

RESOLUTION NO. 06-1133

A RESOLUTION ESTABLISHING THE USE AND FEES FOR THE PUBLIC USE OF THE MEETING ROOMS IN OLATHE CITY HALL AND CITY FACILITIES AND REPEALING RESOLUTION NO. 05-1109.

WHEREAS, the City of Olathe wants to allow the public the ability to use meeting rooms in City Hall, 100 E. Santa Fe and the Community Rooms located in Fire Stations No. 6 and 7; and

WHEREAS, the City of Olathe wants the use of the meeting rooms to be a positive experience for both the City and the public;

WHEREAS, the City of Olathe wants to establish a fee for the use of meeting rooms available to the public; and

WHEREAS, the City of Olathe establishes this resolution to manage the internal operation of its City Hall and City facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS that the following meeting room use and fees are established for City Hall and City facilities:

SECTION ONE: The City of Governor's room(s), Lone Elm room, and the City Hall foyer (hereinafter Rooms or Foyer) in 100 East Santa Fe are to be used to conduct City business and City related programs. After these needs are met, the Rooms or Foyer are available to groups and organizations in accordance with this resolution.

The Council Chamber, the Council Executive Conference Room, and all other meeting rooms not mentioned above in 100 E. Santa Fe are limited to City sponsored or City co-sponsored functions.

The Council workroom in 100 East Santa Fe is limited to City Council functions only. City staff must receive permission from the Council before using the workroom. No food or drink is allowed in the Council Chamber (except for Councilmembers) or by permission of the Facility Maintenance Manager.

The conference and meeting rooms in the Santa Fe Building and North Cherry Building are to be used to conduct City business. They may be reserved and used by (a) members of the Governing Body, (b) committees and groups sponsored by the City, (c) committees and groups with City staff support, (d) City staff members for meetings of professional organizations in which they are active, and (e) groups of City employees for City-related programs.

The Community Rooms located in Fire Stations No. 6 and No. 7 (hereafter Community Rooms) are to be used to conduct City business and City related programs. After these needs are met, the Community Rooms are available to groups and organizations in accordance with this resolution.

SECTION TWO: The City of Olathe will make available the Rooms, Foyer or Community Rooms for use by all non-City groups. Non-residents of the City of Olathe or businesses, corporations or commercial entities are allowed room use privileges. Non-City groups include groups of an educational, cultural, governmental, corporate, business or commercial nature that are not related to political campaigns under the following conditions:

1. The Rooms or Foyer are available and may be scheduled through the City's Facility Maintenance Division up to three (3) months in advance. The Community Rooms are available and may be scheduled through the Fire Department up to three (3) months in advance.

a. A room request must be made in writing on the form provided for that purpose, not less than five (5) days prior to the first desired date of use. Each request shall contain the following information: (a) name of the person or group seeking the room(s); (b) name of sponsoring agency, if any; (c) number of individuals involved or expected; (d) purpose of the use and of the activities planned; (e) nature and description of any events, exhibitions or displays to be held in conjunction with the requested use; (f) the inclusive dates of the use; and (g) a contact person for the group.

b. The City shall, upon review of the request for use by the City's Facility Maintenance Division or the Fire Department, have the option to inquire about the person or group's liability insurance. In the event that satisfactory arrangements for the coverage of potential liability cannot be arranged, any request for use may be denied on that basis. In the event that all or part of a planned Rooms, Foyer, or Community Rooms use poses an unreasonable safety hazard to the person, group or general public, the City may impose such restriction or conditions upon the activity to prevent the hazard. If the person or group seeking to use the Rooms, Foyer or Community Rooms refuses to allow modifications, the City may deny the request for use of the room.

c. All room use requests shall be approved or disapproved within four (4) days of receipt of room use application.

2. Admission fees or registration fees may not be charged at the door for any meetings or programs. Pre-registration fees may not be collected as a requirement to attend the meeting or program. All meetings/programs hosted by outside groups must be open to the public. Groups holding workshops or other

educational functions may not collect a registration fee at the site nor collect pre-registration fees as a requirement to attend the meeting or program.

3. The Rooms, Foyer or Community Rooms are not available for money raising, sale of items, or private functions. "Private functions" include, but are not limited to, the following group types:

- Wedding rehearsal dinners, weddings or wedding receptions
- Birthday or anniversary parties
- Bridal showers
- Family or family type dinners, gatherings, socials or reunions
- School graduation receptions

The prohibition against money raising and sale of items does not apply to City sponsored events or City co-sponsored events.

4. Smoking and/or drinking alcoholic beverages or the promotion of smoking and/or drinking alcoholic beverages is prohibited.

5. The capacity of the City of Governors' Rooms varies with use type. Furniture not already in the room(s), including additional chairs, should not be added to the room(s). All three rooms may be reserved separately or as a group.

6. Light refreshments such as canned beverages, cookies, rolls, etc. may be served in the Rooms, Foyer or Community Rooms. Limited kitchenette facilities are available. No food or food related items may be stored in the kitchenette. An exception will be made for advance meeting preparations. No food preparation is to take place in the Rooms, Foyer or Community Rooms. Groups are required to dispose of any food or food related trash in the provided receptacles, as well as to clean any surfaces adversely affected by the serving of refreshments. Groups are also responsible for any damage to the Room(s), Foyer, Community Rooms or furnishings incurred from the accidental staining from food or drink products.

7. Groups using the Rooms, Foyer or Community Rooms are responsible for setting up. Groups must return the Rooms, Foyer or Community Rooms to the condition it was before the group's use of it. All sound walls must be returned to storage configurations after use. Failure by a group to attend to both of these matters may result in the loss of meeting Rooms, Foyer or Community Rooms privileges and/or security deposit (if applicable). Staff is not available to move furniture.

8. Groups using the Rooms, Foyer or Community Rooms on the weekend may be charged a set up/tear down fee of \$5.00 per 25 people attending the event. This will be determined at the time of room reservation.

9. A courtesy phone is available for public use and calls should be limited to 5 minutes. No long distance access is available.

10. Individuals and groups using the Rooms, Foyer or Community Rooms should be aware of the rights of building visitors and City staff to use the building in an atmosphere conducive to the use of the facility. Excessive noise or activity that interferes with the use of the building is not permitted. The Facility Manager or Fire Department representative maintains the authority to deny use of the Rooms, Foyer or Community Rooms to any group(s) that in her/his judgment will disturb the overall quality of service in the building due to the size or disruptive activity of the meeting.

11. The City does not provide childcare or childcare facilities for any meeting attendees.

12. City programs and meetings will be given first priority for scheduling.

13. Groups with regularly scheduled meetings must reschedule those meetings every three months.

14. No groups or organization may use the building's address or phone number as its official mailing address or headquarters.

15. Meetings in the Rooms, Foyer or Community Rooms must conclude fifteen (15) minutes prior to 9:00 p.m. A group meeting scheduled before the facility opens to the public needs the permission of the Facility Manager or Fire Department representative. Such a meeting may begin up to forty-five (45) minutes before opening Monday through Friday. Weekend use is limited to 9:00 a.m. to 4:00 p.m.

16. More than one reservation per week is allowed for each group; however, the Facility Maintenance Division or Fire Department representative may limit each group to one reservation per week due to limited availability of the Rooms, Foyer or Community Rooms.

17. The City is not responsible for theft of or damage to property brought to the Rooms, Foyer or Community Rooms.

18. The City reserves the right to cancel and/or disallow a use when security issues or emergency situations prevail. Activation of the Emergency Operations Center (EOC) will result in a use being cancelled and/or disallowed.

SECTION THREE: The fee structure for the Rooms, Foyer or Community Rooms by a group varies by need, group type and/or time period. All fees are per hour

of use. All fees or deposits must be in the form of a check. Fees are the same for Room(s), Foyer or Community Rooms. EXCEPTION: The City of Governors' Room, which has three separate rooms that may be combined, shall be billed per room if a single room is requested. If multiple rooms of the City of Governors' Room are requested, the single room rate shall be used. Groups shall be charged no more than the single room rate.

Charges shall apply to the following individual or group categories:

- Category One: Resident(s) of the City of Olathe
- Category Two: Non-Residents of the City of Olathe
- Category Three: Corporations, Businesses or Commercial Entities
- Category Four: Civic Groups
- Category Five: Corporations, Businesses or Commercial Entities not within Olathe City limits

Category One:

- Regular Business Hours (7 a.m. – 5 p.m.; M-F) - \$20/hour
- Prime Hours (5 p.m. – 9:00 p.m.; M-F) - \$20/hour
- Weekend Use: \$30/hour PLUS \$5 per 25 people attending the event

Category Two:

- Regular Business Hours (7 a.m. – 5 p.m.; M-F) - \$40/hour
- Prime Hours (5 p.m. – 9:00 p.m.; M-F) - \$40/hour
- Weekend Use: \$60/hour PLUS \$5 per 25 people attending the event

Category Three:

- Regular Business Hours (7 a.m. – 5 p.m.; M-F) - \$50/hour
- Prime Hours (5 p.m. – 9:00 p.m.; M-F) - \$50/hour
- Weekend Use: \$70/hour PLUS \$5 per 25 people attending the event

Category Four:

- Regular Business Hours (7 a.m. – 5 p.m.; M-F) - \$20/hour
- Prime Hours (5 p.m. – 9:00 p.m.; M-F) - \$20/hour
- Weekend Use: \$30/hour PLUS \$5 per 25 people attending the event

Category Five:

- Regular Business Hours (7 a.m. – 5 p.m.; M-F) - \$60/hour
- Prime Hours (5 p.m. – 9:00 p.m.; M-F) - \$60/hour
- Weekend Use: \$80/hour PLUS \$5 per 25 people attending the event

Groups who are charged the room use fee shall be charged a pre-payable and refundable security deposit of \$100. This must be in the form of a check, which will be held and returned if no damages occur during use of the room or adjacent areas. To cancel the room reservation, notice must be given at least one business day prior to the event. The notice must be given via telephone or e-mail. The security deposit will not be returned if a one business day cancellation notice is not received.

Costs will be assessed to any group or organization responsible for any damage to the Rooms, Foyer or Community Rooms while in their use.

The fees for the use of the Rooms, Foyer or Community Rooms may be waived by the City Manager in the following instances:

1. The group requesting to use the Rooms, Foyer or Community Rooms is a 501(c)(3) non-profit organization or a charitable group; and
2. The group completes an application for fee waiver that is submitted with their application for Rooms, Foyer or Community Rooms use and explaining the request to waive the Rooms, Foyer or Community Rooms fee.

SECTION FOUR: Use of the Rooms, Foyer or Community Rooms by any group or organization does not constitute an endorsement by the City of Olathe of the group's policies or beliefs. The City of Olathe will not knowingly permit any individual or group to use the Rooms, Foyer or Community Rooms in contravention of this resolution, the Olathe Municipal Code, Federal or State law and reserves the right to deny use of the Rooms, Foyer or Community Rooms to any group that knowingly violates this resolution the Olathe Municipal Code, Federal or State law.

SECTION FIVE: Any person or group aggrieved by the denial of the use of the Rooms, Foyer or Community Rooms under this Resolution may appeal to the City Manager within ten (10) days of receipt of the denial.

SECTION SIX: All persons, groups or organizations using the Rooms, Foyer or Community Rooms take the premises "as is" and assume all risk of injury, including death or property damage, to members of the group, organization, event participants, and event spectators which might arise out of activities or out of conditions present on the facilities and groups.

Every person, group or organization using the Rooms, Foyer or Community Rooms shall indemnify, hold harmless and defend the City and its employees from any and all liability or financial loss, costs or expenses resulting from any suits, claims, losses or actions brought against the City and/or employees which results directly or indirectly from the wrongful or negligent actions of any person or group including sponsors, spectators, participants, members, officers, directors or agents.

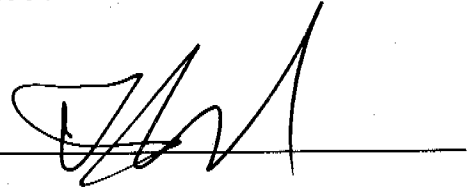
SECTION SEVEN: Resolution No. 05-1109 is hereby repealed.

SECTION EIGHT: This Resolution shall take effect on January 1, 2007.

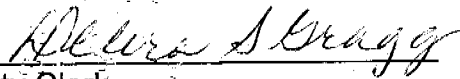
ADOPTED by the Governing Body this 15th day of August, 2006.

SIGNED by the Mayor this 15th day of August, 2006.

Mayor

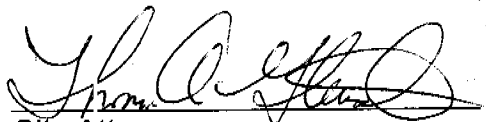
A handwritten signature in black ink, appearing to be 'J. M.', written over a horizontal line.

ATTEST:


City Clerk

(SEAL.)

APPROVED AS TO FORM:


City Attorney