



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services
Department No.: 063
For Agenda Of: 2/6/2007
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: General Services Bob Nisbet, Director (805-560-1011)
Contact Info: Paddy Langlands, Assistant Director (805-568-3096)
SUBJECT: **Countywide Policy Regarding the use of County Meeting Rooms**

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Auditor-Controller Concurrence

As to form: No

Recommended Actions:

That the Board of Supervisors adopt the attached countywide policy regarding the use of county conference rooms and hearing rooms by non-county organizations and incorporate into the on-line Policy and Procedure Manual (Option 1).

If the Board would prefer to discuss this item or consider the other two options contained in the report, then this item could be trailed to the end of the Board meeting.

Background:

The county does not have a formal policy regarding the use of meeting rooms by non-county organizations. The attached policy is proposed for adoption by the Board. The policy separates meeting room into two types of rooms: private conference rooms, and public hearing rooms. The policy also separates non-county organizations into three groups: 1) other government agencies; 2) non-profits, or community associations; 3) private sector organizations. The highlights of the policy are as follows:

- 1) The primary use of private conference rooms is for county business meetings only.
- 2) The three public hearing rooms are available for use by other government agencies, non-profits, and other community associations. The rules for using the three hearing rooms are attached.
- 3) Hearing rooms are not available for private use.

The two most critical hearing rooms are the Santa Barbara Board Hearing Room and Santa Maria Board Hearing Room. Attached is a list of all of the groups who have used these two rooms over the past year. The use for 2006 can be broken down as follows:

	Santa Barbara Hearing Room	Santa Maria Hearing Room
County Departments	21	19+
Other Governments	8	4+
Non-Profits or other outside Groups	3	12

Since non-profit groups and other community associations have historically been using the hearing rooms, the attached policy simply formalizes what has already been occurring (Option 1 below). However, if the Board would like to limit the use of the hearing rooms, or charge a fee for the use of the rooms, also included for consideration are Options 2 and 3:

OPTIONS:

- 1) Allow non-profits and other community associations to use county hearing rooms and subsidize this service under the logic that community use of these rooms is a public service and a reasonable extension of conducting normal county business. Under this option, General Services would collaborate with the CEO’s office to provide additional staffing to properly manage the use, and potential misuse of the rooms (staff recommendation).

Advantage: A public service is provided to community groups. This option is in line with the current informal practice. Determinations about whether a group’s use of the room serves a *clear county business function* does not need to be discussed.

Disadvantage:No revenue is generated to cover the cost of providing this service.

- 2) Only allow non-profits to use the hearing rooms if their use of the room serves a *clear county business function*. The determination of whether or not a use serves a *clear county business function* would be determined by a Boardmember, the department head of a sponsoring department, or the Deputy CEO.

Advantage: Less Liability. Less security risk. Less chance of having the room misused.¹

Disadvantage:A public service that has been historically provided without a clear policy is now not provided. Different interpretations of what constitutes a *clear county business function* may lead to a perceived discriminate use of the rooms.

¹ This advantage is further described as follows: First, although each applicant is given a list of rules prior to using the rooms, there have been reported instances of excessive trash left behind, and groups that have altered or misused some of the technical equipment in the room. Second, there is a concern about security. There are some significant works of art in both buildings and allowing outside groups to use the rooms at night is a concern in spite of the fact that security guards are normally employed. Third, some of these community associations may be political groups and there is a policy question of whether or not this is a proper use of these rooms.

- 3) A fee could be charged for non-profits and private use of hearing rooms. The estimated cost of using a hearing room is **\$75 per hour**. This is calculated as follows:

Security/maintenance personnel	\$40
Janitorial	\$20
<u>Admin/technical assistance</u>	<u>\$15</u>
Total	\$75

Advantage: The cost of providing the use of the room would not be subsidized.

Disadvantage: Many non-profits would most likely request a fee waiver and these are cumbersome to process.

Finally, and maybe most importantly, under any of the options, the county has a liability exposure if someone attending the meeting were to have an accident in the building. Staff is not aware of any significant liability claim directly arising out of the use of the county hearing rooms by an outside organization; nevertheless, it is an exposure that can be eliminated or significantly mitigated. The exposure can be remedied by requiring the organization or group to secure insurance, naming the County as an additional insured, and/or at minimum requiring the organization to indemnify and hold harmless the County for any liability resulting from its activities. Staff recognizes that many outside organizations may not have the necessary insurance required by the County; therefore, recommends that all organizations consent to the *Indemnification and Hold Harmless Agreement*, before being allowed use of the facilities. Attached are two versions of a draft *Permit Application* for the Board's review: one with the insurance requirements, and one without the insurance requirements (recommended).

Other County Facilities:

There are three facilities that are made available to private parties for recreational purposes and events. These facilities are: 1) the Santa Barbara Courthouse; 2) the Lompoc Veteran's Memorial Building; 3) the Recreation Hall at Lake Cachuma. The Recreation Hall at Lake Cachuma is only rarely made available to non-county groups. In addition, a number of parks have outdoor group areas that can be reserved. The fee schedule and the rules governing the use of these facilities are attached.

Performance Measure: None.

Fiscal and Facilities Impacts:

As discussed above.

Fiscal Analysis:

Under Option #3, approximately \$2,250 in revenue would be generated annually based on 15, 2-hour meetings per year.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Attachments:

- 1) Proposed Policy
- 2) Historical use of the two Board Hearing Rooms
- 3) Rules for using the two Board Hearing Rooms
- 4) Proposed Indemnification and Hold Harmless Form:
A) with insurance requirement, and B) without insurance requirement
- 5) Fee Schedule and Rules for use of other Facilities

Authored by: Bob Nisbet, General Services Director (805) 560-1011