

Denied

**RESOLUTION NO. 02-02-13**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING RESOLUTION 57-08-07 TO REVISE THE FEE REDUCTION SCHEDULE FOR THE RENTAL OF TOWN FACILITIES FOR MEMORIAL SERVICES PERTAINING TO FORMER LAKE PARK MAYORS, LAKE PARK TOWN COMMISSIONERS, OR THEIR SPOUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park, Florida (hereinafter "Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has previously adopted Resolution 57-08-07 establishing a Fee Waiver Criteria and Fee Reduction Schedule for Rental of Town Facilities by governmental entities , non-profit or 501(c)(3) charitable organizations, residents, non-residents, and current Town employees; and

**WHEREAS**, the Town Commission recognizes that it is necessary to make periodic adjustments to the established fee waiver and reduction schedule for the rental of Town facilities in order to accommodate certain types of events; and

**WHEREAS**, the Town Commission has determined that it is in the best interests of public and of the Town to amend Resolution 57-08-07 to revise the Fee Waiver Criteria and Fee Reduction Schedule for Rental of Town Facilities.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS:**

**Section 1.** The whereas clauses are true and correct and are incorporated herein.

**Section 2.** The Town Commission hereby approves the amendment of Resolution 57-08-07 to revise the Fee Waiver Criteria and Fee Reduction Schedule for Rental of Town Facilities as set forth in the attached **Exhibit A**, which is incorporated herein

**Section 3.** This Resolution shall become effective immediately upon adoption.

***FEE WAIVER CRITERIA AND FEE REDUCTION SCHEDULE  
FOR RENTAL OF TOWN FACILITIES***

***Category I (Events Sponsored by Public Sector Organizations)***

This category is for the rental of Town facilities for events sponsored by governmental agencies, such as the Town of Lake Park, or a public school. In order to qualify for this rental fee structure, the agency must complete and submit a completed Town Facility Usage Application Form and a Facility Usage Agreement.

The following is the rental fee waiver reduction schedule for governmental agencies:

- No rental charge for the first event occurring during one calendar year
- A reduction of 50 percent of the facility rental fee only for any additional events occurring during the same calendar year
- All other fees (e.g., the deposit, personnel fee, etc.) will be assessed at 100 percent

The rental of Town facilities by a governmental agency may be approved in advance by the Recreation Director or designee on a case-by-case basis.

***Category II (Events Sponsored by Non-profit or other Charitable Organizations)***

This category is for the rental of Town facilities for events specifically sponsored by legally established non-profit or 501(c)(3) organizations. This category includes organizations such as the Kiwanis of Lake Park, Red Cross, American Cancer Society, Hospice, Lake Park Youth League, and AYSO of Lake Park. In order to qualify for this rental fee structure, the organization must submit the following items along with a completed Town Facility Usage Application Form and a Facility Usage Agreement:

- Non-profit tax identification number; or
- A current copy of the organization's Internal Revenue Service 501(c)(3) Determination Letter; and
- A brief summary of the event's direct benefit to the citizens of Lake Park

The following is the rental fee waiver reduction schedule for non-profit or 501(c)(3) organizations:

- No rental charge for the first three (3) events occurring during one calendar year
- A reduction of 50 percent of the facility rental fee only for any additional events occurring during the same calendar year
- All other fees (e.g., the deposit, personnel fee, etc.) will be assessed at 100 percent

The rental of Town facilities by nonprofit or 501(c)(3) organizations shall be approved in advance by the Recreation Director or designee on a case-by-case basis.

### **Category III (Individual Residents and Nonresidents)**

This category is for rental of Town facilities for events sponsored by individuals who may or may not be residents of the Town of Lake Park, but whose proposed event, in the opinion of the Recreation Director, would directly benefit citizens of the Town of Lake Park.

The following is the rental fee waiver reduction schedule for individual residents and nonresidents:

#### **For Residents:**

- A reduction of 10 percent of the facility rental fee only
- All other fees (e.g., the deposit, personnel fee, etc.) will be assessed at 100 percent

#### **For Nonresidents:**

- No waiver or reduction of the facility rental fee
- All other fees will be assessed at 100 percent

The rental of Town facilities by individual residents and nonresidents may be approved in advance by the Recreation Director on a case-by-case basis.

#### **For Rental by Residents and Nonresidents for Memorial Services for Former Lake Park Mayors, Lake Park Commissioners, or Their Spouses:**

This category is for the rental of Town facilities by individuals who may or may not be current residents of the Town of Lake Park, but who wish to rent Town facilities for the purpose of hosting a memorial service for a former Town of Lake Park Mayor, member of the Lake Park Town Commission, or their spouse. In order to qualify for this rental fee structure, the individual(s) must submit the completed Town Facility Usage Application Form and a Facility Usage Agreement.

- Rental charge waived 100 percent
- Deposit waived 100 percent
- Parking meter fees waived 100 percent (in the event that the memorial service does not occur on a Sunday or any other day for which parking fees have already been waived)

Additionally, the Town Manager shall make Town staff available to assist the individual(s) renting the facility in the set-up of tables and chairs prior to the memorial service and in the breakdown of tables and chairs at the close of the service. The Town Manager shall also assign a member of the Town staff to be in discreet attendance before, during, and after the memorial service as an on-site resource person, to direct and assist the Town staff made available in the clean up of the facility following the services, and to close and secure the facility. The individual(s) renting the facility shall be assessed a fee of \$30 per hour for the assistance of the Town staff.

If any special needs must be addressed, the individual renting the facility should contact the Town of Lake Park no later than one week prior to the event.

An announcement of the memorial service shall be placed on the marquee in front of Town Hall.

The rental of the Town facility for a memorial service for a former Town of Lake Park Mayor, member of the Lake Park Town Commission, or their spouse shall be subject to the prior approval of the Town Manager.

**Current Town Employees**

This category consists of individuals who are currently employed by the Town of Lake Park. Individual(s) shall submit a completed Town Facility Usage Application Form and a Facility Usage Agreement.

The following is the rental fee waiver reduction schedule for current Town employees:

- A reduction of 50 percent of the facility rental fee only for one event per calendar year
- All other fees (e.g., the deposit, personnel fee, cleaning fee etc.) shall be assessed at 100 percent

The rental of Town facilities by current Town employees may be approved in advance by the Recreation Director on a case-by-case basis.

**RESOLUTION NO. 57-08-07**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA ADOPTING NEW CRITERIA FOR FEE WAIVER REDUCTIONS FOR TOWN FACILITIES AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has previously adopted fee waiver and reduction criteria for organizations wishing to rent Town facilities together with a corresponding fee schedule which provides for fee waivers and reductions when Town facilities are rented by organizations who meet the Town established criteria;

**WHEREAS**, the Town Commission recognizes that periodic adjustments must be made to the established fee waiver and reduction fee waiver schedule for qualified organizations in keeping with increased costs and the market in general; and

**WHEREAS**, the Town has determined that it is in the best interests of the Town to adopt both new criteria and a new fee waiver and reduction schedule as set forth in the Fee Waiver Criteria and Fee Reduction Schedule for Rental of Town Facilities (August 2007 edition)", a copy of which are attached hereto and incorporated herein as **Exhibit "A"**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:**

**Section 1.** The foregoing recitals are incorporated herein as true and correct as the findings of fact and conclusions of law of the Town Commission.

**Section 2.** The Town Commission hereby approves the adoption of the revised criteria for qualification for organization discount in the rental of Town facilities, and the fee waiver and reduction schedule for qualified organizations as set forth in the Fee Waiver Criteria and Fee Reduction Schedule for Rental of Town Facilities (August 2007 edition)" attached hereto as **Exhibit "A"**, and Town staff is directed to implement the fees set forth therein commencing upon the effective date of this Resolution.

**Section 3.** This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Commissioner Carey, and upon being put to a roll call vote, the vote was as follows:

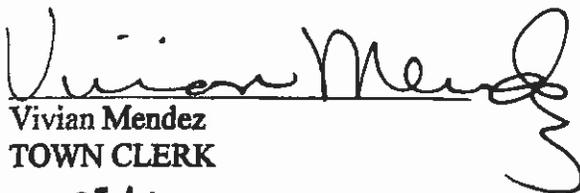
	AYE	NAY
MAYOR PAUL W. CASTRO	<u>X</u>	___
VICE-MAYOR ED DALY	<u>X</u>	___
COMMISSIONER CHUCK BALIUS	<u>X</u>	___
COMMISSIONER JEFF CAREY	<u>X</u>	___
COMMISSIONER PATRICIA OSTERMAN	<u>X</u>	___

The Town Commission thereupon declared the foregoing Resolution NO. 57 -08-07 duly passed and adopted this 26 day of September, 2007.

TOWN OF LAKE PARK, FLORIDA

BY:   
PAUL W. CASTRO  
MAYOR

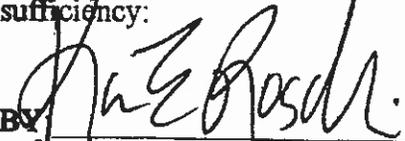
ATTEST:

  
Vivian Mendez  
TOWN CLERK

TOWN OF LAKE PARK  
TOWN SEAL  
SEAL

FLORIDA

Approved as to form and legal  
sufficiency:

BY:   
for THOMAS J. BAIRD  
TOWN ATTORNEY

At its May 16<sup>th</sup> Regular Commission Meeting, the Commission directed that staff develop criteria for fee waiver/reductions for rental of Town facilities, to include Non-Profit Groups. In order to facilitate the development of these criteria, staff has established the following categories for the rental of Town facilities by organizations and individuals:

**Category I (Events Sponsored by Public Sector Organizations)**

This category is for the rental of Town facilities for events specifically sponsored by public agencies such as the Town of Lake Park, public schools and other governmental agencies. This is a new category for which no rental fee structure previously existed. Staff is proposing the following rental fee waiver/reduction schedule for public sector organizations:

- No rental charge for the first event occurring during one calendar year;
- A reduction of 50% of the facility rental fee only for any additional events occurring during the same calendar year;
- All other fees (i.e. the deposit, personnel fee, alcohol fee, etc.) will be assessed at 100%

The rental of Town facilities by public sector organizations will be approved in advance by the Town Manager on a case-by-case basis.

**Category II (Events Sponsored by Non-profit and other Charitable Organizations)**

This category is for the rental of Town facilities for events specifically sponsored by legally established non-profit or other charitable organizations. This category includes organizations such as the Kiwanis of Lake Park, Red Cross, American Cancer Society, Hospice, Lake Park Youth League, and AYSO of Lake Park. In order to qualify for this rental fee structure, the organization must submit the following documentation along with a completed Town Rental Application form:

- A valid and current copy of the organization's IRS Determination Letter;
- A brief summary of the event's direct benefit to the citizens of Lake Park.

This is a pre-existing category for which no rental fee structure previously existed. Staff is proposing the following rental fee waiver/reduction schedule for non-profit and other charitable organizations:

- No rental charge for the first three (3) events occurring during one calendar year;
- A reduction of 50% of the facility rental fee only for any additional events occurring during the same calendar year;
- All other fees (ie the deposit, personnel fee, alcohol fee, etc) will be assessed at 100%

The rental of Town facilities by nonprofit and other charitable organizations shall be approved in advance by the Town Manager on a case-by-case basis.

**Category III (Individual Residents and Nonresidents)**

This category is for rental of Town facilities for events sponsored by individuals who may or may not be residents of the Town of Lake Park, and whose activities in the opinion of the Recreation Director directly benefit citizens of the Town of Lake Park. This is a pre-existing category which previously required full price for either residents or nonresident of Lake Park. Staff is proposing the following rental fee waiver/reduction schedule for residents.

**For Residents:**

- A reduction of 10 percent of the facility rental fee only.
- All other fees (e.g., the deposit, personnel fee, alcohol fee, etc.) will be assessed at 100 percent

**For Nonresidents:**

- No waiver or reduction of the facility rental fee
- All other fees will be assessed at 100 percent

The rental of Town facilities by individual residents and nonresidents shall be approved in advance by the Recreation Director on a case-by-case basis.

**Category IV (Current Town Employees)**

This category consists of individual who are currently employed by the Town of Lake Park. This is a pre-existing category for which previously required 50 percent reduction on rental fee and deposit, but no limit on usage. Staff is proposing the following rental fee waiver/reduction schedule for current Town employees:

- A reduction of 50 percent of the facility rental fee only for one event per calendar year
- All other fees (e.g., the deposit, personnel fee, alcohol fee, cleaning fee etc.) will be assessed at 100 percent

The rental of Town facilities by current Town employees shall be approved in advance by the Recreation Director on a case-by-case basis.

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Staff conducted a survey of neighboring municipalities to determine their facility fee waiver/reduction schedule. The following are the findings from that survey:

***Village of North Palm Beach:***

- All nonprofit groups are charged full price, no fees are reduced.

***Village of Palm Springs:***

- 10% discount for Non-Profit Groups.
- All nonprofit groups must provide current copy of 501(c)(3) or 501(c)(6) documentation

***Town of Jupiter:***

- 10% - 50% discount for nonprofit groups
- All nonprofit groups must provide current copy of 501(c)(3) Tax Exempt Certificate.