



CITY COUNCIL AGENDA REPORT

MEETING DATE: November 1, 2004

ITEM NUMBER:

SUBJECT: COUNCIL POLICY 100-7 PERTAINING TO USE OF CITY HALL
CONFERENCE ROOMS BY OUTSIDE ORGANIZATIONS

DATE: OCTOBER 1, 2004

FROM: City Manager's Office

PRESENTATION BY: STEVEN E. HAYMAN, ASSISTANT CITY MANAGER

FOR FURTHER INFORMATION CONTACT: CAROL C. PROCTOR, MANAGEMENT ANALYST
AT 714.754.5688

RECOMMENDATION:

That the City Council:

1. Determine whether conference rooms at City Hall should be available for use by outside organizations and direct staff to amend Council Policy 100-7 accordingly.
2. Direct staff to amend Exhibit A of Council Policy 100-7 to remove ambiguities or reference the City's User Fees and Charges Manual in Council Policy 100-7 and eliminate Exhibit A.

BACKGROUND:

This item was discussed by City Council at their September 13, 2004, Study Session (see Attachment A - City Council Study Session Report). It was placed on the Study Session as a result of a request by the Mesa Del Mar Homeowners Association (MDM-HOA) Board of Directors to use one of the first floor conference rooms in City Hall for monthly Board of Director meetings (see Attachment 1). The request asked that Council Policy 100-7 (Attachment 2) be amended to allow outside organizations to reserve an available conference room during evenings that City Hall is open.

City Council has directed staff to agendize the item to consider a range of options for Costa Mesa homeowner associations and to identify resulting costs, including potential loss of funds should waivers be granted. Council members expressed concern about maintaining scheduling flexibility of conference rooms for official City business while providing for meeting needs of City organizations; containment costs associated with staffing City Hall after hours; and use of existing staffed City facilities, such as the Neighborhood and Balearic Community Centers.

ANALYSIS:

As noted in Study Session Report, City Hall is only open and staffed on those evenings when City business is being conducted. In addition to the Council Chambers, there are two conference rooms available on the first floor of City Hall: 1A, which seats approximately 40 persons, including 16 at the table; and 1B, which seats approximately 12 persons, including 8 at the table. Conference room 1A was requested by the MDM-HOA for their monthly meetings. As the largest City Hall conference room, containing special features and easy access, it is most often used. Conference rooms on other floors are generally not accessible in the evenings, as elevators are kept locked for security reasons. Floor 5 and conference room 5A comply with accessibility requirements, so 5A could be used during the noon hour.

The City Hall council chambers and conference room usage schedule (Attachment 3) identifies two on-going evening meetings for official City business that are currently conducted monthly, which would allow an outside organization to use conference room 1A or 1B. These meetings are for the Parks and Recreation Commission (fourth Wednesday of each month at 6:30 p.m. in the Council Chambers) and the Planning Commission (fourth Monday of each month at 6:30 in the Council Chambers). Otherwise, conference room 1A is in use on those evenings that City Hall is open and staffed. Conference room 1B would be available, but all government agency, non-profit and service organization meetings are to be open to the public, per the Council Policy. Consequently, space could be an issue if 1B is used.

The only exception to allowing evening use of the conference rooms by outside groups concurrently when City Hall is already open is when a regularly scheduled City evening meeting is cancelled and no other City meeting is scheduled for that evening. When this occurs, involved staff is advised and City Hall closes at the end of the business day.

Currently, Council Policy 100-7 allows each government agency or non-profit organization to be granted a fee waiver by the Administrative Services Director or his/her designee upon written request, and only on a quarterly basis. The General Provisions of the Policy notes under item 2 that reservations will be made on a space available only, **first come, first serve** basis, with priority given to paying customers. It should be emphasized that this option is only available during hours the facility would normally be open and staffed. Additionally, the City Council's adopted User Fees and Charges for 2003-04 notes there is a \$25 fee for each fee waiver granted.

Exhibit A of Council Policy 100-7 was included in the Policy when it was amended in February 2001. It is outdated in terms of the fee schedule, and contains somewhat ambiguous information as it relates to weekday and weekend charges to be waived for City Hall Conference Rooms. In the current City User Fee and Charges Manual, there is no reference to charges for rental of City Hall conference rooms. Since City Hall is not open and staffed on weekends, there is no information relating to use of City Hall conference rooms and respective fees in the Manual. The Manual could be amended to include City Hall conference rooms, depending on City Council's preference. In doing so, it would make sense to remove Exhibit A from Council Policy 100-7. It should be noted that Exhibit A is not referenced in Council Policy 100-7. The Policy could, instead, reference the current User Fees and Charges Manual.

Other Information – Room Availability, Fee Waivers and Waived Fees

- **Meeting Room Use at City Community Centers**

The City's Recreation Division staff provided information on room availability, meeting room reservations by group type, time frame, frequency, and whether fees are charged or waived. As noted on Attachments 4 and 5, six homeowner associations have used meeting rooms at the Neighborhood Community Center over the past year. Of those, four associations are using rooms on a monthly basis. There have been no waiver requests by these groups; the average fee paid by each homeowner association is \$20 per hour, and meetings generally last two hours. No homeowner associations have reserved rooms at Balearic Community Center this past year.

- **Fee Waivers**

Council Policy 100-7's General Provisions limit each government agency, non-profit organization, or Costa Mesa-based service organization to one waiver per quarter as defined by months beginning with January, April, July and October. The fee waiver applies only to the basic rental fee, which pays for staff. Room/equipment set up and breakdown, refreshments, delivery and removal of equipment or other services are separate and chargeable fees. The agency or organization submits a written request to the Administrative Services Director or his/her designee for the fee waiver. The Policy states that the requesting agency or organization may only request the waiver when reserving a room during the hours the facility would normally be open and staffed. As mentioned earlier, there is a \$25 fee charged for each fee waiver granted.

Should City Council determine that City Hall conference rooms are not conducive for meetings by outside organizations, consideration might be given to either allowing (1) monthly fee waivers or (2) a reduction in the room fee for all other months for Costa Mesa homeowner associations. Likewise, this could be expanded to include those agencies and organizations that meet the definition and qualify as government agencies, non-profit organizations or Costa Mesa-based service organizations.

- **Waived Fees**

There are 36 community associations in Costa Mesa. Waiver of fees for use of a room at the NCC by all 36 association groups on a quarterly basis, using the average \$20 hourly fee and two-hour time period, would total \$5,760 per year.

A total of 23 different non-profit groups received fee waivers at the Neighborhood Community Center. Attachment 4 identifies the total amounts of waived fees for qualifying organizations and groups, including a separate column for fees waived for rooms used by the Newport Mesa Unified School District, through the sharing of facilities under an existing joint use agreement.

Attachment 5 notes that two qualifying groups each received a fee waiver (\$25 each) for use of a room at the Balearic Community Center this past year. Waiver of fees on a quarterly basis for all 36 homeowner associations, using the larger, Adobe room, would total \$2,880 per year.

The total amount in fees waived within the past twelve months is \$33,492 at the Neighborhood Community Center and \$50 at the Balearic Community Center.

- **Survey of Surrounding Cities – Use of City Hall Meeting Rooms**

Staff contacted the cities of Fountain Valley, Huntington Beach, Irvine and Newport Beach to determine whether meeting rooms at their city halls were available for use by citizen groups. Attachment 6 is a survey chart noting that Huntington Beach does not allow groups to use their conference rooms, while Fountain Valley and Newport Beach only allow the City Hall Council Chambers to be used by their citizens if no other City facility meeting room is available. Both Fountain Valley and Newport Beach charge for this privilege. Irvine allows groups to rent meeting rooms at their City Hall if public meeting rooms elsewhere are unavailable. For all three cities, no fee waivers are available. The chart also provides information on staffing, staffing costs, and information on meeting rooms at satellite city facilities for all four cities.

Attachment 7 identifies specific information on user groups and rental fees for Fountain Valley, Irvine and Newport Beach. Attachment 8 is correspondence from Dave Stiller, one of the MDM-HOA Board of Directors, requesting whether surrounding cities allow citizen groups to use City Hall meeting rooms.

ALTERNATIVES CONSIDERED:

1. Do not include City Hall conference rooms among those meeting rooms available for outside organizations.
2. Limit use of City Hall conference rooms by outside organizations meeting criteria already established in Council Policy 100-7 to weekday, noon-hour meetings, on a space-available basis; do not charge a room rental fee.
3. Waive room fees for Costa Mesa homeowner association monthly meetings held at the Neighborhood or Balearic Community Centers, with the conditions that the associations comply with all other provisions of Council Policy 100-7, and that meetings conclude within two hours.
4. Reduce room fees by a certain percentage for Costa Mesa homeowner association monthly meetings held at the Neighborhood or Balearic Community Centers, with the conditions that the associations comply with all other provisions of Council Policy 100-7 and that meetings conclude within two hours.
5. Grant the request by the Mesa Del Mar Homeowners Association Board of Directors, and amend Council Policy 100-7 accordingly.

FISCAL REVIEW:

Exhibit “A” attached to Council Policy 100-7 is out of date and is not consistent with the current master User Fees and Charges schedule adopted by resolution of the City Council on January 20, 2004. It would seem more appropriate to have Council Policy 100-7 incorporate the User Fees and Charges schedule by reference. Incorporating the master User Fees and Charges schedule by reference would ensure that the facility rental charges referenced in Council Policy 100-7 are current and updated annually.

Waiver of fees for Neighborhood Associations would negatively affect revenue collections for facility rentals and reduce availability of the facilities for “for fee” activities. Any practice established of waiving fees for Neighborhood Associations for use of City Hall during meeting nights may ultimately be used and applied to activities scheduled at the Neighborhood or Balearic Community Centers, or the Downtown Recreation Center.

The current vendor holding the maintenance contract for City Hall charges the City \$7,086 monthly for an estimated 476.92 hours of work. Maintenance crews typically remain in the facility until all scheduled meetings are concluded. Any additional meetings scheduled in the facility would potentially increase maintenance costs due to “clean-up” costs after the meeting had concluded.

LEGAL REVIEW:

The Acting City Attorney has reviewed this report and determined there are no significant legal issues involved.

CONCLUSION:

City Council is requested to provide direction to both staff and the Mesa Del Mar Homeowners Association as it relates to use of City Hall conference rooms for monthly meetings and waiver of fees, or any further amendments to fees at other City facilities. Additionally, Council Policy 100-7 contains information in Exhibit A that is vague. This Exhibit should either be amended or removed from the Policy. If removed, the Council Policy should be updated to reflect any changes made by City Council, with consideration given to referencing the City’s User Fees and Charges Manual.

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- ATTACHMENTS: A [Council Study Session Report – Meeting of Sept. 13, 2004](#)
1 [Council Policy 100-7, Exhibit A & Resolution 01-11](#)
2 [Letter from Mesa Del Mar HOA Board of Directors](#)
3 [City Hall Council Chambers/Conference Room Usage](#)
4 [Memo from Recreation Division – Neighborhood Comm. Ctr](#)
5 [Memo from Recreation Division – Balearic Comm. Center](#)
6 [Survey of Surrounding Cities – City Hall Meeting Rooms](#)
7 [Fee Information – Fountain Valley, Irvine, Newport Beach](#)
8 [Correspondence from Dave Stiller – Mesa Del Mar HOA](#)

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