
Administrative Procedure
Chapter 6 – Business & Fiscal Affairs

AP 6700 CIVIC CENTER AND OTHER FACILITIES USE

References:

Education Code Sections 82537 and 82542;
Public Resources Code Section 42648.3;
Title 5 Sections 59601 et seq.;
Clark v. Community For Creative Non–Violence (1984) 468 U.S. 288, 104 S.Ct. 3065, 82 L.Ed.2d 221

The Sr. Director of Facilities, under the direction of the Vice President, Administrative Services, shall be responsible for administering these procedures.

General Provisions

District facilities identified as Civic Centers or as designated public forums are available for community use when such use does not conflict with District programs and operations. Facility use shall be limited to places and times identified by the Senior Director of Facilities, but shall be sufficiently frequent, and available on specific dates and times, so as to allow meaningful use by outside groups. Except as provided in these procedures, or as authorized by law, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken during the use.

The Sr. Director of Facilities is responsible for the coordination and implementation of these procedures. The Sr. Director of Facilities shall determine all applicable fees to be charged.

Outside the designated public forum areas, the following shall apply: All user groups shall be required to provide the District with a hold harmless and indemnification agreement acknowledging that they will be financially responsible for any losses, damages, or injuries incurred by any person as a result of their use of the facilities. All user groups shall also be required to provide a certificate of insurance with limits acceptable to the District and/or other proof of financial responsibility acceptable to the District. All users shall also be required to comply with all relevant District requirements and limitations on use and with District Board Policies and Administrative Procedures.

Civic Centers

Eligible persons or groups may use District buildings or grounds designated as the Civic Center for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or public interest, subject to this procedure.

The groups identified in Education Code Section 82542(a) will be permitted, “when an alternative location is not available,” as described in the statute, to use District facilities upon payment only of the following:

- the cost of opening and closing the facilities, if no District employees would otherwise be available to perform that function as a part of their normal duties;
- the cost of a District employee’s presence during the organization’s use of the facilities if it is determined that the supervision is needed, and if that employee would not otherwise be present as part of his/her/their normal duties;
- the cost of custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian’s normal duties; and
- the cost of utilities directly attributable to the organization’s use of the facilities.

Except as provided herein, other groups shall be charged an amount not to exceed the direct costs of District facilities. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid District employees necessitated by the organization’s use of District facilities. Additionally, except for classroom-based programs that operate after school hours and organizations retained by the college or District to provide instruction or instructional activities to students during school hours, direct costs shall also include the costs for maintenance, repair, restoration, and refurbishment of college facilities and grounds used by the group.

The District shall maintain a fee schedule adopted by the Board that includes the hourly fee for each specific school facility and grounds.

The following shall be charged fair rental value for the use of District facilities:

- Any church or religious organization for the conduct of religious services, which may be conducted for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.
- Entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the District or for charitable purposes.

The American Red Cross or other public agencies may use District facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare, and the District will cooperate with these agencies in furnishing and maintaining services deemed by the Board of Trustees to be necessary to meet the needs of the community.

Rules for Facilities Use

Unless part of a District-operated program, overnight camping on District facilities, including in the designated public forum areas, is prohibited. No person or organization may use any District facility for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making any fire, or using any

tents or other structure for sleeping, or doing any digging or earth breaking, or carrying on cooking activities.

Any persons applying for use of District property on behalf of any groups shall be a member of the groups and, unless he/she/they is an officer of the group, must present written authorization to represent the group. Each person signing an application shall, as a condition of use, agree to be held financially responsible in the case of loss or damage to District property.

The District may require security personnel at the cost of the requestor, as a condition of use whenever it is deemed to be in the District's best interests.

No person applying for use of District property shall be issued a key to District facilities.

Future facility requests may be denied on grounds including, but not limited to, abuse or misuse of District property and failure to pay promptly for any damage to District property.

No controlled substances, or tobacco *in any form* shall be brought onto the property of the District. Persons under the influence of controlled substances shall be denied participation in any activity. Alcohol may be used only upon the approval of the Sr. Director of Facilities and in accordance with District requirements and legal restrictions.

Affiliated Organizations

- A. Affiliated organizations described below do not pay a fee for the use of District facilities:
 - 1. Long Beach City College student groups under the supervision of staff advisors.
 - 2. Educational organizations, to which members of the college staff belong (i.e., academic senate, classified senate, ACCCA, BOSCCC).

Unaffiliated Organizations

For charging purposes, unaffiliated organizations fall into one of three categories:

- A. Civic groups (i.e., NAACP, Boys/Girls Club, and Boy Scouts) may use the District's facilities to engage in supervised recreational activities or to meet to discuss any subjects that relate to the educational, political, economic, artistic, or moral interests of the citizens. These events shall be free and open to the public. All groups and organizations that have events shall qualify under the provisions of the Civic Center Act.
- B. Non-profit organizations and religious groups may use District facilities for fundraising and/or commercial activities. When this applies to organizations that charge admission fees or solicit contributions, the net proceeds must be used for the direct welfare of the students of the district or for charitable

purposes sponsored by established non-profit organizations. A copy of the I.R.S. letter indicating the organization's tax exempt status pursuant to Section 501(c)(3) of the tax code must be provided for organizations claiming non-profit status.

- C. For-profit organizations may use District facilities for fundraising and/or commercial activities. This also applies to non-profit organizations that charge admission fees or solicit contributions with the net proceeds destined for other than the direct welfare or charitable purposes affecting students of the District.

Periods of Use

Multi-year contracts may be granted, with approval of the District.

- A. Special events and long-term facility uses will be considered on a case-by-case basis by the District. Requests should be submitted through the Facilities Business Manager.
- B. Limitations for use by religious groups shall be governed by the Civic Center Act.

Fees

- A. The Board of Trustees shall periodically revise the Fee Schedule, which shall govern the fees assessed to all organizations that use District facilities. The Fee Schedule includes rates for non-profit and for-profit groups and is available on the District's website.
- B. Affiliated organizations engaged in the activities enumerated above shall not be charged a fee for the use of District facilities, but may be required to reimburse the District for any extra staffing costs incurred by the District in support of the group's activities.
- C. Unaffiliated organizations engaged in the activities enumerated above shall not be charged a fee for the use of District facilities.
- D. Unaffiliated organizations engaged in the activities enumerated above will be assessed a fee to reimburse the District for the direct costs. These fees are listed under the non-profit rate on the Fee Schedule. Rates may be prorated and assessed at a level deemed appropriate when events utilize partial areas of facilities.
- E. Unaffiliated organizations enumerated above shall be charged a fair rental value. These fees are listed under the fair rental rate on the Fee Schedule. Rates may be prorated and assessed at a level deemed appropriate when events utilize partial areas of facilities.

- F. A charge of \$50 will be assessed on all returned checks.
- G. Any organization with outstanding financial obligations to the District, relating to its use of District facilities, shall forfeit its priority ranking for the facility use reservation of dates and shall not be granted any additional reservations until the financial obligation is met.

Provisions for Use of Facilities

- A. Applications for use of District facilities may be obtained from the Facilities Rental Office located at Veteran's Stadium or the District Facilities office. The Use of Facilities Contract contains specific provisions that must be met prior to facility use.
 - 1. Permittee must sign a Pre-Event Checklist form. Failure to do so may result in the cancellation of a Facility Use Permit.
 - 2. Permittee must provide all required documents no later than fifteen (15) days prior to an event.
- B. All equipment and facilities to be used must be listed on the Application for Use of District Facilities form (e.g. audio visual equipment, special equipment, custodial service, table/chair set-up, etc). Facility use requests must be made at least fifteen (15) working days prior to the event date. Unusual or special setup requests (tables, chairs, gym seating/layout, etc.) must be scheduled at least seventy-two (72) working hours in advance with the District Facilities Department.
- C. All organizations not affiliated with the college shall be required to enter into the Use of District Facilities Contract and indemnify and hold harmless Long Beach Community College District and meet insurance requirements including naming Long Beach Community College District and its Board of Trustees as additional insureds. General liability coverage shall be \$1,000,000 per occurrence with \$2,000,000 aggregate with a 30-day notice of cancellation. An endorsement page is required. Insurance documents must be sent or faxed to LBCCD from the insurance broker, not directly from the permittee.
- D. Whenever a District employee co-sponsors an event with an off-campus group, such event shall be treated as an unaffiliated organization event and shall be subject to contract requirements and normal facility use fees.
- E. Facility use fees and equipment/staffing costs are outlined in the Fee Schedule. Tables/chairs/media services and various other equipment will be charged according to the Fee Schedule.
 - 1. A deposit up to 50% of the estimated costs for an event may be required prior to any use of facilities. The District reserves the right to require full

payment for all anticipated fees for events up to twenty (20) days in advance at the discretion of the District.

2. Staffing fees for holiday events will be charged at an overtime rate.
 3. Additional fees may be charged for custodial services, parking lot sweeping and other required cleanup.
- F. Priorities for use of facilities shall be managed in such a way that no group will monopolize a facility.
- G. At least one authorized District employee shall be on duty whenever a facility is being used. Such employee shall be in charge of facility use and will report any damage or problems and may request law enforcement support if necessary. The District shall determine when management or skilled college personnel must be present and will assess charges accordingly.
- H. Any youth group or other organization using facilities must have a responsible adult sponsor present at all times during facility use, providing adequate and effective supervision.
- I. The group or organization using the facilities will be liable for any damage to or destruction of District property. The permittee shall be fully responsible for damage to District property and equipment. Fees will be assessed for all damages and repairs required to restore said facility and equipment to its original condition. The District reserves the right to request a damage deposit from the permittee.
- J. No alcoholic beverages are permitted in any form on college property at any time. Exceptions for District Foundation events and specially permitted events at Veterans Stadium require the authorization of the Vice President of Administrative Services. Any unauthorized use of alcoholic beverages by any individual, group or organization, will be reported immediately to the local law enforcement agency and, if necessary, the event will be immediately shut down.
- K. The group or organization contracting for the use of facilities is responsible for preservation of order and enforcement of all procedures pertaining to the use of college facilities.
- L. The use of signage and decorations must be approved by the Facilities Business Manager and shall be flameproof and erected and used in such a manner that no damage is caused to college property. All signage and decorations must be removed immediately following the event or the permittee will be charged extra labor fees for cleanup. Decorations shall not be attached to any painted surfaces.

- M. All groups or organizations must provide adequate security as required by the District. Security needs are evaluated by the District for each facility use and the District reserves the right to specify a greater level of security or law enforcement protection for events. A detailed Security Plan with a fairly accurate estimate of the number of event attendees may be required at the District's discretion.
- N. Parking: Parking is enforced 24/7 and vehicles not displaying a valid parking permit will be cited. All groups, organizations, staff and participants shall adhere to posted parking regulations. No parking is allowed on any walkways or sidewalks without prior District approval. Violators shall be subject to ticketing and/or towing at the vehicle owner's expense. If an event includes the permittee paying to rent the parking lot, the permittee has the option of charging or not charging its customers/participants for parking. The District will not provide staffing support for the collection of parking entrance fees.
- O. Selling auto parts is prohibited, unless administratively waived in writing by the District.
- P. Playing music (live, DJ, recorded or other) is prohibited, unless administratively waived in writing by the District.
- Q. Food and/or beverages are not allowed in District facilities without prior approval by the Facilities Business Manager. At the time of application, the organization must inform the District if food service is required for an event and the college will arrange for its concessionaire to provide such service.
 - 1. Selling or serving food and beverages, or allowing cooking or barbecuing or food brought in from the outside by participants is prohibited, unless administratively waived in writing by the District.
 - 2. Food and/or beverages are prohibited in the gymnasiums at any time.
 - 3. Smoking is not permitted in any building or facility on campus nor within fifty (50) feet of buildings. Smoking is prohibited in Veteran's Stadium.
- R. Special Regulations - All Weather Track Surface and Artificial Turf Field
 - 1. Gasoline/diesel or electric carts are not to be operated on the track surface (emergency vehicles excepted).
 - 2. Heavy equipment, heavy items, stools or any object with sharp or tapered protrusions are not to be used directly on the track. The permittee must provide plywood or some type of approved protection for the track surface.
 - 3. Track athletes must use 3/16" spikes or smaller on their running shoes.

4. Gas powered remote controlled model aircraft are not to be operated in or around the track or athletic fields.
5. Any use of the artificial turf field requires the authorization of the Facilities Business Manager.
- S. All events shall conform to all city, county, and state ordinances and fire regulations.
- T. All concerts and carnivals are prohibited on campus except District functions.
- U. Failure to meet deadlines for signing of permit, paying deposits and/or meeting all insurance requirements will be cause for cancellation of approval to use college facilities.

Utilization of Veterans Stadium

- A. Reservations for events at Veterans Stadium shall be made using a tier system in the following priority:
 1. TIER 1:
 - (a) Long Beach Community College District Instructional Programs - No Permit Fees Charged - District Insured.
 - Approved classes with instructor present (no permit needed but calendared).
 - Scheduled athletic contests with coach present (no permit needed but calendared).
 2. TIER 2:
 - (a) Approved Long Beach Community College District Instructional Programs - No Permit Fees Charged.
 - Approved ASB Organizations/Clubs - sponsor must be present - District insured.
 - District Approved Summer Recreation Program - staff must be present - District insured.
 - Coach Sponsored Community Youth Groups - coach must be present - Insurance required from Youth Group
 3. TIER 3:
 - (a) Community Based Non-Profit Groups - Non-Profit Rates Charged.

- Coach/Staff Approved Community Youth Groups - Coach not present - Insurance required from Youth Group
- Other Non-Profit Groups (i.e. AYSO, Pop-Warner, Local Schools, etc.) - Insurance required

4. TIER 4:

(a) Private and For-Profit Groups - Regular Rates Charged - Insurance Required.

- Commercial film shoots and film crews
- For-Profit groups
- Professional athletic teams

- B. The stadium, like all District facilities, shall be primarily utilized for the instructional and athletic programs of the college.
- C. In order to prioritize as specified above to apply, reservations for football games must be received as soon as possible, but no later than by March 1 of each year. Reservations for commencement ceremonies must be received as soon as possible, but no later than January 1 of each year
- D. Reservations for commencements received after the deadlines specified above shall be considered on a case-by-case basis as long as they do not affect the District's academic programs.

Violations or abuse of any portion of these procedures may result in immediate cancellation of an event at the discretion of the Facilities Business Manager. Additional fees may be charged and restriction of the permittee from future facility use shall be determined by the District.

Waiver authority for these procedures resides with the District Director, Facilities or Vice President, Administrative Services. All waiver requests shall be submitted to the Facilities Business Manager.

Also see BP 6700 Civic Center and Other Facilities Use.

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(Replaces former LBCC AR 7001)