

Resolution No.: 18-851
Introduced: June 27, 2017
Adopted: June 27, 2017

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Approval of Executive Regulation 25-16AM, Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low-Income Persons

Background


1. On April 8, 2015, Bill-12-15, Administration - Office of Community Use of Public Facilities - Vulnerable Youth and Low-Income Families, was enacted. The legislation requires 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 persons.
2. On June 21, 2017, the Council received Executive Regulation 25-16AM, Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low-Income Persons, which includes criteria for eligibility and strategies for outreach, technical assistance and waiver or reduction of fees for eligible organizations as stipulated in Bill 12-15.
3. The Council must review the regulation under Method (2) of Section 2A-15 of the Code.
4. The Education Committee held a worksession on proposed Executive Regulation 25-16 on June 19, 2017.

Action

The County Council for Montgomery County Maryland approves the following resolution:

The Council approves Executive Regulation 25-16AM, Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low-Income Persons.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Administration – Office of Community Use of Public Facilities – Vulnerable Youth and Low-Income Persons	Number 25-16 <u>AM</u>
Originating Department Community Use of Public Facilities	Effective Date June 27, 2017

Montgomery County Regulation on

ADMINISTRATION – OFFICE OF COMMUNITY USE OF PUBLIC FACILITIES – VULNERABLE YOUTH AND LOW-INCOME PERSONS

Issued by: County Executive
Regulation No. 25-16AM
COMCOR No. 02.64.M.01

Authority: Montgomery County Code, 2014, Chapter 2, Section: 2-64M
Council Review: Method (2) under Code Section 2A-15.
Register Vol. 33 No. 12

Effective Date: June 27, 2017
Comment Deadline:

Summary: Requires the County Executive to create, and the Executive Director of the Office 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 persons.

Staff contact: Ginny Gong, Executive Director
Office of Community Use of Public Facilities

Address: 255 Rockville Pike, Suite 201
Rockville, MD 20850

Background: This regulation implements Bill No. 12-15, which was enacted by the Montgomery County Council on March 31, 2015, and became effective on July 8, 2015. The Bill amends Montgomery County Code, Section 2-64M to encourage the use of public facilities by organizations serving underserved communities with a focus on vulnerable youth and low-income persons.



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Administration – Office of Community Use of Public Facilities
– Vulnerable Youth and Low-Income Persons

Number
25-16AM

Originating Department
Community Use of Public Facilities

Effective Date

Section 1. Authority.

This Executive Regulation is authorized by Bill 12-15, effective on July 8, 2015, and Section 2-64M of the Montgomery County Code.

Section 2. Purpose.

This Executive Regulation is intended to implement Bill 12-15 and Section 2-64M of the Montgomery County Code.

Section 3. Definitions.

- a) Applicant – [any program or organization providing services to underserved communities with a focus on vulnerable youth or low-income persons.]
A program or organization that applied for a reduction or waiver of fees for using public space scheduled by the Community Use of Public Facilities.
- b) Facility – school classrooms, cafeterias, all-purpose rooms, library meeting rooms, and meeting rooms at certain public county office buildings for which Community Use of Public Facilities (CUPF) schedules use of the space.
Specialized space including school gymnasiums, auditoriums and kitchens may be included if they are available for use and the proposed program cannot be accommodated through non-specialized space.
- c) Vulnerable youth – young people, typically in middle and high school, who may be at risk for a competent transition to adulthood and self-sufficiency. Groups of vulnerable youth include the following:
 - youth emancipating from foster care;
 - runaway and homeless youth;
 - youth involved in the juvenile justice system;
 - immigrant youth and youth with limited English proficiency;
 - youth with physical and mental disabilities;



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- youth with mental disorders; and
- youth receiving special education.

d) Low-income persons or families– [determined by cost of living and by the Federal Poverty Level (FPL) and what percentages of the FPL the person or family's income fall into. Those with incomes below FPL are very low-income persons or families. Low-income persons or families are primarily working persons or families with incomes that are less than twice the FPL.] Individuals or families whose incomes are less than twice the Federal Poverty Level.

e) Title I school – Montgomery County Public Schools which are identified with high numbers or high percentages of children from low-income families.

Section 4. Eligibility.

An applicant may request that the Director reduce or waive the facility fees that CUPF charges. In order to qualify for the reduced fee or for a fee waiver, the applicant must comply with all requirements of the CUPF community use program and meet the following criteria:

- a) The applicant's proposed program or service must provide services to at risk and low income residents of Montgomery County [primarily in Maryland-];
- b) The applicant must be a nonprofit 501(c)(3) organization or an informal community group offering a service comparable for a charitable organization. Nonprofit status through an affiliation with another organization will not be recognized;
- c) The applicant must confirm that it will not use the facility for fundraising activities;
- d) The applicant's mission statement or program description must verify that its primary purpose is to serve vulnerable youth or low-income persons or residents



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receiving financial assistance; and

- e) If the applicant receives reduced or waived fees, the applicant must agree to submit an outcomes report on activities conducted and accomplishments achieved within one week of the last reservation date.

The following additional criteria will also be considered. The more criteria that are met, the more likely an applicant will qualify for the reduced or waived fee:

- f) Provides service in a Title I school;
- g) Free or nominal cost to participants; and
- h) [Led by volunteers at the requested Facility; and
- i)] First-time applicant.

Section 5. Funding Criteria.

Funding for the reduced or waived fees will be contingent on Council appropriations.

Section 6. Determination of Funding Amount.

On a rolling fiscal year basis, Community Use of Public Facilities' staff will evaluate each application for a Facility fee reduction or waiver under the criteria contained in this regulation. Staff will recommend to the CUPF Executive Director which applicant should receive a reduced fee or waived fee. The CUPF Executive Director will make the final decision. Decisions of the Executive Director are final.

Section 7. Program Operations.

- a) Facility fees can be waived or reduced on weekdays; facility fees can only be reduced on weekends. Other costs such as staff services and equipment fees will not be waived but



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may be reduced. Use of specialized spaces, such as auditoriums and gymnasiums, will not be confirmed until 30 days prior to the proposed use.

- b) CUPF will do outreach to organizations, groups, government departments, and others about the reduced or waived fee program and how to apply. CUPF will communicate through newsletters and electronic mail.
- c) CUPF will provide technical assistance to applicants, which will include answering questions regarding filling out the application form and about the process. It may also include providing the application form for walk-in applicants or users who have difficulty with the electronic application.
- d) On or before January 1 of each even-numbered year, the CUPF Executive Director must submit a report to the County Executive and County Council describing the activities conducted, accomplishments achieved, and difficulties encountered in seeking to increase the use of public facilities by programs serving vulnerable youth or low-income persons.

Section 8. Miscellaneous.

Applicants found to be eligible must sign the Facility Use License Agreement and comply with all procedures and conditions of use applicable to the community use program.

Timothy L. Finestone (Acting)

Isiah Leggett
County Executive

Approved as to form and legality:

Chiffa Rynally 6/26/17
Office of the County Attorney/Date



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Montgomery County Regulation on

ADMINISTRATION – OFFICE OF COMMUNITY
USE OF PUBLIC FACILITIES – VULNERABLE YOUTH AND
LOW-INCOME PERSONS

20850

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Council Review: Method (2) under Code Section 2A-15
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- d) Low-income persons or families– Individuals or families whose incomes are less than twice the Federal Poverty Level.
- e) Title I school – Montgomery County Public Schools which are identified with high numbers or high percentages of children from low-income families.

Section 4. Eligibility.

An applicant may request that the Director reduce or waive the facility fees that CUPF charges. In order to qualify for the reduced fee or for a fee waiver, the applicant must comply with all requirements of the CUPF community use program and meet the following criteria:

- a) The applicant's proposed program or service must provide services to at risk and low income residents of Montgomery County;
- b) The applicant must be a nonprofit 501(c)(3) organization or an informal community group offering a service comparable for a charitable organization. Nonprofit status through an affiliation with another organization will not be recognized;
- c) The applicant must confirm that it will not use the facility for fundraising activities;
- d) The applicant's mission statement or program description must verify that its primary purpose is to serve vulnerable youth or low-income persons or residents receiving financial assistance; and
- e) If the applicant receives reduced or waived fees, the applicant must agree to submit an outcomes report on activities conducted and accomplishments achieved within one week of the last reservation date.



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- b) CUPF will do outreach to organizations, groups, government departments, and others about the reduced or waived fee program and how to apply. CUPF will communicate through newsletters and electronic mail.
- c) CUPF will provide technical assistance to applicants, which will include answering



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- d) On or before January 1 of each even-numbered year, the CUPF Executive Director must submit a report to the County Executive and County Council describing the activities conducted, accomplishments achieved, and difficulties encountered in seeking to increase the use of public facilities by programs serving vulnerable youth or low-income persons.

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Timothy L. Finestone (Acting)

Isiah Leggett
County Executive

Approved as to form and legality:

Clifford R. [Signature] 6/20/17

Office of the County Attorney/Date