

**CITY OF MUKILTEO
RESOLUTION NO. 2011-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MUKILTEO,
SNOHOMISH COUNTY, WASHINGTON, APPROVING AND ADOPTING A
FACILITY USE POLICY**

WHEREAS, the City of Mukilteo ("City") owns certain facilities, including the Council Chambers, which are from time to time used to hold meetings and other events; and

WHEREAS, the City frequently receives requests from private individuals and organizations to use the City's facilities for meetings and other uses unrelated to City business; and

WHEREAS, the City is willing to allow the use of its facilities by private individuals and organizations for non-City business, under certain terms and conditions; and

WHEREAS, City business is a priority, thus, coordination of facility use is important to balance the use between City business and non-City business; and

WHEREAS, use of the City's facilities would work most effectively and fairly by establishing uniform procedures providing for application and authorization of their use.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MUKILETO,
WASHINGTON HEREBY RESOLVES AS FOLLOWS:**

1. The City hereby adopts the Facility Use Policy, including the Facility Use Agreement, attached hereto as **Exhibit A**, which establishes the policies, application procedures and authorization for use of the City's facilities; and
2. The City Administrator or Mayor is hereby authorized and directed to implement the policies relating to the use of City facilities in accordance with the terms of the Facility Use Policy, effective as of the date set forth below.

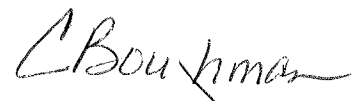
RESOLVED this 25th day of April, 2011.

APPROVED:



MAYOR JOE MARINE

ATTEST/AUTHENTICATED:



CHRISTINA J. BOUGHMAN, CITY CLERK

FILED WITH THE CITY CLERK: 4-25-11
PASSED BY THE CITY COUNCIL: 4-25-11
RESOLUTION NO. 2011-04

EXHIBIT "A"

City of Mukilteo Facility Use Policy

Purpose Statement: Use of City Facilities

1. The City Council establishes policies and procedures that apply to the use of the City's facilities by Mukilteo residents who are private individuals and organizations for non-City business. The term "Facilities" shall include the following locations that are suitable for holding meetings or events: Council Chambers, City Hall Community Room, conference rooms and other City facilities (not covered by specific use policies) that may become available for public use. The City may restrict public access to any City buildings or facilities that not suitable for holding public events.
2. The meetings are to be open to the public.
3. The Mayor, or his designee, is responsible for implementing the procedures and rules set forth in this Policy.
4. Any City business shall take priority over any non-City use of the Facilities. The Mayor or his designee shall have and retain full authority, to cancel scheduled reservations at any time in order to accommodate the City Council, City staff, or other use relating to City business. If such a cancellation is necessary, the City will make a reasonable effort to provide the Applicant with advance notice when possible.
5. Councilmembers may hold "Chime-In's" or meetings for council/city approved projects (i.e. a Councilmember is directed by the City or Council to be part of a group and is operating as an agent of the City in an official capacity) at City facilities as described in section 1. (This item is also referenced in the Rosehill Community Center Use/Rental Policies, as it relates to having meetings at the Rosehill Community Center).
6. Private individuals or organizations that seek to use the City Facilities must execute a Facility Use Agreement with the City as a condition of using the facility at the time that the reservation for the room is made. The City may refuse to accept reservation or permit use of Facilities by persons or groups that have previously failed to abide by the terms of the Use Agreement and/or this Policy, or have been "no show" at reserved Facilities.
7. The days and times that Facilities are available for public use shall be established by the City departments and employees designated as being responsible for scheduling the use of the Facilities. Use of the Council Chambers shall be available on weekdays and weekend use, between the hours of 8:00 a.m. and 10:00 p.m.
8. Scheduling the use of any Facilities shall be done by the applicable City department or designated employee(s) of the Facilities. Reservations for the use of Facilities may not be scheduled more than one year in advance. Current or past use is not a guarantee of future use. At the time of reservation, applicant shall acknowledge the following:
 - (a) reservations are not guaranteed and therefore are subject to cancellation or rescheduling at the discretion of the City;
 - (b) a reservation is no assurance that the reserved facility will be available;
 - (c) agree to release, indemnify and hold harmless the City from all liabilities related to the reservation, cancellation or rescheduling thereof, or use of the Facilities.

9. The Facilities shall not be used for any commercial activities (regardless of whether the commercial activity is for profit or not-for-profit), including but not limited to fund raising, advertising, or promoting or selling goods and/or services.
10. The Facilities shall not be used to promote any activity that is in violation of federal, state, or local laws, including but not limited to use and activities that are prohibited at facilities that are publicly owned by local government. This provision shall not be interpreted to prohibit the use of the Facilities for political purposes (e.g., political party meetings, debates, voter information forums) provided that the Facilities are made available on a nondiscriminatory, equal access basis to all groups.
11. Individuals or organizations using the Facilities shall not charge admission or other fees to their attendees.
12. Individuals or organizations using the Facilities shall be responsible for any and all damages to the Facilities, or furniture, equipment, etc. therein. The Facilities shall be cleaned and returned to the City in the same condition as they were prior to the use. The electronic equipment and podium in the City Council Chambers is not to be used or moved under any circumstances.
13. If the Facilities are used for other than a meeting, individuals or organizations using the Facilities shall obtain valid and current bodily injury and property damage liability insurance as described in the Facility Use Agreement. The insurance requirement may be waived for any use by another government agency property.
14. Individuals or organizations using the Facilities agree to hold the City of Mukilteo, and all of the City's officials, officers, employees, and agents, harmless from any and all claims by any person or entity arising from the use of the Facilities, except for damages caused directly by the City's negligence.
15. The individual or organization using the Facilities must not discriminate on the basis of race, creed, color, national origin, sex, age, religion, disability, marital or veteran status, or any other basis that is protected under federal, state, or local laws.
16. Authorized use shall be limited to use of the Facilities as specified and agreed to in the City's Facility Use Agreement.
17. Unless otherwise authorized by the City Council, the Facilities shall be made available for use without a rental fee. Fees and deposits, if any, shall be identified on their respective Facility Use Agreement.
18. Smoking and consumption of alcoholic beverages are prohibited in City Facilities

Facility Use Agreement Procedures and Application

Today's Date: _____	<u>Please Check One</u>
Date of Use: _____	Council Chambers <input type="checkbox"/>
Time: _____ AM/PM To _____ AM/PM	(Capacity 50-60)
	Community Mtg. Rm. <input type="checkbox"/>
	(Capacity 10)
Event/Purpose: _____	Other: _____ <input type="checkbox"/>
Group/Organization Name: _____	
Contact Person: _____	Phone #: _____
Address: _____	
Email Address: _____	

Use of these rooms shall be prioritized as follows:

Category 1 – City Activities - Use of the facilities by City government functions and other City sponsored activities.

Category 2 – Non-City Government Agencies, not-for-profit organizations, service groups, schools, or other government organizations and activities, and non-commercial groups. Available rooms will be scheduled on a first come first served basis.

The space is intended to provide, as a free public service, a meeting place for a wide variety of community groups. It is intended for specific events rather than for regularly scheduled, on-going meetings. Scheduling will be limited where necessary to ensure equitable access to the facilities for the entire community.

ELIGIBILITY TO USE ROOMS:

1. The meeting must be open to the public.
2. No admission fees may be charged. No commercial products or services may be advertised, solicited or sold.
3. Applicants must be at least 18 years of age.

RULES AND REQUIREMENTS:

1. Meetings are not to disrupt the daily routine of the City.
2. You must pick up a key for the facility you are reserving between 7:30 AM - 5:00 PM; Monday through Thursday, Friday 7:30AM-4:30PM at City Hall located at 11930 Cyrus Way or by calling (425) 263-8000.
3. Groups must return tables and chairs to the original arrangement.
4. The audio/visual equipment, computers, podium and any other equipment located in Council Chambers are not to be moved or disturbed in anyway. The applicant will be held responsible for any cost relating to damages to our equipment.
5. Groups may only enter and exit the building from the public doors. Doors may not be propped open. If there is a need for the door to be unlocked for a period of time, a key will be provided to unlock one of the front doors. If unlocked it will be the responsibility of the user to relock the door and secure the building. Failure to secure the building may result in loss of future building use. Emergency exits cannot be blocked.
6. Reservations are only accepted for the current month and two calendar months in advance. (For example starting September 15th, rooms may be reserved through November 30th.)
7. All publicity and advertising for meetings and events must contain the words: "This event is not sponsored by the City of Mukilteo." (The provision of meeting rooms for public use does not constitute City endorsement of the beliefs or ideas expressed by organizations or individuals using the space.)
8. Meeting rooms may be reserved for the hours between 8:00 AM and 10:00 PM. Set-up and clean-up must be done within the hours reserved. Users assume responsibility for clean-up immediately following the meeting and assume responsibility for any damage to City property resulting from their use of City facilities. The City may assess charges for damage or cleaning.
9. Smoking and alcoholic beverages are prohibited in City facilities. Facilities shall not be used for any activity in violation of federal, state or local laws.
10. Storage for supplies or equipment cannot be provided.
11. The City does not assume liability for injuries or damage to personal property which occur as a result of the actions of the sponsors or participants in meetings scheduled in City facilities.
12. If the Facilities are used for other than a meeting, individuals or organizations using the Facilities shall obtain valid and current bodily injury and property damage liability insurance as described in the Facility Use Agreement. The insurance requirement may be waived for any use by another government agency property.
15. Please notify City Hall if a meeting is canceled (425-263-8000).

CIRCUMSTANCES BY WHICH RESERVATIONS MAY BE CANCELED BY THE CITY:

1. The applicant provides false or misleading information.
2. An individual or group, willfully, or through gross negligence, mistreats the equipment or facilities or violates any regulations of the City.
3. The City retains the right to deny the space to any user whose planned use of the space does not comply with these terms or applicable City policy. Violation of these terms may result in denial of future access to the space.
4. For any other reason at the discretion and convenience of the City.

IF YOU HAVE A PROBLEM WITH THE KEY CARD OR KEY TO UNLOCK THE DOOR:

1. Between the hours of 5:00 & 8:30 pm Monday – Thursday, call 425-238-5124. All other times & Weekends/holidays call 425-255-6895.

I have read and understand the requirements of this Agreement and the City Meeting Room Policy and hereby agree to all sections of both. Further, I agree that the City of Mukilteo agents, employees, and directors shall not be liable for any damage to person or property by reason of the negligent acts of Applicant, its agents, employees, invitees, or subcontractors. Applicant agrees to protect indemnify for costs, legal and other expenses, and hold harmless the City of Mukilteo and its officers, employees, directors and agents from claims, liabilities, or suits arising out of injury to person or property.

Applicant Signature

Title

Date

FOR CITY USE ONLY

Staff Approval _____

Date _____

Cdd/forms/council chambers and community meeting room updated.doc 02/04/2011.dd