

**MEMORANDUM**

May 6, 2010

TO: County Council

FROM: Vivian Yao, Legislative Analyst *ny*

SUBJECT: **Worksession: FY11 Operating Budget  
 Community Use of Public Facilities (CUPF)**

**Summary of the Education Committee Recommendation**

The Education Committee held a worksession on the FY11 recommended operating budget for CUPF on April 22. The Committee recommended (2-0, Councilmember Knapp absent) approval of the Department’s budget as submitted by the Executive.

**OVERVIEW**

CUPF provides community users and public agencies with access to public facilities for services, programs, and events. **The program is supported by an enterprise fund and receives no tax dollars to support its operations.** The Interagency Coordinating Board (ICB) is the policy-making authority of CUPF.

The CUPF budget can be found at pages 56-1 to 56-5 of the Executive’s FY11 Recommended Operating Budget. For FY11, the Executive recommends total expenditures of \$9,303,720 for CUPF, an increase of \$134,280 or 1.5% from the FY10 approved budget.

(in \$000's)	FY09 Actual	FY10 Approved	FY11 CE Recommended	% Change FY10-FY11
<b>Expenditures:</b>				
Enterprise Fund	8,628,172	9,169,440	9,303,720	1.5%
General Fund	-	-	-	
Grant Fund	-	-	-	
<b>TOTAL Expenditures</b>	<b>8,628,172</b>	<b>9,169,440</b>	<b>9,303,720</b>	<b>1.5%</b>
<b>Positions:</b>				
Full-time	26	25	24	-4.0%
Part-time	2	2	3	50.0%
<b>TOTAL Positions</b>	<b>28</b>	<b>27</b>	<b>27</b>	<b>0.0%</b>
<b>WORKYEARS</b>	<b>26.9</b>	<b>24.5</b>	<b>22.1</b>	<b>-9.8%</b>

The Executive recommends the abolishment of one position:

Position	Grade	Status	FT	# PT	# Filled	# Vacant
Principal Administrative Aide	13	Abolished	1	0	1	0
<b>Total</b>			0	0	1	0

For FY11, the Executive recommends a net increase of \$18,810 to standard adjustments that do not affect the level of services offered by the Department. Reimbursements to Montgomery County Public Schools (MCPS) account for a net increase of \$148,310. The Executive recommends adjustments related to personnel changes that net a decrease of \$32,840.

<b>Standard Adjustments:</b>	
Retiree Health Insurance Pre-Funding	\$ 101,020
Retirement Adjustment	\$ 19,840
Group Insurance Adjustments	\$ 17,710
Motor Pool Rate Adjustments	\$ (1,720)
Printing and Mail Cost Adjustments	\$ (2,090)
Printing and Mail Reduction	\$ (5,620)
Net Reduction in Lease Costs	\$ (8,200)
Annualization of FY10 Operating Expenses	\$ (13,030)
Eliminate of reduce training, repair, hardware and software purchases, and other operating costs	\$ (21,550)
Furlough Adjustment	\$ (67,550)
<b>Subtotal: Same Service Adjustments</b>	<b>\$ 18,810</b>
<b>Adjustments Related to MCPS Reimbursement</b>	
Reimbursement to MCPS for Staff Costs - Elections	\$ 248,500
Other Reimbursements to MCPS	\$ 18,640
Centralized Scheduling of High Schools	\$ 4,850
Amended MCPS Utility Reimbursement Formula	\$ (123,680)
<b>Subtotal: Reimbursement to Schools</b>	<b>\$ 148,310</b>
<b>Adjustments Related Personnel Changes</b>	
Annualization of FY10 Personnel Costs	\$ 50,800
Increase Lapse for Administrative Support Position	\$ (38,550)
Abolish Administrative Aide Position as Part of the FY10 Reorganization	\$ (45,090)
<b>Subtotal: Program Enhancements</b>	<b>\$ (32,840)</b>
<b>GRAND TOTAL</b>	<b>\$ 134,280</b>

## I. FY11 EXPENDITURE ISSUES

The Committee concurs with the Executive's recommended expenditure adjustments including those relating to MCPS reimbursements, pre-funding of retiree health benefits, and staffing changes.

### A. Reimbursements to MCPS

CUPF is mandated to reimburse MCPS for costs incurred and services rendered in making facilities available to the community. A significant amount of CUPF's operating expenses, about \$6.35 million or 68%, is used to reimburse MCPS for costs associated with the community use of schools. The table on ©10 shows the total reimbursements to MCPS.

The following table shows adjustments to CUPF's operating budget as a result of reimbursements to MCPS.

<b>Adjustments Related to MCPS Reimbursement</b>	
Reimbursement to MCPS for Staff Costs - Elections	\$ 248,500
Other Reimbursements to MCPS	\$ 18,640
Centralized Scheduling of High Schools	\$ 4,850
Amended MCPS Utility Reimbursement Formula	\$ (123,680)
<b>Subtotal: Reimbursement to Schools</b>	<b>\$ 148,310</b>

***Reimbursements to MCPS for Elections*** **\$248,500**

The Executive's recommended budget for CUPF includes reimbursements attributable to building services coverage when elections are conducted in schools. Both primary and general elections are scheduled to be conducted during FY11. CUPF passes these costs onto the Board of Elections.

***Centralized Scheduling of High Schools*** **\$4,850**

The implementation of centralized scheduling for last 10 high schools has taken place in FY10. As part of bringing high schools onto centralized scheduling, CUPF provides for an increase in the reimbursement for wear and tear equipment and maintenance reimbursement to increase from \$1.25 to \$1.50 per hour for participating high schools. This adjustment provides for the anticipated impact of this increase in FY11.

***Other Reimbursements to MCPS*** **\$18,640**

This adjustment results from increases related to reimbursement for the MCPS Child Care Coordinator and Energy Specialists.

***Amended MCPS Utility Reimbursement Formula*** **-\$123,680**

CUPF reimburses MCPS a percentage of their actual utility costs (electricity, fuel oil, natural gas, propane, water and sewage) commensurate with community use. The reimbursement formula is based on the square footage and hours of paid community use compared to school use.

A combination of reductions in paid community use, increased free use by MCPS and its partners, energy cost savings measures implemented by MCPS, and lower utility costs result in this lowered adjustment to reimbursed utility costs. The FY11 reimbursement represents 4.6% of actual FY09 costs.

**B. Pre-funding of Retiree Health Benefits** **\$101,020**

CUPF's recommended FY10 budget includes \$101,020 for the pre-funding of retiree health benefits. The Executive's recommended FY11 budget does not include tax-supported funding for retiree health benefits. Because CUPF is self-supported through its Enterprise Fund, those costs are included.

**Council staff notes that this increase along with the reimbursements to MCPS for the two elections that will take place in FY11 account for about 76% of the increase adjustments to the CUPF budget.**

### C. Adjustments Related to Personnel Changes

The Executive recommended several adjustments related to CUPF personnel changes:

<b>Adjustments Related Personnel Changes</b>	
Annualization of FY10 Personnel Costs	\$ 50,800
Increase Lapse for Administrative Support Position	\$ (38,550)
Abolish Administrative Aide Position as Part of the FY10 Reorganization	\$ (45,090)
<b>Subtotal: Program Enhancements</b>	<b>\$ (32,840)</b>

#### ***Department Restructuring***

The annualization of FY10 personnel costs and the abolishment of the Administrative Aide position result from a restructuring of the Department. ICB boardmembers encouraged the review of management staffing needs and succession planning for the Department to meet its daily on-call fiduciary and critical decision-making responsibilities.

Changes to positions as a result of the restructuring process include:

- Reclassifying a Program Aide to an Office Services Coordinator and two Program Specialists I to two Program Specialists II. **The reclassification of these positions in FY10 require \$50,800 to annualize the personnel costs in FY11.**
- **The abolishment of a vacant Administrative Aide Position resulting in a savings of \$45,090 in FY11.**
- The creation of two Manager III positions for which recruitment was discontinued. There are no workyears or funding in FY11 for the two positions.

The Department's restructuring has minimal impact to the Department's FY11 budget – a net increase of \$5,710.

#### ***Increase Lapse for Administrative Support***

The Department will continue to lapse a vacant Program Specialist position for a savings of \$38,550 in FY11. Lapse savings were also taken for this position and reviewed by the Committee as a part of FY10 Savings Plan, Round 2. The lapse savings resulting from the vacant program specialist may result in some scheduling delays. The program specialist position is 1 out of 10 staff that performs scheduling functions. Although budget savings taken by the Department will not reduce County general fund expenditures, the proposed savings may result in greater efficiencies and do not appear to be unduly burdensome.

#### ***Staffing for Silver Spring Civic Center***

The personnel complement for CUPF also includes an additional part time (.5 workyear) Program Specialist to support the community use of the Silver Spring Civic Building and Veteran's Plaza. The building is expected to open in late July or early August.

Funding for this position is included in the Regional Services Center Budget and is being reviewed by the PHED Committee. The resolution adopted by the ICB on rental policies for the Silver Spring Civic Building and Veteran's Plaza is attached at ©7-14.

## II. FY11 REVENUE ISSUES

The Executive FY11 budget includes revenues of \$9,028,770, a decrease of \$87,870 or about 1% from the FY10 approved budget.

(in \$000's)	FY09 Actual	FY10 Approved	FY11 CE Recommended	% Change FY10- FY11
<b>Revenues:</b>				
Community Use of Civic Center	0	0	50,000	
General User Fees	8,269,629	8,785,700	8,657,830	-1.5%
Ballfields	179,755	290,940	290,940	0.0%
Investment Income	69,597	40,000	30,000	-25.0%
Miscellaneous Revenue	80	0	0	0.0%
<b>TOTAL Revenues</b>	<b>8,519,061</b>	<b>9,116,640</b>	<b>9,028,770</b>	<b>-1.0%</b>

Revenue projections for FY11 include an additional \$50,000 for the use of the Silver Spring Civic Center based on 1,872 hours of paid use. The funding will support a part time Program Specialist position (\$32,660) and administrative costs associated with scheduling the facility.

The FY10-15 Public Services Program: Fiscal Plan at 56-5 of the Executive's Recommended FY11 Operating Budget shows projections for the Department's revenues, expenditures, and year-end fund balance. Council staff notes that the chart assumes general rate increases for FY12-16 to maintain its fund balance at 10% of resources without County general fund contributions. The ICB must review and approve any actual increases.

**The Committee concurs with the Executive's recommendations related to the Department's revenues for FY11.**

## III. PROGRAM UPDATES

The following program highlights are presented for the Council's review:

- **CountyStat:** CUPF and CountyStat staff have met to identify core functions of the Department and develop four performance measurements including (1) the percentage of available indoor space scheduled for community use; (2) the percentage of available government building space scheduled for community; (3) the percentage of principals satisfied with the placement process for before and after school child care providers; and (4) the percentage of ICB members satisfied with CUPF operations. The Department reports that full data on these measurements will not be available until the conclusion of FY10; however, work on this data collection is described at ©1, 2, and 6.
- **Hourly scheduling of school ball fields:** On July 1, 2009, CUPF changed to an hourly rate for scheduling school ballfield use starting with the summer/fall athletics season.

The change was made to discourage teams from booking unneeded time and address neighborhood concerns related to unpermitted use. Although the Department reports that it is too early to determine the full impact of the policy change, information about the summer/fall athletics seasons is available. During that time period, 44% fewer hours were booked and revenue increased by about 52% in comparison to the same period for the prior year. See ©3.

- **Child Care Provider Selection Process:** CUPF continues to implement the ICB's policy of equal and fair access to school space by before and after school child care providers. The FY09 childcare re-bid process for two new locations and 10 sites solicited 53 provider proposals, and a new provider was selected as the provider of choice at one of the 12 sites. The FY10 re-bid process is underway, and 133 provider proposals have been received for the 20 school sites. The process should be completed by May 2010.
- **Artificial Turf Athletic Fields:** The Board of Education signed an agreement with Bethesda Soccer for a partnership agreement for the construction of the artificial turf field at Walter Johnson HS. Another field is scheduled for installation at Paint Branch High School without a partnership arrangement. MCPS anticipates that the construction of the field at Walter Johnson will be completed by July 2010 with Board of Education inspection and approval during fall 2010.

The Richard Montgomery artificial turf field opened for school use in September 2008 and for community use in January 2009. The artificial turf field at Blair High School became available for community use on September 1 through the Maryland-National Capital Park and Planning Commission, whose user fees are consistent with the ICB fee policy.

## Community Use of Public Information

- Is the Department tracking the outcomes listed on the CountyStat page yet? I'd be interested in understanding the % of available indoor space and % of available government building space scheduled for community use.

Although CUPF is not required to establish "Headline Measures," CUPF has created four measures. While full data will be available until the conclusion of FY10, data collection instruments are in development.

- *Percentage of available indoor space scheduled for community use = 28%*

Given the complexity of tracking the availability of approximately 10,000 rooms (which can change at any time) throughout 200 schools, CUPF developed a proxy measure for auditoriums, cafeterias and gyms, which account for approximately two-thirds of paid use hours. A ratio of the number of actual hours booked by the community, schools, and MCPS partners (Montgomery College, George B. Thomas Learning Academy, HHS Linkages to Learning, etc.) will be compared to a hypothetical number of available hours. The "formula" for hypothetical hours makes the following assumptions

- Average of 6 hours use per weekday during the 42 week school year, assuming availability between 3:00 and 9:00 pm.\*
- Average of 12 hours use per weekday during the 10 week summer, less the 2 week maintenance period when use is not scheduled just before the start of the school year
- Average of 12 hours use per day on weekends
- Up to 75 schools will be unavailable due to summer construction and maintenance (other maintenance closures reported separately)
- Each school has one gym, one All Purpose Room/Cafeteria and only high schools have auditoriums
- Administrative hours reflecting school use have been entered in the database (which may or may not be the case)

\*The time of the last bell varies between 2:15 and 3:15 pm depending on the specific school.

<b>FY09 Booking Hours</b>	<b>Admin Hrs</b>	<b>Rental Hrs</b>	<b>Total Use Hrs</b>	<b>Estimated Availability *</b>	<b>Interim Maintenance Closings</b>	<b>Availability less interim Maintenance</b>	<b>Use Percent</b>
	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>		<b>Actual</b>		
All Purpose Room	6,621	165,041	171,662	543,600	1,968	541,632	32%
Gymnasium	12,559	123,351	135,911	543,600	17,516	526,084	26%
Auditorium	6,511	9,399	15,910	63,900	3,795	60,105	21%
<b>Totals</b>	<b>25,507</b>	<b>294,535</b>	<b>320,041</b>	<b>1,151,100</b>	<b>23,280</b>	<b>1,127,820</b>	<b>28%</b>

\*See Attachment A

- *Percentage of available government building space scheduled for community use= 38%*

A ratio of the number of hours booked by the community and primary occupant and their partners, e.g., library, RSC, County departments, Literacy Council, Mediation Council, AARP, Census, etc.) will be compared to a hypothetical number of available hours. The "formula" for hypothetical hours makes the following assumptions:

- Average of 12 hours use per, assuming availability between 9:00 am and 9:00 pm
- EOB availability for community use limited during the weekdays. Daytime use by County departments not tracked
- Most RSC and Libraries are closed on Sunday
- Count of number of rooms available will be used, but will vary depending on construction and other availability factors
- Administrative hours reflecting primary occupant or other County use on evening and weekends have been entered in the database (which may or may not be the case)

<b>FY09 Booking Hours</b>	<b>Admin Hrs</b>	<b>Paid Rental Hrs</b>	<b>Total Use Hrs</b>	<b>Est. Availability*</b>	<b>Maintenance Closings</b>	<b>Availability less Maintenance</b>	<b>Use Percent</b>
	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>		<b>Actual</b>		
Libraries	34,284	3,700	37,984	104,832	241	104,591	36%
RSC	6960	1950	8,910	37,752	39	37,713	24%
EOB/COB	21,898**	716	22,614	26,364	0	26,364	86%
<b>Total</b>	<b>54,835</b>	<b>14,673</b>	<b>63,393</b>	<b>168,948</b>	<b>283</b>	<b>168,665</b>	<b>38%</b>

\*See Attachment A

\*\*70% of these hours are reserved for Council use. The remainder represents use by County departments.

- *Percentage of principals satisfied with the placement process (for Before and After school childcare placements)*

The FY09 childcare re-bid process included 2 new locations and 10 sites where the vendor had been in place between 1980 and 1989. A survey was emailed to all schools who participated in the FY09 re-bid process to obtain feedback. Although this specific question was not part of the first evaluation, 6 of the 7 respondents indicated that the process "resulted in placement of a high-qualified and responsive provider." The 7<sup>th</sup> survey respondent skipped this question. A survey will be sent to all participating principals of the 20 schools currently participating in the FY10 reconsideration process this summer.

- *Percentage of ICB Members satisfied with CUPF Operations*

No data has been collected as of this date. ICB members will be asked to provide confidential feedback at the end of the fiscal year. However, the Board has repeatedly publicly commended and expressed support for staff during the ICB meetings, which is documented in board minutes.

- How much revenue did the change to hourly scheduling of school ballfields net?

The change to an hourly rate for use of ballfields was implemented on July 1, 2009 with the start of the summer-fall scheduling window. The change was made to discourage team from booking time they did not need and address neighborhood concerns related to unpermitted use. It is still too early to determine the full impact of this change. However, based on the ballfield scheduling season ending in November 2009, 44% fewer hours were booked in comparison to the same period in FY09 (75,862 FY09 hrs to 42,629 FY10 hours) while revenue increased to \$127,887 from \$84,480 in FY09.

- Does the target for FY11 hours of use for government buildings include hours to be programmed for the Silver Spring Civic Center?

No. CUPF is projecting 1,872 hours of paid use in the Civic Building during FY11.

- The budget summary shows that the part time staff for the office is increasing by one. Is this the .5 position that is in the Silver Spring Regional Services Center budget? If not, what does it relate too?

Yes. A part-time Program Specialist I to support community use of the Civic Building has been requested.

- Please explain how the annualization of other personnel costs is calculated.

In addition to the normal increases related to annual service increases, the FY11 annualization reflects changes related to the office's reorganization plan which included promotional opportunities (requires a 10% salary increases) for 5 positions. Three of these positions were advertised and filled during FY10 as abolish/create (staff was not increased). Filling the two MLS positions created in FY10 was put on hold in light of current fiscal conditions.

- Please confirm utility reimbursements to MCPS are based on the previous year's actual utility costs? If costs for energy use may go up this year, the impact in reimbursement will not be felt until next year?

The utility reimbursement is based on the prior year's actual costs which are provided to CUPF by MCPS. Every few years, CUPF provides MCPS information on the paid hours of use by each school, which serves as the basis of the percentage of utility costs attributed to community use. Utility costs budgeted for FY12 will be based on actual FY10 year-end utility costs.

- Other departments have been moving operations from leased spaces to County facilities to achieve cost savings. Has there been any thought to move CUPF operations to a County facility?

Yes. The Department of General Services has identified 255 Rockville Pike as a possible site for CUPF.

- Is the Administrative Aide position that is being abolished currently filled?

No.

- Please explain how the Department is being restructured. If you have an org chart for FY10 and FY11, that would be helpful. Please explain the need for any reclassifications.

ICB boardmembers encouraged the review of management staffing needs and succession planning as part CUPF's strategic planning. With the current structure, the Director is the only MLS employee overseeing a department of 29 employees (including those "on-loan from MCPS) with a budget approaching \$9.4 million. Plus, there are critical decision making responsibilities with 24/7 on-call duties from early morning until very late in the evenings. The difference in level of authority of the next management position of grade 25 is significantly. Due to the current situation, recruitment for the two MLS positions created as part of the reorganization was discontinued and put on hold.

Additionally, in order to avoid having some employees working out of class as a result of lapsing the Manager I position, one OSC and two Program Specialist II positions were created (and 3 positions were abolished).

The changes effected were as follows:

FY10-Budget	Pos	FY10 Q3 Actual	Pos	FY11 Request	Pos	WY change
Program Specialist I - FT	12	Program Specialist I-FT	10	Program Specialist I-FT	10	-2.0
Program Specialist I - PT	1	Program Specialist I-PT	1	Program Specialist I*-PT	2	0.5
Program Specialist II	0	Program Specialist II	2	Program Specialist II	2	2.0
Office Services Coord	1	Office Services Coord	2	Office Services Coord	2	1.0
Program Aide	2	Program Aide	1	Program Aide	1	-1.0
Principal Admin. Aide	2	Principal Admin. Aide	1	Principal Admin. Aide	1	-1.0
					Program Specialist I, PA, PM I lapse	-2.0
					<b>Net Change (24.5 vs 23 WY)</b>	<b>-2.5</b>

*\*includes .5 WY for Program Specialist I for Civic Building as competition list item*

No re-classification actions are anticipated for the remainder of FY10 or during FY11.

- Please provide a vacancy list for the Department. Have you filled the Program Specialist position that was vacant in the in the FY10 Savings Plan Round 2? Is it the Administrative Support person that is being lapsed? If not, which position is being lapsed?

The Program Specialist I position lapsed as part of the FY10 Second Savings Plan has not been filled and will continue to be lapsed for the first six months of FY11. Consideration for filling this vacancy will be dependent on mid-year fiscal conditions.

The administrative support position (Principal Administrative Aide) abolished as part of the FY10 savings plan will not be reinstated.

#### Current Vacancies

Program Aide/part-time (Gr14) **no** workyears or budget assigned  
 Program Manager I/full-time (Gr 23) **no** workyears or budget assigned  
 Program Specialist I/full-time (Gr 18) 0.5 workyear lapse  
 Manager III/full time (M3) Two positions were created during FY10 however, **no** workyears or budget assigned. If filled in the future, Program Manager II position(s) will be abolished.

4

List of all of the reimbursements to MCPS projected for FY11

	<b>FY10 Budget</b>	<b>FY11 CE Request</b>
MCPS Staff Costs	3,502,420	3,332,560
Elections	0	248,500
Utilities	1,971,170	1,847,490
Maintenance Awards	705,500	710,350
Custodial Supplies	210,500	210,500
<b>Total Reimbursements to MCPS</b>	<b>6,389,590</b>	<b>6,349,400</b>

Attachment A

**CUPF PROXY MEASURE: ROOM AVAILABILITY in MCPS FACILITIES**

GYM and APR			AUDITORIUM (HS ONLY)		
12	hours per day	<b>summer weekends</b>	12	hours per day	<b>summer weekends</b>
2	days		2	days	
	24	hours per weekend		24	hours per weekend
10	weeks		10	weeks	
125	locations	Construction	10	locations	Construction
30000	total		2400	total	
12	hours per day	<b>school year weekends</b>	12	hours per day	<b>school year weekends</b>
2	days		2	days	
	24	hours per weekend		24	hours per weekend
42	weeks		42	weeks	
200	locations	No construction	25	locations	No construction
201600	total		25200	total	
6	hours per day	<b>weekday school year</b>	6	hours per day	<b>weekday school year</b>
5	days		5	days	
	30	hours per week		30	hours per week
200	locations	No construction	25	locations	No construction
252000	total		31500	total	
12	hours per day	<b>summer weekday</b>	12	hours per day	<b>summer weekday</b>
5	days		5	days	
	60	hours per week		60	hours per week
8	weeks	No use late Aug.	8	weeks	No use late Aug.
125	locations	Construction	10	locations	Construction
60000	total		4800	total	
Sub Total	543,600	1 room	Sub Total	63,900	
Total	1,087,200	Both rooms	<b>Grand Total</b>	<b>1,151,100</b>	

**CUPF PROXY MEASURE: ROOM AVAILABILITY in GOVERNMENT BUILDINGS**

Libraries		RSC		EOB, COB		
Meeting Rooms		Meeting Rooms		EOB	COB	Meeting Rms & Cafeteria
12	Ave. hours per day	11	Ave. hours per day	7	12	Ave. hours per day
6	days per week	6	days per week	7	5	days per week
	72		66		49	60
	hours per week		hours per week			hours per week
52	weeks	52	weeks	52	52	weeks
28	rooms	11	rooms	3	6	rooms
104,832	total	37,752	total	7,644	18,720	total
				26,364	Combined EOB/COB Total	
				168948	<b>GRAND TOTAL</b>	

Resolution No. 10-004  
Introduced: March 24, 2010  
Adopted:

INTERAGENCY COORDINATING BOARD  
600 Jefferson Plaza, Suite 300  
Rockville, Maryland 20852

**Subject: Community Use Guidelines and Fees for the Silver Spring Civic Building and Veteran's Plaza**

WHEREAS, The County Chief Administrative Officer has assigned responsibility for scheduling community use in the Silver Spring Regional Services Center's (SSRSC) Civic Building and Veteran's Plaza to the Interagency Coordinating Board (ICB) for the Community Use of Public Facilities (CUPF); and

WHEREAS, use by the Regional Services Center or other County departments, including groups designated by them as their agents for bona fide County programs is considered County programming for the purposes of this Resolution; and

WHEREAS, the Silver Spring Civic Building was designed to support a variety of uses to include private celebrations and business development and is to be made available when not in use for County programming; and

WHEREAS, the existing guidelines and fee schedule approved for the Regional Services Centers do not address the unique amenities and uses of the building; and

WHEREAS, the Interagency Coordinating Board Finance Subcommittee has reviewed and recommended policies and fees to support a variety of uses; and

WHEREAS, fees from community use of the Civic Building should be used to cover the costs of making the building available.

NOW, THEREFORE, be it resolved by a vote of the ICB that effective July 1, 2010, the following policy and fee schedule for the Silver Spring Civic Building apply for community use.

AND FURTHERMORE, be it resolved that the policies and procedures be reviewed after the first year of operation and consideration be given to modification of the policies and fees to enhance operations and community use.

## **POLICIES FOR RENTAL OF THE CIVIC BUILDING AND VETERAN'S PLAZA**

It is the policy of the ICB to encourage and promote community use of the Silver Spring Civic Building, which includes the Veteran's Plaza, without regard to race, gender, age, national origin, color, creed, disability, sexual orientation or impairment. The Civic Building is available to County residents, community groups, nonprofit organizations and businesses as well as non-residents.

CUPF will coordinate use of the Civic Building with the primary occupant, the Silver Spring Regional Services Center. New users will be required to sign a Facility Use License Agreement (FULA).

### CONDITIONS OF USE

The Civic Building is available for a variety of purposes by private individuals, nonprofit organizations and businesses. In addition to classes, meetings, community celebrations and personal celebrations are allowable. Users are responsible for adhering to the restrictions listed in the FULA. As specified in the FULA, the user is responsible for ensuring that any vendors in their employ have sufficient insurance and hold any required licenses and permits. The user is responsible for obtaining any applicable special permits at their own expense. Approval by the SSRSC may be required prior to scheduling unusual or novel requests. Examples of unusual requests may include use of large tents, grills and outdoor heaters on Veteran's Plaza, street closings, etc. The County reserves the right to add additional conditions to ensure public safety and protection of property.

### FACILITY USE REQUESTS FORMS

Individuals or groups wishing to use the Civic Building must make application by completing a Facility Use Request and FULA and submitting them to CUPF. Applicants must be at least 21 years of age to sign the Request and Agreement, and the person signing must be in attendance at the event.

Requests for use may be made no earlier than 12 months prior to the rental date, however, requests for use of the entire Great Hall may be made no earlier than 18 months with SSRSC approval. A confirmation fee will be required with the application.

Additional information may be requested prior to scheduling a special event in the Great Hall or Veteran's Plaza.

In accordance with limitations stemming from financing the building with public bonds, permits will be limited to durations of six months, but may be renewed up to a maximum of five years. To prevent any one group from monopolizing the building, any single group's use may not exceed 156 hours (the equivalent of 3 hours per week a year) in a 12-month period. Exceptions would only be granted with approval by CUPF's Director.

## PRIORITY

Forms received simultaneously, based on the date received, will be scheduled according to the following priority:

- SSRSC programs
- County Departments
- County funded agencies (M-NCPPC, MCPS, HOC, MC, WSSC) and local jurisdictions within Montgomery County (Cities of Rockville, Gaithersburg, etc.)
- Nonprofit organizations
- County residents
- Montgomery County-based commercial entities
- State, DC and Federal Agencies
- Out-of-County entities

## INSURANCE

The user must provide a Certificate of General Liability Insurance naming the County as Additional Insured if the user is:

- A commercial or private entity
- Not a County resident or County-based organization
- Notified because of unusual risks associated with event
- Planning a special event in the Great Hall or Veteran's Plaza

The user or agent providing service on their behalf must provide Liquor Liability Insurance naming the County as Additional Insured if the user is serving alcohol.

User groups are responsible for securing catering and support services, e.g., photographer, event supplier, disk jockey, that have the necessary certificates, licenses and insurance. The County is not liable for lost or stolen equipment or supplies by catering or other service providers used by permitted user.

## SECURITY

CUPF reserves the right to assign additional County security to any indoor event that it deems appropriate, which the User is required to pay as part of the rental fee. Scheduling and payment for security coverage for outdoor events by the Montgomery County Police Department will be the responsibility of the user when required.

## FOOD SERVICE AND BEVERAGES

Light snacks and beverages are permitted in meeting and activity rooms. However, additional charges will apply if the room is not returned to its original state.

The warming kitchen may be rented for events involving food service. Food must be pre-prepared and heated only. No cooking, frying or preparing food that extends beyond heating/warming is permitted. Food sales are permitted only with prior approval from CUPF.

Service of alcohol may be permitted provided full compliance with applicable State and County laws and regulations is followed:

- Registration with Board of Liquor Control is required for personal or nonprofit celebrations with no sale of alcohol either through cash bar, donation or ticket sale, such as a wedding, birthday party, retirement party, Quinceañera, or Bar Mitzvah
- A one-day Class C, Board of License Commissioners license may be requested by a nonprofit organization scheduling an event with the sale of alcohol either through cash bar, donation or ticket sale, such as a fundraiser, volunteer recognition or organizational membership reception or dinner
- A State licensed server is required for personal celebrations with the sale of alcohol either through cash bar, donation or ticket sale, such as a recognition ceremony or retirement party and enterprise events (closed or open invitation) by for-profit or for personal gain use with or without sale of alcohol such as conference receptions, award dinners, political fundraisers, and concerts or dances

CUPF reserves the right to assign additional building services staff to any indoor event that it deems appropriate, which the user is required to pay as part of the rental fee. Additional charges will apply if the room requires more than the normal allotted time to return a room to its original state and make it available for use.

#### SIGNAGE AND ADVERTISING

With prior approval, a user may place temporary signs on the Civic Building grounds during the actual hours of the scheduled activity. At the conclusion of the use of the building, the user must immediately remove the signs. The user, and any person acting under the user's authority, must comply with all applicable sign laws, including laws regarding the placement of signs on utility poles, trees, fences or on county or state rights-of-way.

A user must clearly identify on all advertising materials the name of the user, the name of any individual or user sponsoring the use, and the purpose of the use. A user may not use initials, abbreviations or logos which are not expressly defined in the advertising material. The purpose of the use must be clearly stated and must conform to the purpose identified in the Facility Use Request. All announcements and advertisements must include the following statement: *This activity is not sponsored by, associated with, or endorsed by Montgomery County Government.*

#### DELIVERIES AND SET UP

The schedule for deliveries must be coordinated with County staff. All deliveries for functions must be made via the loading dock entrance located on Veteran's Plaza. Caterers and other vendors must use their own hand-trucks to deliver food or equipment.

All County-owned furniture and equipment must be set-up and removed by County staff or County contractors.

## PERFORMANCE, MUSIC AND LIGHTING EFFECTS

Music by disc jockeys is permitted in the Grand Hall but only if so indicated on the Facility Use Request. Live bands may be permitted in the Grand Hall or Veteran's Plaza with prior approval from CUPF. Event must comply with County Noise Ordinances and not interfere with the fire alarm system. Use of strobe lights or music that could interfere with the operation of the fire alarm system for the hearing impaired requires approval by the Fire Marshal. The user is responsible for the costs of any required permits.

## DECORATIONS AND EQUIPMENT

Users may decorate the space permitted to them with prior approval, but must comply with the following:

- Tampering with thermostats, light fixtures or other Civic Building equipment or furnishings is prohibited
- Non-fire proof decorations are allowed. No items may be attached to walls, lighting fixtures, etc. Nothing may be taped, stapled, thumbtacked, nailed or otherwise attached to the structure
- No open flames (except small tabletop votive candles in glass, metal or ceramic holders or birthday cake candles or candles used during a religious or similar ceremony) without approval by the Fire Marshal
- Confetti is prohibited with the exception of outdoor-only use of bird seed, Ecofetti™ and Designer Wedding Rice™. Additional cleaning charges may apply if the use of confetti is requested
- Helium balloons may be used only when properly affixed and weighted
- Use of Silly String is prohibited
- All floral deliveries must be scheduled with SSCB staff. All flowers and floral debris must be removed at the conclusion of the event
- Special equipment requirements should be approved in writing prior to the rental event

## PORTABLE TOILETS

Free indoor access to restrooms will not be available for Veteran's Plaza bookings. Users may request permission to place portable toilets during scheduled use of Veteran's Plaza. When approved, specific conditions will be outlined in the permit

## PAYMENT POLICY

With the exception of special events in the Great Hall and Veteran's Plaza, rental fees are due in full with the Facility Use Request.

In recognition of the costs associated with use of the Great Hall and Veteran's Plaza for special events, payment is due as follows:

- Special Events in the Great Hall or Veteran's Plaza applications must be accompanied by a non-refundable confirmation fee (\$250). The confirmation fee may be applied to the final payment

- Split payments of 50% of the estimated cost at the time the request is made and the remainder 90-days prior to the event start date if the total charges will be in excess of \$1,000
- A minimum of one hour of room use before and after the scheduled activity will be added to cover basic set-up and clean-up, such as setting up tables and chairs. Additional staff service cost will be added as needed

Monthly payment plans for rentals by nonprofit organizations with renewable durations of 6 months or more, booking a consistent pattern of use (same room, time, and day, etc.), and charges more than \$250 may be requested. An administrative fee and security deposit equivalent to one month's charges will apply to each permit when approved.

### SECURITY DEPOSIT

A refundable security deposit of \$500 is required for rental of the Great Hall for special events at the time of request. The facility will be checked by building staff before and after the event. Any damages incurred during the event or additional clean-up required following the event will be the responsibility of the user. If the security deposit is not sufficient to cover these costs, the user will be billed for the difference. Please note that the user must satisfy this obligation prior to future use of any County facility.

The security deposit may also be forfeited if the user stays beyond the scheduled time.

### REFUNDS/CANCELLATIONS

CUPF will refund fees paid by the user to CUPF to permit the use of the Civic Building in accordance with its cancellation policy. All requests must be in writing. In the event of cancellation by CUPF, the user's account will be credited in full.

#### Great Hall or Veteran's Plaza

- A portion of the facility fee will be retained in addition to the confirmation fee as follows:
 

60+ calendar days notice:	\$250 confirmation fee
46-59 calendar days notice:	25% of facility charges
30-45 calendar days notice:	50% of facility charges
15-29 calendar days notice:	100% of facility charges
14 or less calendar days notice:	100% of facility and staff charges

A special event can be re-scheduled one time with at least 30-days notice. The confirmation fee will be retained.

#### All other rooms

- More than 10 business days: \$25 retained - remaining charges refunded
- Between 5-10 business days: all facility fees will retained, additional fees for equipment and staff will be refunded
- Less than 5 business days: all fees will be retained

Rain Credits (for steady rain throughout most of scheduled period) if event cannot be rescheduled

- Courtyard: 75% credit
- Veteran's Plaza: full refund (50% of confirmation fee retained)

CUPF is not responsible for advertising, food, or any other costs associated with an activity when the Civic Building is closed due to inclement weather or other emergency.

### Fee Category Definitions

#### Personal and Small Enterprise (regular County rate)

- Programs by community groups and nonprofits charging participant fees
- Personal use (parties)
- Nonprofit events (recognition ceremonies)
- Fundraisers
- Small enterprise activity by a Local Small Business Reserve Program eligible business
- Special Events
  - Events in the Great Hall or Veteran's Plaza requiring advance planning and coordination of support services by the County

#### Community Service (civic/public good discount)

- County tax-supported public agencies (MCPS, M-NCPPC, HOC, MC, WSSC)
- Community group and nonprofit organizational scheduling meetings or offering free/minimum cost programming (civic associations, scouts, homeowner associations, clubs)
- Community service (activity not for personal or organizational gain or benefit)

#### Commercial

- For-profit entity not eligible for Local Small Business Reserve Program status

#### Out-of-County

- Non-resident applicant or organization, or
- Primary organization or business is not in Montgomery County, and
- Less than two-thirds of participants in a program are non-County residents

## Silver Spring Civic Building Fee Schedule

### FY 11 Facility Fees

Room	County				Non-County & Corporate
	Personal & Small Enterprise		Community Service		
	M-T-all hrs Fri to 5pm	Fri night Sat, Sun*	M-T-all hrs Fri to 5pm	Fri night- Sat, Sun*	All Times*
Great Hall - Full*	\$250	\$400	\$200	\$300	\$450
Great Hall - Half*	\$125	\$200	\$100	\$150	\$225
Warming Kitchen	\$25	\$35	\$20	\$30	\$40
Atrium/Lobby	\$40	\$45	\$35	\$40	\$60
Large Activity Room	\$45	\$50	\$40	\$45	\$75
Small Conference Room	\$30	\$35	\$25	\$30	\$45
Atrium/Activity/Conf Rooms as additional units	\$25	\$35	\$20	\$30	\$40
Courtyard (outdoor)	\$30	\$40	\$25	\$35	\$45
Veteran's Plaza -Full	\$175	\$250	\$150	\$200	\$300
Veterans Plaza -Half	\$90	\$125	\$75	\$100	\$150

\*4-hour minimum to include set-up/clean-up to cover staff costs. Use during a County holiday will be charged weekend rates.

#### Other Fees for FY11-12

Staff - for additional service needs	Min. Hours	Per Hour Assigned
Security Officer	4	\$35
Building Services Worker	3	\$25
For special events and Great Hall use, add one hour before and after event at applicable room rate for routine set-up configurations and clean-up costs. Additional clean-up may apply for extended use and large gatherings		
<b>Equipment (includes set-up)</b>		<b>Per Use</b>
Portable microphone		\$25
Sound/projection system		\$50*
Riser (low stage)		\$250 (add \$50/hr over 4 hours)
*If the services of an audio-visual technician is required, fees will be based on actual costs of service		
<b>Other</b>		
Security Deposit - Great Hall	\$500 (refundable) additional charges apply for damages/extended use	
Great Hall or Veteran's Plaza Special Event Confirmation Fee (non-refundable)	\$250 per application (applied to facility cost if event occurs as scheduled)	

*Staff charges are subject to change, based on current salary schedules or service contracts. Fees will be reviewed periodically.*