

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**MAY 7, 2024 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
DISCUSSION: WAIVER/DISCOUNTING OF FEES FOR USE OF CITY FACILITIES	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	HEATHER BULLER RECREATION DIRECTOR

**SYNOPSIS**

In order to streamline fee management, promote transparency, and align with the City's overall financial objectives, staff is seeking direction regarding a policy to discount and/or waive fees for the use of city facilities.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Discussion regarding current practices and the need to update the Council Policy Statement to reflect Mayor and Council preferences related to fee categories for residents, non-residents, businesses, non-profits, employees, and elected officials.

**BACKGROUND**

Staff has been evaluating current processes within the Recreation Department which includes collecting data regarding the history of room rentals at the Community Center. During this process it has been discovered that fees have been randomly waived or discounted for various organizations and individuals including non-profits, businesses, employees, residents, and non-residents over the years. The current master fee ordinance and City Council Policy 110 (copy attached) do not outline any procedure or authority for the waiving or discounting of fees.

Information is attached showing the revenue that has been lost in 2022 and 2023 due to the random waiving and discounting of fees at the Community Center facility. There are other City facilities for which usage fees have also been established such as park shelters.

This finding has brought to light the need for guidance from the Mayor and Council regarding this practice. Once direction is given, staff will bring forth recommendations for an update to the Council Policy Statement for review.

As to the amounts for various fees, staff has been researching those as well and will bring back recommendations during the annual budget process when the Master Fee Ordinance is discussed.

## La Vista Community Center Rentals 2022 - 2023

RENTAL TOTALS 2022 - 2023		
*No. includes rentals paid & unpaid		
Renter Type	2022	2023
Business	27	48
Non-Profit	109	100
Resident	65	159
Non-Resident	18	70
<b>TOTAL</b>	<b>219</b>	<b>377</b>

FEES WAIVED 2022 - 2023			
Renter Type	Occurrence	Total Waived Fees	
Resident	8	\$ 504.00	
Non-Resident	8	\$ 1,633.00	
Non-Profit	209	\$ 7,738.00	
HOA Resident	6	\$ 120.00	
HOA Non-Resident	4	\$ 132.00	
<b>TOTAL</b>	<b>235</b>	<b>\$ 10,127.00</b>	

FEES DISCOUNTED 2022 - 2023			
Renter Type	Occurrence	Total Discounted	
Business	4	\$ 3,450.00	
Non-Profit	2	\$ 1,200.00	
<b>TOTAL</b>	<b>6</b>	<b>\$ 4,650.00</b>	

ROOM/GYM RENTAL REVENUES 2022-2023				
FY 22	FY 23	TOTAL RECEIVED	TOTAL DISCOUNTED/WAIVED	
\$ 11,743.75	\$ 16,407.00	\$ 28,150.75	\$ 14,777.00	

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## **Policy, Rules and Regulations for Use of the Community Center**

### **Administration**

The administration, scheduling and maintenance of the Community Center shall be the responsibility of the City of La Vista Recreation Department.

The scheduling and determination of acceptability of groups and functions shall be the responsibility of the Recreation Director or his designee. Any problems arising from there shall be directed to the City Administrator for final resolution.

Fees shall be reviewed annually by the Recreation Advisory Committee and approved by the Mayor and City Council.

### **Community Center Usage**

The primary purpose of the Community Center is to provide highly structured recreation programs for all citizens of La Vista, plus provide the opportunity for individuals and groups to use the facility through unstructured open recreation. The facility will be scheduled to facilitate both of these purposes.

The Recreation Director, with recommendation of the Park and Recreation Advisory Board, shall establish the policies and procedures for use of the facility, along with the necessary fees, by individual residents of the City of La Vista and in limited cases use by non-residents of the City of La Vista. These policies and procedures shall be in written form and available to the public upon request.

A secondary purpose of the Community Center is to allow groups to rent the facility for special events. Request for use of the facility for special events will be considered but will not generally preempt highly structured recreation programs. Depending on the attendance at unstructured open recreation programs, special events may be given priority.

The scheduling of activities at the Community Center shall adhere to the following priority schedule:

1. Recreation groups under the sponsorship or direction of the Recreation Department.
2. Any Department, Board or Commission of the City of La Vista.
3. Service Organizations; such as Schools, Scouts, 4-H, Jaycees, Churches, Optimist, Sports Clubs, Pet Clubs and other service organizations serving the La Vista area.
4. Organizations and/or individuals whose activities are recreational or educational in nature.
5. Individuals or groups who wish to use the Community Center for fund raising activities in which the proceeds benefit the citizens of La Vista.
6. Individuals who wish to use the Community Center, for activities such as bridal and baby showers, reunions, and receptions.
7. Organizations and/or individuals whose activities are profitable in nature.

# **City of La Vista**

## **Council Policy Statement**

### **Policy, Rules and Regulations for Use of the Community Center**

*The City of La Vista prohibits the use of the Community Center for political activities except for use as a polling place or open public debates sponsored by non-partisan organizations.*

The Recreation Director shall grant use of the Community Center in the order in which written applications are received in compliance with the above priorities, and such other administrative practices established for the purpose of managing the Community Center. When more than one group requests the use of the Community Center for the same time frame, La Vista residents will be given priority over non-resident groups.

The City reserves the right to locate said special events in the smaller meeting rooms if adequate space is available in these rooms.

### **Community Center Rules and Regulations**

1. Every applicant who receives permission to use the Community Center shall, during the time of such use, be responsible for the preservation of law and order on the property.
2. Consumption or possession of alcoholic beverages shall be prohibited.
3. Possession of firearms/weapons shall be prohibited.
4. All raffles and games of chance must be pre-approved by the Chief of Police.
5. Reasonable equipment and special facility arrangements available at the Community Center and requested on the written application may be provided by the Recreation Director. No privately owned equipment or materials shall remain at the Community Center for any length of time.
6. Table and chairs may be set up by groups renting or using the Community Center and shall be taken down and placed in their original position after the activity.
7. All other areas of the Community Center shall be restored to an orderly condition, trash placed in proper personal property removed.
8. Users shall comply with all smoking, fire and other regulations.
9. Use of the Community Center by groups composed of minors (21 years of age and under) shall be granted only to adults who accept the responsibility for supervising the group throughout their activity.
10. Decorations shall be allowed under the following conditions; no nails, tacks or staples to be used on the walls, ceiling or equipment without the consent from the Recreation Director. Fire hoses or extinguishers shall not be covered by decorations or any obstructions placed so as to prohibit their use in case of emergency. Decorations shall be removed after use within such time as designated by the Recreation Director unless permission to leave them has been granted by the Recreation Director.
11. The placing of obstacles such as chairs, tables, benches, decorations, etc., which obstruct exit signs or doors shall not be permitted.
12. The burning of candles or any open flames is not permissible unless approved by the Recreation Director.
13. No animals, except those needed for assisting disabled individuals, shall be permitted in the Community Center unless approved by the Recreation Director.

# **City of La Vista**

## **Council Policy Statement**

### *Policy, Rules and Regulations for Use of the Community Center*

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14. The installation or use of additional electric wiring or the use of electrical appliances on any of the Community Center electrical circuits shall be allowed only upon approval by the Recreation Director or his designee.
15. All activities must end by 10:00 p.m. unless special permission is obtained from the Recreation Director.
16. Thermostats shall not be adjusted.
17. Sponsoring groups shall be responsible for the conduct of their activity. Groups charged with breakage or mistreatment of the Center and/or its equipment shall be financially responsible and liable for such damages and shall be denied further use of the Community Center until a time is designated by the Recreation Director.
18. The entire Community Center is a tobacco free facility. Smoking is not allowed anywhere in the Community Center.
19. Food or drink will be permitted in areas designated by the Recreation Director.
20. Any groups not complying with all of the above rules and regulations pertaining to the Community Center's usage, shall forfeit usage of the building until a time is designated by the Recreation Director.

### **Community Center Fees**

Security deposits shall be required of all rental groups and such security deposits shall be paid at time of reservations. Security deposits shall be returned the next week after the scheduled activity. This is provided that the user group has not inflicted any damage to the Community Center, and has fulfilled their responsibilities to clean up the area following their usage of it. The deposit may be forfeited, and the user may be billed for damages, which exceeds the deposit, if the cleanup responsibilities are not fulfilled, as stated in the rental agreement. Security deposits may be forfeited automatically if the user group does not inform the Community Center two (2) weeks in advance that the group will not be using the Center. This does not apply when an activity is cancelled due to weather.

All other fees shall be paid three (3) calendar days in advance of the scheduled event. Failure to comply with this policy will result in the cancellation of the group's reservation.

Fees shall be established by resolution of the City Council as a part of the City's Master Fee Schedule.

### **Facility Rental**

The entire facility can be rented for special events. Interested individuals should contact the Community Center for information on the type of special events allowed. Fees shall be established by resolution of the City Council as a part of the City's Master Fee Schedule.

Deposits must be paid one (1) month in advance (if reservation date is less than a month away, deposit must be paid immediately).

# **City of La Vista**

## **Council Policy Statement**

### *Policy, Rules and Regulations for Use of the Community Center*

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#### **Racquetball/Walleyball Courts**

The Community Center has two racquetball/walleyball courts. Use of the racquetball/walleyball courts is by reservation only. Fees shall be established by resolution of the City Council as a part of the City's Master Fee Schedule.

Residents and Non-Residents may reserve the courts at any time. If reserving for more than one session, payment must be made in advance for the next session. If reserving for consecutive weeks (as for leagues), payment for the entire season must be paid in advance of the season start date.

Courts are rented on the  $\frac{1}{2}$  hour, (i.e., 12:30 to 1:30). Participants must bring their own equipment for racquetball. The Community Center does provide nets and balls for walleyball.