then refer the application to the Office of Community Use of Public Facilities with recommendations about qualifications for funding
- If your application is determined not to meet funding criteria, your organization and event may still be able to book the SSCBVP but would not be able to receive funding under the Pilot Program

# Silver Spring Civic Building and Veterans Plaza

## FY13 Community Access Pilot Program Qualifying Criteria

**The group submits application as a local based non-profit or charitable organization or locally focused program.**

*Rationale: The reduced rate should be available to organizations whose mission focuses on service to the community or to the less advantaged members of the community, etc.*

**The group can provide proof of registration as a non-profit under the appropriate section of the IRS tax code 501(c)(3), (4), (6), (7), etc.**

*Rationale: This criterion ensures that only non-profits are able to take advantage of this opportunity.*

**The group is based in Montgomery County and/or its primary mission is to serve the residents of Montgomery County.**

*Rationale: The bulk of the funding for this building is from Montgomery County taxpayers. This criterion is not intended to eliminate groups whose purpose is focused on a wider, i.e., state or national, area of service if they have a significant presence, e.g., a chapter, in Montgomery County and are serving its residents.*

**Events shall be open to the public and/or designed to engage the community.**

*Rationale: In keeping with the County's objectives, events should be welcoming to all sectors of Montgomery County.*

### Process

- Applications will be received on a first-come, first-served basis.
- Organizations will apply through online applications at these Montgomery County departments' websites: Community Use of Public Facilities (CUPF), Regional Centers and Department of Recreation.
- Pilot Program Review Committee will review applications and determine whether or not applicant qualifies based on the above criteria.
- Review Committee will notify group of decision and forward approved application to CUPF for processing/scheduling. Groups not approved for assistance may pursue facility use on their own directly through CUPF.
- CUPF will review final date/time and all event day logistics directly with the user.
- CUPF will handle all financial transactions including crediting the amount of fund approval granted to the group/organization by the Review Committee.

### General Eligibility and other Requirements

- County based non-profit groups that are able to show evidence of their non-profit status.
- Various community groups (youth, faith based, art, cultural, clubs, sorority/fraternity, etc.) that are working on improving and/or positively impacting others in Montgomery County.
- Community groups partnerships with County Departments, Offices and Councilmember Offices.

- Civic Groups - including but not limited to homeowners associations, neighborhood associations, tenant associations, senior citizen groups, etc.
- Selected groups under this pilot program must sign a Facility Use License Agreement and comply with all applicable building use guidelines/requirements.
- Participation must be free of charge or at minimum cost to all participants.
  - The exception to the above requirement is when the event is a fundraising event for community use and/or benefit.
  - Private fundraising events will not be eligible for pilot program funds.
- For special events in the Great Hall or Veterans Plaza, or as required by the County due to associated risks, the user must provide a Certificate of General Liability Insurance naming the County as additional insured.
- Events that plan to serve alcoholic beverages may be approved to receive funds under this pilot program but no funds provided by the County may be used to purchase alcoholic beverages or be in any way associated with the sale or distribution of alcoholic beverages. The organization will be required to follow County policies on use of alcoholic beverages at events.

**Montgomery County Government  
Silver Spring Civic Building and Veterans Plaza (SSCBVP)  
Community Access Pilot Program Application**

*This pilot program is only for fiscal year 2013 (July 1, 2012 through June 30, 2013).*

To be considered for the Community Access Pilot Program:

- Submit the information requested below
- Attach a Silver Spring Civic Building facility use application form

You will be contacted by County staff after your eligibility for the Program has been determined.

1. Organization or Group Name: \_\_\_\_\_

2. County Agency Co-Sponsor (if applicable): \_\_\_\_\_

*Attach responses to the following questions:*

3. Describe your program and any special needs. Include method of advertisement, anticipated attendance, plans for live music/DJ, collection of monies on-site, equipment or any other support services needed, etc.
4. Describe how your program contributes to the County's mission and its connection to one of the key County outcomes (link for County mission statement <http://www.montgomerycountymd.gov/government/missionStatement.html>)
5. Describe how your program benefits the residents of Montgomery County and/or program participants. How does meeting in the SSCBVP help you accomplish your goals?
6. Do you plan to serve or sell alcohol at this function?
7. If this is a fundraising event, describe how the funds will benefit a County established organization, entity or residents.
8. Describe your financial need. Indicate if your organization is already receiving funding or financial assistance from another County source such as a County grant or through a County agency.

***Note: additional information may be requested.***

Name: \_\_\_\_\_

Please Print

Signature of Responsible Party \_\_\_\_\_ Date \_\_\_\_\_

**Community Access Pilot Program Contact:**

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