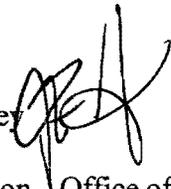


MEMORANDUM

March 27, 2015

TO: County Council

FROM: Josh Hamlin, Legislative Attorney 

SUBJECT: **Action:** Bill 12-15, Administration – Office of Community Use of Public Facilities
– Vulnerable Youth and Low-Income Families

Education Committee recommendation (3-0): enact Bill 12-15 with amendments.

Bill 12-15, Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low-Income Families, sponsored by Councilmember Navarro, was introduced on March 3. A public hearing was held on March 17 and an Education Committee worksession was held on March 23. A Fiscal and Economic Impact Statement was received on March 27 (©32-37).

Bill 12-15 would require the Executive to create, and the Director of Community Use of Public Facilities (CUPF) to administer, a program to encourage and assist the use of public facilities by organizations serving vulnerable youth and low-income families. The program would consist of outreach, technical assistance, and financial assistance in the form of a reduction or waiver of fees for eligible organizations. Bill 12-15 would require biennial reporting by the Director of CUPF to the Executive and the Council on the operation of the program.

March 17 Public Hearing and Correspondence

There were nine speakers at the public hearing on the Bill held on March 17, 2015. Ginny Gong, Director of CUPF, spoke on behalf of the Executive in support of the goal to help youth and low income families (©4-5). Ms. Gong described the existing CUPF subsidy program for certain uses and organizations and the existing partnerships between County agencies and organizations through which many groups are provided with free or subsidized use. Several nonprofit organizations also testified in support of the Bill, including Circle of Rights, Inc. (©6), African Women Council, Inc. (©7-8), the Tutoring and Mentoring Program run by Tayitu Cultural and Educational Center (©9), Asian American LEAD (©10-11), and Liberty's Promise (©12-13). Also, students at Blair High School that are members of Gandhi Brigade Youth Media testified in support of the Bill, saying that increased use of public facilities by groups will strengthen community bonds (©14-16).

In addition to the public hearing testimony, correspondence in support of the Bill was received LAYC/Maryland Multicultural Youth Centers (©17), Girls on the Run Montgomery County (©18), and Nonprofit Montgomery (©19). Nonprofit Montgomery encouraged the

expansion of the scope of the program to organizations that serve low-income *individuals and families*, but limiting eligible organizations to nonprofits.

Issues/Committee Recommendations

1. What does CUPF already do to assist certain organizations that use public facilities?

As described by Ginny Gong at the public hearing, CUPF already provides some measure of assistance to nonprofit organizations in the use of public facilities, though not necessarily focused on vulnerable youth and low income families. These existing CUPF practices may complement or fit within the program to be established under Bill 12-15. The Interagency Coordinating Board for Community Use of Public Facilities (ICB/CUPF) determines and approves all facility use permitting fees based on activities conducted, facility type, and time of use. Public facility use fees are generally calculated to favor County-based nonprofits and local government agencies, and subsidies may be available for certain organizations using MCPS classrooms.

Reduced fees for County-based nonprofit organizations.

The fee schedules for use of public facilities include different rates based on the organization or use of the facility. For most facilities, there is a three-tiered fee structure, with County-based nonprofit groups paying half of what out-of-county and for-profit groups pay. Local government agencies pay a further reduce rate. Fee schedules for these facilities are at ©20-24. MCPS facilities have a more complicated fee structure, with rates for six different categories of use, as well as for summer and school-break camps and clinics. MCPS facilities fee schedule is at ©25-26.

Fee subsidy for certain organizations using MCPS classrooms.

In addition to the tiered rates which favor nonprofits, certain activities held Monday-Friday in MCPS *classrooms* may be eligible for a facility fee subsidy if there is a general fund contribution appropriation for this purpose. An eligible program or activity must be sponsored by a County-based 501(c)(3) nonprofit organization and must meet the following criteria:

- Free to participants
- Led by volunteers (no paid staff)
- Documented as addressing an unmet community service
- Targeted to residents receiving financial assistance

Because CUPF already does provide some assistance to certain nonprofits in certain circumstances, it may make sense to broaden the program established under the Bill to include the existing programs, while retaining a focus on vulnerable youth and low-income families. Doing so would allow CUPF to meet the operational requirements of the Bill using existing practices as a starting point.

Committee recommendation (3-0):

1. *amend lines 4-5 and 8 so that lines 4-11 read as follows:*

(d) Assistance for programs serving underserved communities with a focus on vulnerable youth or low-income families. The Executive must establish by method (2) regulation a program administered by the Director to encourage use of public facilities, including school facilities, by organizations that serve underserved communities with a focus on vulnerable youth or low-income families. The program under this subsection must consist of:

* * *

2. amend line 19, so that lines 15-20 read as follows:

On or before January 1 of each even-numbered year, the Director must submit a report to the Executive and Council describing the activities conducted, accomplishments achieved, and difficulties encountered in seeking to increase use of public facilities by programs serving underserved communities with a focus on vulnerable youth or low-income families.

2. How would additional subsidies in the program be funded?

Because CUPF is an enterprise fund, its fee structure is set to account for the need to assist groups with limited resources. As noted above, the existing subsidy program is funded by a general fund appropriation for that purpose. An expansion of subsidies as part of the program established under Bill 12-15 would likely require either additional general fund appropriation or an adjustment of fees resulting in other paying users effectively subsidizing the use of facilities by eligible organizations. In its resolution establishing procedures to determine eligibility for the existing program (©27-28), the ICB recognized the Council's User Fee Policy set forth in Resolution No. 12-595 (©29-31). The User Fee Policy includes the following language, under "Criteria for deciding whether a user fee should be charged":

5. The ability of users to pay must also be considered. Each agency should establish a policy with regard to low income users and should consider and develop strategies that permit low income participants to contribute by paying some portion of the fee. *Costs not covered by low income users would be absorbed by the general taxpayers, not by the other users.* (©31, emphasis supplied)

Adherence to the policy is appropriate in this instance. The program would be of general public benefit, in that improving the services provided to vulnerable youth and low-income families would benefit not only the individuals, but the public at-large. As such, the cost of a subsidy should be borne by the general taxpayers, and any increase in subsidies should be funded by additional general fund contribution appropriated in CUPF's annual operating budget.

3. How would eligible organizations be identified?

As drafted, the Bill requires the creation of a program to encourage the use of public facilities by "organizations that serve vulnerable youth or low income families." The Bill does not specify the criteria by which an organization may be deemed eligible for participation in the program. Presumably, eligibility criteria would be part of the regulations adopted under the subsection, but the Committee may want to expressly so provide.

Committee recommendation (3-0):

Amend lines 9-11 as follows:

The [[program]] regulations adopted under this subsection must include criteria for eligibility, and the program must consist of:

* * *

4. Should the Bill be amended as requested by Nonprofit Maryland?

In its letter to the Council, Nonprofit Montgomery encouraged the expansion of the scope of the program to organizations that serve low-income *individuals and families*. Nonprofit Maryland also suggested limiting eligible organizations to nonprofits. Each of these requests is consistent with existing practices, and would be appropriate if consistent with the Council's intent as to what organizations are eligible for the program. The Committee discussed these requests, and determined that limiting eligibility for the program to nonprofits might exclude some organizations providing valuable services.

Committee recommendation (3-0): Amend the Bill to replace the word "families" with "persons" in the purpose clause and on lines 5, 9, and 20.

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F:\LAW\BILLS\1512 Community Use Of Public Facilities\Action Memo.Docx

Bill No. 12-15
Concerning: Administration – Office of
Community Use of Public Facilities -
Vulnerable Youth and Low-Income
Families
Revised: 02/23/2015 Draft No. 2
Introduced: March 3, 2015
Expires: September 3, 2016
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Navarro

AN ACT to:

- (1) require the Executive to create and the Director of Community Use of Public Facilities to administer a program to encourage and assist the use of public facilities by organizations serving underserved communities with a focus on vulnerable youth and low-income ~~[[families]]~~ persons; and
- (2) generally amend the County law regarding the use of public facilities.

By amending

Montgomery County Code
Chapter 2, Administration
Division 19. Office of Community Use of Public Facilities
Section 2-64M. Functions and Duties

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

LEGISLATIVE REQUEST REPORT

Bill 12-15

Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low-Income Families

DESCRIPTION: Bill 12-15 require the Executive to create, by method (2) regulation, and the Director of Community Use of Public Facilities to administer, a program to encourage and assist the use of public facilities by organizations serving vulnerable youth and low-income families.

PROBLEM: There is a need to maximize the use of public facilities to serve underserved, at-risk, and disadvantaged populations.

GOALS AND OBJECTIVES: Increase the use of public facilities by organizations serving vulnerable youth and low-income families by providing outreach, technical assistance, and financial assistance in the form of reduction or waiver of fees.

COORDINATION:

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE:

SOURCE OF INFORMATION: Josh Hamlin, Legislative Attorney, 240-777-7892

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: N/A.

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TESTIMONY ON BEHALF OF COUNTY EXECUTIVE ISIAH LEGGETT
Bill 12-15, Administration – Office of Community Use of Public Facilities – Vulnerable Youth
and Low-Income Families

March 17, 2015

Good evening. I am Ginny Gong, Director of the Community Use of Public Facilities (CUPF). Thank you for the opportunity to testify on behalf of County Executive Leggett on Bill 12-15. The County Executive and the Interagency Coordinating Board (ICB), CUPF's governing board, fully support the goal to help youth and low income families.

CUPF was established in 1978 as an Enterprise Fund. CUPF received a portion of its budget, between 20 to 30%, during the first few years to make sure that it met the mandated reimbursements to the schools, but has been fully self-funded since 1985. Approximately 90% of the 5000 groups served are not for-profit. The need to assist groups with limited resources to fulfill their missions has been an ongoing concern of the ICB and has guided the assessment of fees. Our fee schedule is consistent with County Council Resolution 12-595, User Fee Policy, and the County Fiscal Plan.

In 2002, the ICB passed a resolution authorizing the administration of a subsidy program funded by the General Fund and we believe changes made as a result of this Bill should be integrated into that program. The amount awarded in FY02, \$30,000, was reduced to \$5,000 in FY05 and reinstated to \$25,000 in FY06, which is the current funding level. Awards are allotted annually to groups that meet specific criteria: Monday-Friday, standard free use at classrooms, for Montgomery County-based non-profit organizations. The programs/activities run by the organizations are free to participants, led by volunteers, address an unmet community service, and target residents receiving financial assistance. Organization applications are reviewed by CUPF staff for compliance and recommendations are made to the CUPF Director, who makes the final determination.

Although the current program does not specifically target organizations serving vulnerable youth and low income families, the groups previously awarded consisted of groups that provide assistance to the targeted audiences. Recent awardees have included the Young Professional's Forum (to distribute, food, clothing and holiday gifts to low income families) and the Cultural & Diversity Enrichment Services (after school program for disadvantaged youth). Broader outreach/communications for the effort would lead to more organizations benefiting from free or reduced costs.

There is underutilization of the current subsidy program because too few groups want to be restricted to classrooms. However, by including more facilities we believe we would quickly exhaust this limited funding. By making several key changes in the program guidelines on a two-year pilot basis, we feel that we could reach more groups serving vulnerable youth and low income families and monitor the impact of those changes. These changes could include:

- expanding the facilities covered by the subsidy, such as covering all purpose and library rooms;
- eliminating the provision that the program is led by volunteers only; and
- adding service to vulnerable youth and low income families among the qualifying criteria.

Other changes could include

- Collaborate with the Collaboration Council and similar organizations on outreach;
- Creating an annual award limit in order to provide assistance to more organizations.

It should be noted that, in addition to the subsidy program I have described, a number of partnerships between County agencies and outside organizations are in place through which groups are provided with free or subsidized use. Specifically, almost 80,000 hours of use are annually booked by CUPF as partnership activities. Under these circumstances, CUPF serves as the facilitator in working directly with schools and County agencies. Finally, the Community Access Pilot Program provides funding for community groups to use the Silver Spring Civic Building and Veterans' Plaza. Many of the groups serve youth and low-income families through the subsidized programming.

Thank you for the opportunity to testify this evening and we look forward to working with the Council.



**Statement by Susan Emery
Executive Director
Circle of Rights, Inc.**

In support of **County Council Bill 12-15: Administration - Office of Community Use of Public Facilities - Vulnerable Youth and Low-Income Families**

March 17, 2015

My name is Susan Emery. I am the Executive Director of a 501(c)(3) called Circle of Rights, Inc., a company dedicated to reducing the incidence of stroke in Montgomery County, Maryland. I had a stroke when I was nine years old.

I am testifying in support of County Council Bill 12-15: Administration - Office of Community Use of Public Facilities - Vulnerable Youth and Low-Income Families.

Circle of Rights provides stroke education to low-income residents through presentations, health fairs, and other civic engagements, on topics such as high blood pressure, high cholesterol, and diabetes. Circle encourages healthy living through nutrition and exercise, and covers other critical topics like stress reduction. Circle has received six years of consecutive grants from this County, and for that, we thank you.

For the past year, Circle of Rights has offered University of Maryland - Shady Grove Campus, Public Health undergraduate and graduate students the ability to complement their studies by presenting health education information to low-income Montgomery County residents.

This Council Bill will make our job easier. Bill 12-15 will help us find facilities and locations that we have not visited previously, where residents will benefit from stroke and TIA (transient ischemic attack) information. Ideally, this Administrator will not only manage outreach and technical assistance to the organization and the facility, but will help non-profits identify meetings that will potentially benefit from provided services. In other words, this Administrator will help residents and service providers connect.

For this reason, I ask you to pass Council Bill 12-15.

Thank you.



African Women Council, Inc

March 17, 2015

Sub: Councilmember Navarro's CUPF bill 12-15

Dear Council Member Nancy Navarro,

It is our great pleasure to respond to your 12-15 (Councilmember Navarro's CUPF bill). Last week, we learned that Councilmember Navarro introduced new legislation in which she thought that African Women Council, Inc. might be interested. Bill 12-15 (Administration - Office of Community Use of Public Facilities to be used for vulnerable Youth and Low-Income Families)

Dear Council Member, AWC used a holistic approach programs because the African Community is not only families and youth but domestic violence, jobs search, immigration, elderly. Since 2002 AWC have served 600.00 people direct and indirect each year at the Gilchrist Center for Cultural Diversity at Wheaton, including the international program such as sister state program between the State of Maryland and the province of North-Kivu in Democratic Republic of Congo (DRC). After the Gilchrist Center stopped operating at Wheaton - where there space - AWC lost the opportunity to schedule for its clients and it became harder and harder to serve the community as we should.

African Women Council, Inc (AWC) has continued work over the years despite not having an office until recently. We moved from place to place and it was difficult for both AWC and the community we serve:

We have usied these different facilities and addresses: the Gilchrist Center for Cultural Diversity, Germantown Recreation, Casey Community, Lincoln Park Community and Montgomery County through Public facilities such as Libraries in Silver-Spring, Rockville, Gaithersburg, and Germantown including sometimes our homes.

We received a County Executive grant to rent space that The Nonprofit Village in Twinbrook, and will use that to address the needs of the African Community, however we understand that we need to meet the community where they are.



African Women Council, Inc

The bill will allow our organizations and others to provide alternative locations for those unable to travel to Twinbrook because of physical or financial reasons.

Thank you again for your time and commitment in the community.

Best Regards,
Marie-Rose Sirikari; President/Founder

Testimony on behalf of the Tutoring and Mentoring Program run by Tayitu Cultural and Educational Center (TCEC) in support of Bill 12-15 (Councilmember Navarro's CUPF bill)

The Tutoring and Mentoring Program (TMP) is a fully volunteer-run program that provides free academic tutoring and mentoring services to students ranging from second grade to high school seniors. The program was established in 1992 by a few volunteers who saw the academic achievement gap that adversely affected students with immigrant, low income and minority backgrounds and decided to do their part to remedy the situation. The program started providing a four-hour long tutoring service to fewer than a dozen students in an austere facility provided by a community church in Washington, D.C. and grew to serving 58 students (a very large majority of them from Montgomery County) during the 2013-14 academic year. The program has since merged with Tayitu Cultural and Educational Center and is expanding its service into Montgomery County.

The program runs from 2:00PM – 6:00PM EST every Saturday during the school year (based on MCPS calendar) and provides free tutoring services to elementary, middle and high school students in the subject areas including mathematics, physics, chemistry, social studies, history, science, writing and language arts. Individuals who are in academia and other professional fields as well as high-achieving students volunteer as tutors to help students who need help with school course work. The mentoring aspect of the program works with the youth helping them navigate the college preparation, application, selection and admission process with the objective of increasing the college-bound rate of students from disadvantaged backgrounds. Volunteer mentors also reach out to school districts and work with school counselors and administration offices to coordinate efforts with them to ensure a better educational outcome. The program also takes students on hiking trips, local museums and exhibits, theatrical performances and college visits.

The program leverages its relationships with students associations in local colleges and universities and other professional and civic organizations to recruit volunteer tutors and mentors. All coordination, management and public relation work is done by volunteers who donate their time, money and considerable skills to the service of the disadvantaged youth. The program has never received monetary support from any entity showing the resolve and determination of its founders and stalwarts who kept the program running for over 12 years in the face of seemingly insurmountable challenges. These challenges have stunted the growth of the program and diminished its potential to make an even bigger impact to dent the ever increasing problem of academic achievement gap. To ameliorate that situation, the program has now joined forces with another non-profit, TCEC.

For the last 12 years, the program has actively engaged its different stakeholders (students, volunteers, parents) using its website, social media, in-person meetings and teleconferences to build a community that worked together to affect a better educational outcome. As a result, many students who went through the program have graduated from high school and four and two year colleges. Some of the former students have come back to the program as volunteer tutors and mentors.

Supporting programs like TMP by providing them the facilities and resources that they need will help narrow and ultimately eliminate the achievement gap that disproportionately affects students from disadvantaged background and increases their academic success and college-bound rate.

Testimony for Public Hearing
Bill 12-15 (Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low
Income Families)
March 17, 2015

Melor Suhaimi
Asian American LEAD
10111 Colesville Rd., Ste. 103
Silver Spring, MD 20901

Good evening. My name is Melor Suhaimi and I'm the Maryland Programs Manager at Asian American LEAD or also known as AALEAD, a local non-profit organization. AALEAD serves nearly 400 low-income and underserved Asian Pacific American youth with educational empowerment, identity development, and leadership opportunities through after school, summer, and mentoring programs in the region. During our programs, we provide opportunities for our youth to learn about Asian American cultures through cooking projects and cultural presentations, leadership workshops that provide support such as resume writing and public speaking, and educational support such as bringing in teachers and counselors to host a panel for our youth to be aware of their school resources.

Here in Montgomery County MD, AALEAD provides after school programming at five middle schools, Loiederman, Parkland, Argyle, Eastern, and Newport Mill; and two high schools, Blair and Einstein. We also offer a one hour lunch program at Wheaton HS. Our after school programs take place every Monday thru Thursday, with each school program occurring twice a week with the exception of Wheaton's lunch program that takes place once a week. Our summer program lasts for six weeks beginning at the end of June, every Monday thru Thursday for seven hours each day, where we serve up to 100 Montgomery County middle and high school youth.

I am here today to support Councilmember Navarro's Bill 12-15, Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low-Income Families. As a Programs Manager, I am the person in charge of reserving space through the Office of Community Use of Public Facilities for our after school and summer programs. Each of our after school programs serve 25 youth, so at the beginning of the school year we are in need of one classroom space for each school. For the summer, we reserve three classrooms, cafeteria space, and the gym in one school. The process of reserving space through CUPF requires us to apply twice during the school year, in August and February. For this current school year, we have spent \$2500. For our summer program, I will be applying again in May and budgeting what we've spent from last summer, we are estimating to spend \$4600.

The space costs tremendously impacts our budget and if the bill passes, it would help AALEAD significantly. Receiving a reduction or wavier of fees would allow AALEAD to allocate these funds for more resources, field trips, and transportation to events for our youth in our after school and summer programs. It would allow us to continue to provide quality programming for underserved youth, without the worries of having to budget for classroom space in schools where school administrators, teachers, and youth see the need of an organization like AALEAD. Please take serious consideration in passing this bill and thank you for your time.



28
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17 March 2015

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Robert M. Ponichtera
Executive Director

Testimony on behalf of Montgomery County Bill 12-15
Introduced by Council Member Nancy Navarro

Dear Council and Committee Members,

Thank you for the opportunity to present my remarks this evening. As the Executive Director of Liberty's Promise, an organization that has worked in Montgomery County since 2006, helping low-income, immigrant youth learn about America and the civic life of the County, I would like to voice my strong support for this legislation, which would facilitate the use of public facilities by agencies working with vulnerable youth and low-income families. I would not presume to speak for the broad array of nonprofit organizations that serve these populations here in the County, but allow me to say that in my numerous conversations with the leaders of some of these agencies, two common threads often appear. These common threads are space and money.

It goes without saying that nonprofit organizations rely on the support of local government, private foundations, and individual donors to keep their programs running. In a difficult budget climate, which the County has faced on more than one occasion in the past decade, agencies like mine struggle to maintain services for our youth when government funding streams can only support a portion of our activities. We are grateful for the support we receive, no doubt, but more support would make our work to serve the community a lot easier. When budgetary exigencies make this support impossible, the use of public space can mitigate costs and allow us to carry out our work more efficiently. I know many nonprofit leaders who would be pleased to have the use of public space to conduct their programs and to manage their operations instead of dipping into their budgets to rent commercial space. In addition, it seems to me that any public space that is under-utilized, or even stands empty, is an inefficient use of the Montgomery County taxpayer's dollar. The use of such space, where nonprofit agencies could pay a reduced rate, would also reduce the long-term upkeep costs of public space. Although maintenance costs tend to rise when space is occupied, for items like cleaning and trash removal, if there happens to be a water leak on the premises, and I'm not there to deal with it, the cost of repair will certainly be much higher.

In conclusion, allow me to suggest that Council Member Navarro's legislation represents a win-win for the entire community. It would allow nonprofit agencies to reduce their costs and it would insure that public space is utilized to the greatest extent possible.

Liberty's Promise would be pleased to participate in this program and I'm sure other nonprofit agencies that work with the County's most vulnerable populations would as well. Thank you for your attention and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert M. Ponichtera". The signature is fluid and cursive, with a large initial "R" and "P".

Robert M. Ponichtera, Ph.D.
Executive Director and Founder
Liberty's Promise

Good evening.

My name is Kidus Michael and I am a student at Blair High School. I am also a member of Gandhi Brigade Youth Media.

I am here this evening to express my support for Bill 12-15. I believe that the creation of this bill will allow more organizations, like Gandhi Brigade, to branch out and push towards making events and showcases that they couldn't afford before.

This bill will allow groups to gain safe spaces, ones they couldn't afford in the beginning, at expenses they couldn't afford in the start. By allowing more groups to come into our public buildings, it creates a stronger bond between everyone in our communities. It will allow our community to grow and become stronger and more close than ever before.

For me, it isn't only for other organizations, but also here at Gandhi Brigade. This type of a bill will allow us to move on from our current struggling situation and move into one of the many public building in Montgomery County.

And this bill wouldn't only help us, but hundreds of people throughout our community. It would help those who are struggling to continue their programs without a true "home" for it.

This is why I am here today, not to express my thoughts for our own group, but for every organizations who could really use some help in tough times.

Thank you for your time.

Good evening.

My name is Nickson Minja and I am a student at Blair High School. I am also a member of Gandhi Brigade Youth Media.

I am here this evening to express my support for public space. Despite people are surviving, they still don't have the ability to provide themselves with health, shelter, and food. Lack of space or families and vulnerable youth is a current problem that circles on our daily life. Students and low-income families deserve to have events in public buildings.

Once I experienced lack of space when my parents wanted to throw a party or my big brother's birthday and they couldn't afford to rent a building that holds 30 or more people.

As a result, we gave up on having a party. By inviting more people into our public buildings, it creates a stronger community.

Thank you.

LAYC/Maryland Multicultural Youth Centers

Testimony in Support of Bill 12-15: Maximizing use of Public Facilities for Underserved, At-Risk and Disadvantaged Populations

On behalf of the youth and families we serve, we strongly support Bill 12-15, legislation proposed by Councilmember Navarro that would provide easier access of public spaces for the most vulnerable populations.

For more than 45 years, the Latin American Youth Center, a multi-jurisdictional youth development organization, has been committed to transforming the lives of low-income, underserved young people and their families. Our programs span the youth engagement continuum, helping youth, ages 12 – 24, get their basic needs met and have opportunities to learn practical life and work. In 2005, LAYC expanded into the Maryland suburbs where we are known as the Maryland Multicultural Youth Center. Our programs in Montgomery County work with approximately 400 youth annually.

Every day, we walk alongside some of the most underserved, and yet some of the most hopeful and talented youth in our county: youth who have dropped out of school, who may have juvenile justice involvement, who may find themselves homeless, who may be aging out of foster care, and yet, who with the proper supports, guidance and relationships, can fulfill their individual potential.

Our youth are 47% African American, 39% Latino and 14% of other races and ethnicities. 78% were born in the US and the rest are from more than eleven different parts of the world. All the young people we serve come from low-income families; by enrolling in our programs, these youth show their resolve to improve their lives and those of their families.

We do this work, often with limited resources that are pieced together from various funding sources. This bill would absolutely support our efforts. We frequently are in need of space for career fairs, job fairs, GED graduation ceremonies, trainings, etc. We are often limited by the cost of renting these spaces.

There is a need to maximize the use and access of public facilities to serve underserved, at-risk, and disadvantaged populations, and to provide reasonable fee waivers to nonprofit organizations serving county residents.

Montgomery County has built a strong reputation for working closely with the nonprofit sector. You know that nonprofits, when supported, can often deliver services efficiently and effectively to large numbers of County residents. I urge the County Council to support this bill.

Respectfully,

Luisa Montero

Director

LAYC/Maryland Multicultural Youth Centers

Cellphone: 301-520-8698

Hamlin, Joseph

From: Reed, Alexis
Sent: Tuesday, March 17, 2015 5:02 PM
To: County Council
Cc: Hamlin, Joseph
Subject: FW: Community Use of Public Facilities

From: Elizabeth McGlynn [mailto:elizabeth@girlsontherunofmoco.org]
Sent: Tuesday, March 17, 2015 3:19 PM
To: Navarro's Office, Councilmember; Reed, Alexis
Subject: Community Use of Public Facilities

Dear Councilmember Navarro and Ms. Reed,

I became aware of Bill 12-15 regarding Community Use of Public Facilities from Nonprofit Montgomery. I am thrilled to see legislation that addresses the need for low or no cost community use of public facilities for organizations that serve low income families and vulnerable youth. As a provider of low/no cost programs for youth from low income families in Montgomery County, I would like to share some information for your consideration.

Last fiscal year, Girls on the Run of Montgomery County spent over \$35,000 in ICB fees for rooms that were only used in cases on inclement weather. Most rooms were never used, but had to be rented in case of thunderstorms, etc. As a nonprofit, this is one of our largest line item expenses.

We currently operate in 75% of Title I schools. While most scholarship support goes to these school, there are many families throughout Montgomery County that are in need of our generous scholarship program. Last year alone, we provided \$120,000 in scholarship support to low income families, regardless of their school's designation. Expenses like ICB fees prohibit us from expanding into even more schools and providing more support for low income families. \$30,000 would provide scholarship to nearly 200 more girls each year.

I would wholeheartedly support any effort to negotiate lower fees or waivers for organizations that are serving low income families. Please let me know how I can best assist your efforts. Hope Gleicher, from Nonprofit Montgomery mentioned a subcommittee that could be formed to look into this issue. I would be more than happy to participate. Good luck tonight and please keep me posted on your progress.

Sincerely,

elizabeth mcglynn | executive director
girls on the run montgomery county | 11821 parklawn drive ste. 105 | rockville, md 20852
www.girlsontherunofmoco.org | 301.881.3801 x100 | 240.235.4211 fax



learn. dream. live. *run*

Hamlin, Joseph

From: Reed, Alexis
Sent: Tuesday, March 17, 2015 4:38 PM
To: County Council
Cc: Hamlin, Joseph
Subject: FW: Community Use of Public Facilities

From: Hope Gleicher [mailto:hgleicher@nonprofitmontgomery.org]
Sent: Tuesday, March 17, 2015 2:30 PM
To: Navarro's Office, Councilmember
Cc: Reed, Alexis
Subject: Community Use of Public Facilities

MEMORANDUM

TO: Nancy Navarro, County Councilmember
FROM: Hope Gleicher, Director, Nonprofit Montgomery
CC: Alexis Reed, Legislative Aide
DATE: March 17, 2015
RE: Community Use of Public Facilities

Thank you for inviting comments related to legislation introduced by Councilmember Navarro that would "require the County Executive to create a program through the Community Use of Public Facilities (CUPF) that would encourage and assist the use of public facilities by organizations that serve low-income families and vulnerable youth."

Nonprofit Montgomery shared the bill and invitation to deliver or submit testimony with our members.

In addition, Nonprofit Montgomery's Steering Committee discussed the bill and hopes this is the beginning of making public facilities significantly more available and accessible to nonprofit organizations.

At this stage, Nonprofit Montgomery would encourage you to expand the language from "vulnerable youth and low-income families" to "vulnerable youth and low-income individuals and families" and to add the word "nonprofit" when referring to organizations.

In addition, because the ultimate success of this bill lies in the details, Nonprofit Montgomery is available to organize a sub-group to provide additional guidance.

Again, thank you for inviting comments.



Community Use of Public Facilities

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[Fees](#)

FACILITY RESERVATION

Montgomery County Public Libraries

Meeting rooms in the Montgomery County Public Library system provide an opportunity for bringing together county resources, community activities, support groups, etc. The rooms provide space for meetings, training, and seminars of a civic, cultural or educational nature.

Facility Amenities

- Small meeting rooms (in some locations) seat up to 49 people
- Medium meeting rooms seat from 50 - 99 people
- Large meeting rooms may seat 100 - 160 people
- Table, chairs and projection screens are available
- Pianos are available at Bethesda, ChevyChase, Gaithersburg, Marilyn J. Praisner, Rockville, and Twinbrook

[Click here](#) for facility description, capacity and booking hours.

Room Type	Local Government Agencies Hourly Rate	Local Non-Profit Groups * Hourly Rate	Out-of-County/ For-Profit Groups Hourly Rate
Small Room	\$11	\$15	\$30
Medium Room	\$14	\$20	\$40
Large Room	\$19	\$25	\$50

* Montgomery County based non-profit organizations

Activity Restrictions

- To be eligible to use a Montgomery County Library meeting room all meetings must be free and open to the public - private events such as birthday parties, weddings, receptions, etc. are not permitted in libraries.
- Light snacks and beverages are permitted in the meeting room only; meals and heated foods are not allowed.
- Please review the [Rules and Regulations](#) prior to applying for use.

Apply for Use Permit

- Online Submission - You must be a registered web user and are prepared to pay by Visa or MasterCard.
- Mail-in Application - If you prefer to pay by check, you may complete a request form, print and mail it to us with your payment. **We do not accept emailed, faxed or verbal requests.**
- A photo copy of a driver's license or valid ID must be on file.
- Allow at least 3 business days to process requests.

Submission Window

Agency/Group Type	Window 1 for use Jan 1 - June 30	Window 2 for use July 1 - Dec 31
Government Agencies	Submit beginning September 15th	Submit beginning March 15th
Local Non-profit groups	Submit beginning October 15th	Submit beginning April 15th
Out-of-County Non-profits Commercial/For-profit groups	Submit beginning November 1st	Submit beginning May 1st

Community Use of Public Facilities

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FACILITY RESERVATION

Regional Services Centers

Facilities in the Regional Services Centers provide an opportunity for bringing together county resources, community activities, support groups, financial education, etc. The rooms provide space for meetings, training, and seminars. The following locations are available to community use:



[Bethesda/Chevy Chase](#) [Eastern Montgomery](#) [Mid-County](#) [Upcounty](#)

Facility Amenities

[Click here](#) for facility description, capacity and booking hours.

Fees

Room Type	Local Government Agencies Hourly Rate	Local Non-Profit Groups* Hourly Rate	Out-of-County/ For-Profit Groups Hourly Rate
Small Conference Room	\$11	\$15	\$30
Medium Conference Room	\$14	\$20	\$40
Large Conference Room	\$19	\$25	\$50
Multipurpose Room (BCC)	\$19	\$25	\$50

* Montgomery County based non-profit organizations

Activity Restrictions

- Private events such as birthday parties, weddings, receptions, etc. are not permitted in the regional centers.
- Light snacks and beverages are permitted in Bethesda-Chevy Chase, Mid-county and Upcounty centers; but will require \$50 security deposit for groups 50 or more.
- First-time users should schedule an appointment to meet with Regional Services Center staff to be introduced to security and site-specific information - the group representative should contact the Center directly; we do not schedule these meetings.
- Please review the [Rules and Regulations](#) prior to applying for use.

Apply for Use Permit

- [Online Submission](#) - You must be a registered web user and are prepared to pay by credit card.
- [Mail-in Application](#) - If you prefer to pay by check, you may complete a request form, print and mail it to us with you payment. **We do not accept emailed, faxed or verbal requests.**

Submission Window

Agency/Group Type	Window 1 for use Jan 1 - June 30	Window 2 for use July 1 - Dec 31
Government Agencies	Submit beginning October 15th	Submit beginning April 15th
Local Non-profit groups *	Submit beginning November 15th	Submit beginning May 15th
Out-of-County Non-profits Commercial/For-profit groups	Submit beginning December 1st	Submit beginning June 1st

Allow at least 3 business days to process requests.

Community Use of Public Facilities

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FACILITY RESERVATION

Council Office Building and Executive Office Building

The auditorium, cafeteria, and certain conference rooms in the [Council Office Building](#) and [Executive Office Building](#) may be used by the public and government agencies holding meetings of a civic, cultural or educational nature.

Facility Amenities

- The [Council Office Building](#) offers a cafeteria, an auditorium, 4 conference rooms and 2 hearing rooms.
- The [Executive Office Building](#) offers a large cafeteria, an auditorium, the lobby, and a conference room.
- Parking in EOB is restricted. Groups using EOB or COB should use public level of garage next to Council Office Bldg. Important - the only access to public level of garage is from entrance at corner of Monroe Street & Rt 28. Parking is free after 6:00pm.



Fees

Room Type	Local Government Agencies Hourly Rate	Local Non-Profit Groups * Hourly Rate	Out-of-County/For-Profit Groups Hourly Rate
Auditorium (COB)	\$21	\$30	\$60
Auditorium (EOB)	\$25	\$35	\$70
Small Hearing Room (COB)	\$18	\$25	\$50
Large Hearing Room (COB) - with approval	\$25	\$35	\$70
Lobby (EOB)	\$25 + \$100 deposit	\$35 + \$100 deposit	\$70 + \$100 deposit
Cafeteria (COB)	\$21 + \$100 deposit	\$30 + \$100 deposit	\$60 + \$100 deposit
Cafeteria (EOB)	\$28 + \$100 deposit	\$40 + \$100 deposit	\$80 + \$100 deposit
Cafeteria and Terrace Patio (EOB)	\$35 + \$100 deposit	\$50 + \$100 deposit	\$100 + \$100 deposit
Conference Room (COB & EOB)	\$11	\$15	\$30
Jury Parking Lot (Rt. 28 & Monroe St.)	\$12	\$16.50	\$33.00

Staff Charges	Hourly Rate
Security Staff - required for the following: <ul style="list-style-type: none"> • Groups larger than 100 • Events serving food • Events including youths • After 4 p.m. Saturday and Sunday 	\$40/hr
Building staff - may apply depending on the event	\$29.50/hr

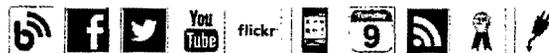
Activity Restrictions

No alcoholic beverages are permitted on County property. All rooms are to be left in the condition and arrangement in which they are found. Please read the [Rules and Regulations](#) in its entirety before submitting an application.

Apply for Use Permit

- [Online Submission](#) - You must be a registered web user and are prepared to pay by credit card.
- [Mail-in Application](#) - If you prefer to pay by check, you may complete a request form, print and mail it to us with your payment.

2



Select Language

Community Use of Public Facilities

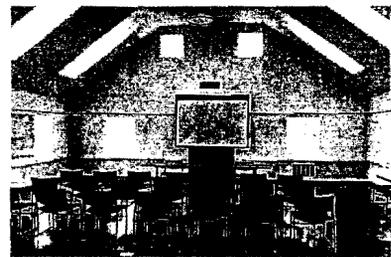
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FACILITY RESERVATION

Clarksburg Cottage

Previously known as the "Clarksburg Ombudsman's Office", the Clarksburg Cottage is a 1,350 square foot facility locted just off of I-270 at Routes 121 and 355 in the Highlands of Clarksburg community. The facility is available year round.

23201 Stringtown Road
Clarksburg, MD 20832



Facility Amenities

- One large meeting room seating up to 35 people and a smaller office/meeting area with a partition only (no solid wall between the two spaces)
- Tables and chairs for about 35 persons that may be configured to your liking
- A single handicap accessible restroom
- This is a self-service venue
- There are use instructions posted on the interior door, and cleaning supplies, paper towels, trash can liners, broom, mop, bucket and toilet paper supplies in the janitorial closet

Fees

Local Government agencies	\$15.00 per hour
Local Non-profit groups *	\$20.00 per hour
Out-of-County or For-profit groups	\$40.00 per hour

* Montgomery County based non-profit organizations

Activity Restrictions

- The Clarksburg Cottage is suitable for meetings and general gatherings.
- Private events such as birthday parties, weddings, reception, etc. are not permitted at this facility.
- Light snacks and drinks are permitted; however, it is not conducive to large meals, banquets, etc.

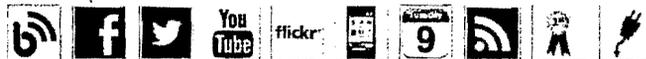
Apply for Use Permit

- [Online Submission](#) - You must be a registered web user and are prepared to pay by credit card.
- [Mail-in Application](#) - If you prefer to pay by check, you may complete a request form, print and mail it to us with you payment.

Submission Window

Submission Period	Season
November 15 - November 30	for use Jan 1 through Jun 30
May 15 - May 30	for use July 1 through Dec 31

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Select Language



SILVER SPRING CIVIC BUILDING

Room	Capacity	Hourly Personal & Small Enterprise County Rates		Hourly Community Service County Rates (Excludes Fundraisers)		Hourly Commercial or Out-of-County
		Mon—Thurs Fri (until 5pm)	Fri (after 5pm) Sat/Sun	Mon—Thurs Fri (until 5pm)	Fri (after 5pm) Sat/Sun	All times
Great Hall (Full) 64x79 (5,046 sq ft) Ceiling Ht: 27 ft.	Reception: 725 Banquet style: 320 Conference style: 320-400 Theatre Seating: 590 (480/w riser)	\$250 p/h	\$400 p/h	\$200 p/h	\$300 p/h	\$450 p/h
Great Hall (Half) Also available.		\$125 p/h	\$200 p/h	\$100 p/h	\$150 p/h	\$225 p/h
Atrium (Lobby) 23x79 (1,817 sq ft) * Atrium cannot be reserved alone. Atrium may only be reserved with Great Hall use.	Reception: 100 Limited use Fri-Sun nights	\$40 p/h	\$45 p/h	\$35 p/h	\$40 p/h	\$60 p/h
Large Activity Rooms						
⇒ Ellsworth Room 50x27 (1,350 sq ft)	Ranges: Standing: 100-120 Conference style: 60-90	\$45 p/h	\$50 p/h	\$40 p/h	\$45 p/h	\$75 p/h
⇒ Spring Room 31x45 (1,426 sq ft)						
⇒ Fenton Room 43x27 (1,161 sq ft)						
Small Conference Rooms						
⇒ Ellsworth Room (divided)	Ranges: Standing: 32-60 Conference style: 20-30	\$30 p/h	\$35 p/h	\$25 p/h	\$30 p/h	\$45 p/h
⇒ Colesville 24x27 (648 sq ft)						
Warming Kitchen 21x14 (249 sq ft) No cooking on premises.	Warming ovens, Microwaves, Icemaker Refrigerators, Ample counter space Close to drive-up loading dock	\$25 p/h	\$35 p/h	\$20 p/h	\$30 p/h	\$40 p/h
Courtyard 50x20 (1,000 sq ft) Indoor access only	Reception: 30-45 Up to 30 wooden chairs and tables Lighted	\$30 p/h	\$40 p/h	\$25 p/h	\$35 p/h	\$45 p/h
Rooms as additional units (excludes Great Hall)		\$25 p/h	\$35 p/h	\$20 p/h	\$30 p/h	\$40 p/h

VETERANS PLAZA

For concerts, festivals, or live entertainment events on the Plaza, proposals must be submitted to the Operations Manager.	Hourly Personal & Small Enterprise County Rates		Hourly Community Service County Rates		Hourly Commercial or Out-of-County
	Mon—Thurs Fri (until 5pm)	Fri (after 5pm) Sat/Sun	Mon—Thurs Fri (until 5pm)	Fri (after 5pm) Sat/Sun	All times
Veterans Plaza (Full) (220 x 130 ft)	\$150 p/h	\$225 p/h	\$125 p/h	\$175 p/h	\$225 p/h
Veterans Plaza (Lighted Pavilion Half) (104 x 56 ft)	\$100 p/h	\$150 p/h	\$90 p/h	\$120 p/h	\$175 p/h
Veterans Plaza (Non-Pavilion Half)	\$75 p/h	\$100 p/h	\$60 p/h	\$75 p/h	\$125 p/h

Additional staff may be required for large/extensive events or events with alcohol service:

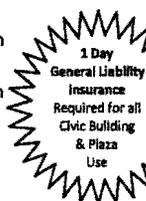
- Administrative Fee \$48
- *Building Service Workers \$25 p/h
- *Security Officer \$35 p/h
- *Event Monitor \$40 p/h

Equipment (includes set up):

- GH Sound/Projection system \$100 per unit
- Low stage \$250 per use

Additional information:

- Security deposit: Great Hall \$500 (refundable); Activity and Conference Rooms \$100 (refundable)
- Great Hall or Plaza Event facility preparation and clean up fee: minimum 2 hour charge (varies with needs).
- Community use ends: Sun – Thurs @ 12:00 midnight & Fri – Sat @ 1:00 am
- Note: four (4) hour minimum applies to special event use or when additional staff is required.
- Special event confirmation fee: \$250 per application applied to facility cost if event occurs as schedule - (non-refundable if event is cancelled).
- Cancellation fee: see Silver Spring Civic Building specific policy.
- Hourly rates include minimal staff coverage only. Additional fees may be required for *special events.
- Off season discount: 20% for Great Hall use Monday through Friday before 5:00 PM, July 1 - August 31.
- Special events are events /activities requiring advance planning, custom room set-up and assignment of support staff.
- *Application for Use* available at www.montgomerycountymd.gov/cupf or visit the S.S. Civic Building.
- Additional fees may be required. Please see Civic Building staff for all fee inquiries.



For area information:
 • www.visitmontgomery.com
 • www.silverspringdowntown.com



Credit cards accepted by walk-in or secure fax.



Community Use of Public Facilities
MONTGOMERY COUNTY INTERAGENCY COORDINATING BOARD

FY15 Hourly Fee Schedule
MCPS Facilities
FY15 (7/1/14-6/30/15)

Category A: MCPS – Staff costs only, at all times				
	Monday-Friday (1-hour minimum)		Saturday/Sunday/Holidays (3-hour minimum)	
	Before 6:00 pm	After 6:00 pm		
Category B: MCPS Partnerships, PTA, Government Entities			First Room	Add'l Rooms
APR, Cafeteria, Other	\$10.00	\$12.00	\$16.00	\$16.00
Gym	\$10.00	\$11.00	\$16.00	\$16.00
Classroom	\$ 6.50	\$ 8.00	\$15.50	\$15.50
Auditorium	\$49.00	\$49.00	\$49.00	N/A
Category C: Community Recreation; Community, Religious and Cultural Non-Fee Activities			First Room	Add'l Rooms
APR, Cafeteria, Other	\$10.00	\$18.00	\$30.50	\$16.00
Gym	\$10.00	\$16.00	\$30.50	\$16.00
Classroom	\$ 6.50	\$ 8.00	\$26.00	\$16.00
Auditorium	\$49.00	\$49.00	\$49.00	N/A
Category D: Enterprise Activities – Classes and Programmed Activities with Fees; MCPS and PTA Fundraisers and Activities with Fees				
	Before 6:00 pm	After 6:00 pm	First Room	Add'l Rooms
APR, Cafeteria, Other	\$10.50	\$19.00	\$31.50	\$19.00
Gym	\$10.50	\$17.00	\$31.50	\$19.00
Classroom	\$ 7.00	\$ 9.00	\$28.50	\$18.00
Auditorium	\$52.50	\$55.00	\$61.00	N/A
Category E: Tournaments, Community Fundraisers, Special Events/Celebrations/Performances by Non-Profit Groups				
	Before 6:00 pm	After 6:00 pm	Each Room	
APR, Cafeteria, Gym, Other	\$47.00	\$50.00	\$52.50	
Classroom	\$35.00	\$35.50	\$37.00	
Auditorium	\$84.00	\$90.00	\$90.00	
Category F: Business Events/Activities, Performances and Special Events by For-Profit Groups and Out-of-County Group Activities				
	Monday-Friday All Times		Each Room	
Auditorium	\$150.00		\$155.00	
All Other Rooms	\$ 47.00		\$ 52.50	
Classroom	\$ 40.00*		\$ 40.00**	
Gym – MS or HS	\$ 72.00		\$ 77.00	
Gym – Elementary School	\$ 50.00		\$ 55.00	
Cafeteria – Middle School	\$ 52.00		\$ 57.00	
Cafeteria – High School	\$ 62.00		\$ 67.00	
*25% discount for youth programming meeting local need before 6:00 pm				
**\$35 per hour if 5 or more rooms are booked (first room at regular rate)				
Camps and Clinics: Summer and School-break Camps and Clinics, Not Sponsored by Public Recreation Agencies				
	Before 6:00 pm	After 6:00 pm	Each Room	
APR, Cafeteria, Gym, Other	\$24.50	\$24.50	\$31.50	
Classroom	\$13.00	\$13.00	\$28.50	
Auditorium	\$60.00	\$60.00	\$60.00	
Outdoor Facilities: Fields, Tennis Courts, Parking Lot				
	Fields (except stadiums) Per Hour	Tennis Courts Per Hour	Parking Lot Per Hour	Pick-up/Drop-off Per 10 days
Category A	Staff costs only			
Category B	\$5.00	\$10.00	\$16.50	\$48.00
Category C	\$5.00	\$10.00	\$16.50	\$48.00
Category D	\$22.00	\$10.00	\$16.50	\$48.00
Camps and Clinics	\$24.50 (3-hr. min.) Includes indoor access	\$10.00	\$16.50	\$48.00
Category E	\$22.00	\$10.00	\$22.00	\$48.00
Category F	Special Event: \$55.00 Practices: \$15.00	\$15.00	\$30.00	\$75.00

Other Fees

Equipment and Auditorium Fees		Staff - Hourly Rate (3-hour minimum)	
Auditorium Fee, plus \$100 security deposit	\$10.00 per hour or \$40.00 per use (whichever is greater)	Building Services Worker (for set-up and clean-up)	\$29.50 per hour
Dressing Room (may be required w/auditorium)	Classroom rate	Building Attendant	\$29.50 per hour
Audio Visuals	\$3.00 per hour	Cafeteria Worker (required with use of kitchen), plus \$50 deposit	\$28.50 per hour
Computer/lab fee (with approval, no internet use)	\$50.00 per room per use	Media Services Technician (mandatory with auditorium) or User Support Specialist required with use of specialized equipment	\$51.00 per hour
Grand Piano	\$25.00 per use	Security Staff	\$32.50 per hour
Upright Piano	\$5.00 per hour	Weekend/Holiday Start-Up Fee	\$16.00 per day
Portable PA System, plus \$100 security deposit	\$25.00 per use (small) \$50.00 per use (large)		
Scoreboard Control Unit (staff costs may apply)	\$2.00 per hour		
Miscellaneous Fees			
Administrative Fee	\$48.00	Cancellation/Date Change Policy for <u>Special Events</u> (large events in auditoriums, cafeterias, etc): 46 calendar days notice or more: \$48 cancellation fee 31-45 calendar days notice: 25% of facility charges plus \$48 cancellation fee 10-30 calendar days notice: 50% of facility charges plus \$48 cancellation fee Less than 10 business days notice: 100% of facility charges <i>If staff is able to rent the same space to another community use group, only the \$48 cancellation fee applies.</i>	
Adjustment Fee	\$25.00		
Cancellation Fee for Camps	\$48.00		
Cancellation Fee (for other than Special Events and Camps) with at least 10-business days notice	\$25.00		
NOTE: Staff costs will be retained with less than 2-full business days notice for all bookings			
Late Fees: \$10 per month (with incremental increases of \$5 per additional \$500 owed, based on amounts 30-days past due)			

Fee Categories for Community Use Activities in MCPS Facilities

Category A <ul style="list-style-type: none"> • MCPS K-12 and extracurricular school activities, including booster clubs; MCPS offices. <i>Note:</i> Anytime staff costs are incurred these costs must be paid, including when using another school location <p><i>Note: Category D rates apply to MCPS partnerships with commercial entities, e.g., SAT prep classes and academic enrichment classes with fees (form must be submitted by MCPS)</i></p>
Category B <ul style="list-style-type: none"> • Public recreation classes, summer camps and activities (Montgomery County Recreation Department and municipal recreation departments of Takoma Park, Rockville, Gaithersburg) • City, County, State, Federal and other government agency meetings/programs • MCPS partnerships with government agencies – specific contract provisions apply • MCCPTA fee classes, e.g., FLES, Hands-on-Science • MCPS and PTA free activities and volunteer led fundraisers (no third-party entities involved), e.g., sock hops, non-monetary bingo, international night • PTA classes and activities led by volunteers with nominal fee, e.g., material costs only <p><i>Notes:</i> Category D rates apply to PTA partnerships with third-party entities for activities with fees, e.g., classes, fairs/festivals, holiday bazaar or shopping nights, family portraits, restaurants and food vendors (<i>form must be submitted by PTA</i>). <i>In such cases the PTA assumes full liability, checks are written to the PTA (not the third-party entity), and the third-party entity shares the proceeds</i></p> <p>No facility fee applies to PTA general monthly meetings. Check the annual PTA packet for information regarding other meetings and events. An administrative fee will be charged for field use.</p>
Category C <ul style="list-style-type: none"> • Nonprofit State-licensed childcare competitively selected by school community – school-year permit for "before and after" care • Cultural and religious classes/bible study and regularly scheduled services (no celebrations or special events) • Community groups, e.g., Scouts, Kiwanis, HOAs, garden clubs, etc. • Community recreation, e.g., informal/local sports groups, Boys and Girls Clubs, etc. • Classes and activities led by volunteers with nominal fee, e.g., material costs only
Category D - Enterprise Activities <ul style="list-style-type: none"> • For-profit State-licensed childcare selected by school community – school-year permit for "before and after" care • Classes with registration/tuition fees (not sponsored by corporate entity) • Sports leagues/franchises • MCPS/PTA enterprise partnerships classes, activities or programs with fees, or fundraisers with third-party entities (nonprofit and commercial) • Home-based/sole proprietor/start-up endeavor with rates comparable to those offered by a nonprofit
Category E <ul style="list-style-type: none"> • Youth and adult sports tournaments, e.g., basketball, step, volleyball, cheerleading, pom competitions. Must have Security Staff. • Non-MCPS/non-PTA fundraisers, e.g., yard and garden sales, farmers markets • Performances/large or special events by nonprofit organizations • Community/religious/cultural special events with any admission fees, advanced participant reservations, donations, membership dues or ticket sales or requiring special consideration for placement or timeliness of notification, e.g., revivals, High Holidays, holiday and New Year's celebrations, cultural concerts. A special event is any event outside the normal worship service, e.g., churches that book weekly and then want to hold a revival, Mother's Day program or Christmas program will be charged the special event rate
Category F <ul style="list-style-type: none"> • Out-of-county group activities; business or corporate activities/events/classes; performances/large or special events by for-profit organizations • 25% discount for weekday classroom use before 6:00 p.m. for youth programming meeting an unmet or locally identified need may be requested
Camps and Clinics <ul style="list-style-type: none"> • Summer and school-break camps, clinics and other activities of a programmatic nature not sponsored by public recreation agencies • Typically 3+ hours, 3-5 days per week, same participants, and participation covered by single registration or considered a camp by DHHS

Resolution No. 03-003
Introduced: December 19, 2002
Amended: December 19, 2002
Adopted: March 19, 2003

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

Subject: County General Fund Subsidy for Classroom Use

WHEREAS, at its meeting of September 25, 2002, the Interagency Coordinating Board approved a fee increase for public facilities effective July 1, 2003; and

WHEREAS, in conjunction with the fee increase, the ICB determined that free use can no longer be accommodated; and

WHEREAS, in accordance with the County Council's User Fee Policy, the ICB requested that assistance be made available through the General Fund for eligible groups to pay room fees.

NOW, THEREFORE, be it resolved by a vote of the Interagency Coordinating Board that the following County General Fund Subsidy Policy be approved for implementation July 1, 2003:

ICB POLICY
COUNTY GENERAL FUND SUBSIDY

Effective July 1, 2003, free use of school facilities to community users will be discontinued by the Interagency Coordinating Board (ICB). While the ICB recognizes that there are many valuable services being offered by non-profit providers, fees must be assessed to reimburse schools for wear and tear of their facilities. This reimbursement is critical to ensuring continued access to schools for community activities.

In accordance with the user fee policy adopted by the County Council in Resolution No. 12-595 on March 31, 1992, the ability of users to pay is a consideration. Costs not covered by subsidized users should be absorbed by the county general fund or available community resources, not by other community users.

The following procedures have been established to determine eligibility for a contribution by the County General Fund to cover facility use fees. The subsidy covers classroom charges only. Other costs such as staff services, utilities, clean-up and equipment fees are not covered by this subsidy. *Please note that these procedures are applicable only if a county general fund contribution has been appropriated in Community Use of Public Facilities' annual operating budget.* To determine the availability of funding, please contact the Office of Community Use of Public Facilities at 240-777-2706.

Resolution No. 03-003

HOW TO REQUEST A SUBSIDY/CONTRIBUTION

- Review the eligibility requirements to determine if your activity qualifies
- Complete the Request for Subsidy Application
- Submit the completed application to the below address no later than June 1 for use the following fiscal year (July 1 through June 30):

Office of Community Use of Public Facilities
600 Jefferson Plaza, Suite 300
Rockville, MD 20852

ELIGIBILITY REQUIREMENTS

In order to be eligible, the program/activity must be sponsored by a Montgomery County-based non-profit (501(c)(3) organization. In addition, all programs/activities must meet the following criteria:

- Monday through Friday standard classroom use only
- free to the participants
- led by volunteers
- documented as addressing an unmet community service
- targeted to residents receiving financial assistance

PROCESS FOR AWARDING SUBSIDY

A review committee comprised of a member of the Interagency Coordinating Board, a member of the ICB Advisory Committee and a Community Use of Public Facilities staff member will evaluate each application for compliance with the eligibility requirements. Recommendations for award will be made to the Director, Community Use of Public Facilities, who will make the final determination. Applicants will be notified by July 1 of the status of their subsidy request. Decisions of the director are final.

Subsidy recipients must follow the standard scheduling procedures to secure their facility space and submit building use requests to the Office of Community Use of Public Facilities during the following scheduling windows:

July 15-August 1 (for use from September 1 through March 31)
January 15-February 1 (for use from April 1 through August 31)

Space will be scheduled pending room availability. Subsidies are valid only for the fiscal year in which awarded. Applications should be submitted on an annual basis.

Resolution No.: 12-595
Introduced: March 24, 1992
Adopted: March 31, 1992

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Management and Fiscal Policy Committee

Subject: User Fee Policy

Background

1. The Council's Commission to Review the Efficiency and Effectiveness of Government conducted a study of user fees, which was included in the Commission's report to the Council dated December 6, 1991. The Commission recommended that the County increase user fees and recommended the basic elements of a policy on user fees.
2. As part of the Council's special budget project, the Management and Fiscal Policy Committee decided to develop a user fee policy which would apply to all agencies. This policy will serve as the basis for individual fees, which the agencies and the Council's Committees will review for FY 1993 and for future years.
3. On March 12, 1992, the Committee discussed user fees with each agency, discussed the Commission's report on user fees, discussed the Executive's fee policy, and discussed a proposed policy on user fees. On March 23, the Committee discussed the policy again and prepared the policy on user fees which is reflected in this resolution.

Action

The County Council for Montgomery County, Maryland, approves the attached policy on user fees.

This is a correct copy of Council action.



Kathleen A. Freedman, CMC
Secretary of the Council

POLICY ON USER FEES

INTRODUCTION The Council adopted the following policy on user fees to insure that the County agencies have a consistent rationale for charging user fees. Existing and proposed fees should be evaluated based on this policy and criteria.

User fees can be charged to ration scarce resources, to cover the "privilege" costs of having a facility available, and to cover the costs of reserving a facility or program. If State law grants authority to a separate legal body to set fees, this policy is a guide to that body in setting fees. However, if the separate legal body adopts a different policy, then that body should give the Council a copy of that policy.

POLICY ON USER FEES User fees are payments for the use of a government service. The total cost to the user varies with the quantity of the service used. In contrast to user fees, general taxes, such as property taxes and income taxes, do not vary with the quantity of any government service used. For purposes of this fee policy, there are two types of fees: 1) Voluntary, for voluntary participation in a government-sponsored activity (the participation, not the fee, is voluntary); or 2) Regulatory, for government regulation of a private activity.

Government services provide benefits to individuals and to society as a whole. The Council's policy on user fees is that "User fees should be charged which are proportional to the individual benefit, subject to the criteria below. The starting point should be that 100% of the full cost should be reflected, with a reduction for the estimated public benefit." The phrase "full cost" means all direct costs of providing the service, plus indirect (overhead) costs, plus debt service. Rather than charging 100% of less than full costs as defined here, it is preferable to charge a lesser percent of full costs, to insure that the full cost is not forgotten.

Because of the extreme difficulty in estimating the public benefit, we suggest that fees be set at one of four levels: 25%, 50%, 75%, or 100% of full cost. Each agency and department must explain how the public receives a benefit which justifies not charging 100% of the cost. The amount of the public benefit cannot be calculated in any objective way and will reflect the value judgments of the policy makers involved. Some fees will be set at whatever level policy-makers think is reasonable, without regard to cost.

Each agency should review its programs every year as part of its budget preparation, to answer the following questions: Are existing fees at the appropriate level, and should new fees be charged? When an agency proposes to change an existing fee or to charge a new fee, the agency must give the Council an analysis of how the following criteria were applied, and must specify which fund will receive the revenue.

CRITERIA FOR DECIDING WHETHER A USER FEE SHOULD BE CHARGED. A user fee is not always feasible. The following criteria must be considered before a user fee is charged.

1. The service must be divisible, which means that it can be provided separately to some individuals but not to others. Also, people who do not pay must be easily prevented from using the service.
2. The following factors must be considered in deciding whether to charge a fee: Ease of collecting, cost of collecting, and the amount of net revenue.
3. Higher fees should be considered for non-County residents. Residents should not pay as much since they also pay for services through County taxes.
4. The following factors must be considered: a) the effect of the fee on usage; and b) the impact of reduced usage, or in other words, whether the County is concerned from a policy or fiscal perspective if the fee results in less usage.
5. The ability of users to pay must also be considered. Each agency should establish a policy with regard to low income users and should consider and develop strategies that permit low income participants to contribute by paying some portion of the fee. Costs not covered by low income users would be absorbed by the general taxpayers, not by the other users.
6. Some fees are prohibited or set by law or other regulation. However, if a fee or a higher fee were warranted by the policy, then an effort to change the law or regulation should be considered.



ROCKVILLE, MARYLAND

MEMORANDUM

March 27, 2015

TO: George Leventhal, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget
For Joseph F. Beach, Director, Department of Finance

SUBJECT: FEIS for Bill 12-15, Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low-Income Families

Please find attached the fiscal and economic impact statements for the above-referenced legislation.

JAH:fz

cc: Bonnie Kirkland, Assistant Chief Administrative Officer
Lisa Austin, Offices of the County Executive
Joy Nurmi, Special Assistant to the County Executive
Patrick Lacefield, Director, Public Information Office
Joseph F. Beach, Director, Department of Finance
Ginny Gong, Director, Office of Community Use of Public Facilities
Alex Espinosa, Office of Management and Budget
Jane Mukira, Office of Management and Budget
Felicia Zhang, Office of Management and Budget
Naeem Mia, Office of Management and Budget

Fiscal Impact Statement
Council Bill 12-15, Administration – Office of Community Use of Public Facilities –
Vulnerable Youth and Low-Income Families

1. Legislative Summary.

Bill 12-15, Administration - Office of Community Use of Public Facilities – Vulnerable Youth and Low-income Families was proposed by the County Council to require the Executive to create, and the Director of Community use of Public Facilities to administer a program to encourage and assist the use of public facilities by organizations serving vulnerable youth and low income families. The program would consist of outreach, technical assistance, and financial assistance in the form of a reduction or waiver of fees for eligible organizations. This bill would also require biennial reporting by CUPF to the Executive and Council on the operation of the program.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

In light of the tight budget year, CUPF does not anticipate that any additional funding beyond the existing \$25,000 school use subsidy currently requested in the FY16 budget will be available. One option under consideration is to match the existing subsidy with \$25,000 from the general revenues used to reduce fees at the Silver Spring Civic Building for vulnerable youth and low income persons in other public facilities, making a combined total of \$50,000 available to support the initiative. This approach would have no impact on revenue.

No additional positions would be needed. Current staff/resources would manage the expanded program to include enhanced outreach and assistance to new user groups.

Depending on the scheduled use (i.e., weekend use costs more), reimbursements to MCPS for maintenance, utilities, and staff could increase. Assuming only use of schools and that 25% of additional use covered by an additional \$25,000 allocation (projected at 1,750 hours of additional use) by new user groups is on the weekends when staff reimbursements are greater, CUPF's costs could increase by \$18,860 for utility, staff, custodial supply and wear-and-tear maintenance in payments to MCPS. If a large percentage of groups were current users, the impact on the reimbursement to MCPS would be less. This amount would also be less if use was scheduled in a County building (ex. EOB, Library, COB, etc.).

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

Assuming an increase of \$25,000 to the existing program, operating expenses could increase up to \$18,860 in reimbursements to MCPS depending on the location, pattern of use, future utility costs, and percentage of new vs. current customers receiving awards.

The amount would be less if the use were scheduled in County buildings or represented use by existing customers currently paying the applicable rates.

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

Not applicable.

5. An estimate of expenditures related to County's information technology (IT) systems, including Enterprise Resource Planning (ERP) systems.

None.

6. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

The change in expenses would be proportional to the amount of additional subsidy funds allocated.

7. An estimate of the staff time needed to implement the bill.

Estimated staff time (using existing resources) to cover program development and outreach:

- .20 Program Manager I (on-going program oversight, evaluation, reporting) for year one; reduced to .10 FTE for year two
- .05 MLS III (financial tracking)
- .05 Program Specialist I (processing reservations)

8. An explanation of how the addition of new staff responsibilities would affect other duties.

Except for the Program Manager I position's tasks when the program is being developed, minimal impact to staff responsibilities is anticipated. Ongoing staff tasks would include:

Outreach

- Redesign CUPF web page to enhance visibility regarding program and application process. Include contact information for customers needing assistance.
- Include information in the quarterly newsletter distributed to all customers.
- Periodically distribute information to other county agencies and county partners serving this population (Montgomery County Recreation Department, MCPS, Department of Health and Human Services, Community Engagement Cluster, Collaboration Council, etc.).
- Share information about program availability through orientation to CUPF staff scheduling groups.

Technical Assistance—staff will:

- Meet with customers requesting financial assistance and provide technical support for completing the subsidy and facility use application forms.

- Process applications according to established criteria and resolve issues, when necessary, related to whether funding is provided or not.
- Review site specific conditions of use and provisions of the Facility Use License Agreement.
- Determine space needs and recommend placements.
- As needed, provide information in the customer's preferred language. CUPF has Spanish speaking staff and uses the County's language interpretation services when needed.

The amount of time needed to provide technical assistance will be determined by the needs of the group, familiarity with the scheduling process and type of event planned. Orienting/assisting new customers may take up to 2-4 hours. Placement will vary with location and necessity to coordinate with MCPS.

9. An estimate of costs when an additional appropriation is needed.

Changes in funding will be based on County Executive and Council recommended changes.

10. A description of any variable that could affect revenue and cost estimates.

Reimbursements to MCPS are dependent on pattern of use (weekend vs. weekday, school level, variable utility costs) and percentage of existing vs. new user groups subsidized. The amount expended would be less if the use is scheduled in County buildings.

11. Ranges of revenue or expenditures that are uncertain or difficult to project.

See above

12. If a bill is likely to have no fiscal impact, why that is the case.

Not applicable.

13. Other fiscal impacts or comments.

None.

14. The following contributed to and concurred with this analysis:

Elizabeth Habermann, Community Use of Public Facilities

Jane Mukira, Office of Management and Budget



 Jennifer A. Hughes, Director
 Office of Management and Budget

3/26/15
 Date

Economic Impact Statement
Bill 12-15, Administration – Office of Community Use of Public Facilities –
Vulnerable Youth and Low-Income Families

Background:

This legislation would require the County Executive to create, and the Director of Community Use of Public Facilities (CUPF) to administer, a program to encourage and assist the use of public facilities by organizations serving vulnerable youth and low-income families. The program would consist of outreach, technical assistance, and financial assistance. Financial assistance would be in the form of a reduction or waiver of fees for eligible organizations.

1. The sources of information, assumptions, and methodologies used.

Source of information is Community Use of Public Facilities.
Current fee structure for use of public facilities

2. A description of any variable that could affect the economic impact estimates.

The variables that could affect the economic impact estimates are: 1) the number of eligible organizations that serve vulnerable youth and low-income families, and 2) the amount of fees that are either reduced or waived paid by the eligible organizations.

According to the Department of Health and Human Services, “vulnerable youth attend either middle or high school and who may be at risk for a competent transition to adulthood and self-sufficiency.”

The current fee schedules vary by the tax status of the group, location, facility, and the description of the meeting located within that facility. For example, the hourly rate for a local non-profit ranges from \$15 per hour to \$25 per hour for Montgomery County Public Libraries, \$15 per hour to \$25 per hour for Regional Services Centers, \$15 per hour to a maximum of \$50 per hour plus \$100 deposit use of the Council Office Building and the Executive Office Building. For the use of Montgomery County Public Schools, the fees for non-profits range from \$6.50 per hour to \$49 per hour for the Category B lowest partnership rates to \$35 per hour to \$90 per hour for Category E, special events.

3. The Bill’s positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.

Bill 12-15 could have a positive economic effect on those eligible organizations whose fees are waived or reduced. Because of such waivers and reductions, there is a cost savings to the eligible organizations that serve vulnerable youth and low-income families and thereby may enable those organizations to increase their services to vulnerable youth and low-income families. However, because of this subsidy to

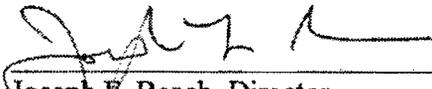
Economic Impact Statement
Bill 12-15, Administration – Office of Community Use of Public Facilities –
Vulnerable Youth and Low-Income Families

eligible organizations, other users of the public facilities may incur a higher fee schedule. The amount of those cost savings and economic impact on the County would depend on the number of eligible organizations, the amount of reduced or waived fees and whether other users incur higher fees for use of the same facility. At this time, that number of eligible organizations and amount of cost savings to eligible organizations is not known.

4. If a Bill is likely to have no economic impact, why is that the case?

Bill 12-15 is likely to have a positive economic impact on the eligible organizations as stated in paragraph #3. However, if funding is not provided by the General Fund and impacts the Enterprise Fund, then it could negatively impact other paying users whose rates could be increased to accommodate the subsidy to eligible organizations.

5. The following contributed to or concurred with this analysis: David Platt and Rob Hagedoorn, Finance; Elizabeth Habermann and Ginny Gong, CUPF.



Joseph F. Beach, Director
Department of Finance

3/24/15

Date