TOWN OF LOS GATOS CALIFORNIA

COUNCIL POLICY MANUAL

Small Town Service *Community Stewardship* *Future Focus*

TITLE: Town Facilities Use	**POLICY NUMBER:** 1-04
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APPROVED:	

PURPOSE

To establish a policy for managing the use of the Town of Los Gatos facilities by the general public, for official Town business, and for governmental agencies, which will:

1. Preserve core Town functions.
2. Provide for public access and use of civic facilities.
3. Facilitate and coordinate multiple uses of civic facilities.

SCOPE

Guiding Principles

1. Civic facilities are intended to be used primarily for administrative operations of Town programs, and by the Town for the community. Therefore, official Town business, programs, and activities shall have priority use of all civic facilities.
2. Civic facilities are further intended to serve as a hub of civic and cultural activity and a major gathering center for community meetings and an active program of outdoor events.
3. Designated portions of the civic facilities may be used by the public for events including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.
4. It is the Town's intent to provide spaces that are affordable and accessible for cultural, civic, and celebratory activities, without compromising security and official Town business needs.

POLICY

Policy Overview

1. The Town Council will establish the Town Facilities Use Policy. The Town Manager and his or her designee will issue permits and use agreements for events, and act as the final authority for the application of the Policy.
2. The Town Manager's Office is responsible for the day-to-day operation of scheduling and administering facilities' reservations.
3. The granting of permission to use any civic facility shall not in any way constitute an endorsement of the views of the persons and/or group reserving the facility.
4. Users of civic facilities for events will be required to obtain a special event permit and comply with all requirements set forth in this Town Facilities Use Policy.
5. All civic facility use reservations shall be made subject to the condition that the Town maintains the right to cancel or change any reservation if civic facilities are needed for official Town business. In no event shall the Town have any liability whatsoever for any cancellation made under the Town's authority to do so.
6. Use of civic facilities must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to immediately adjacent properties.
7. Private parties are not allowed (such as a wedding reception).
8. Town approved non-profit fundraising activities are allowed in/on Town facilities with an appropriate permit, or license issued by the Town, or provided in an agreement or Conditional Use Permit with the Town.
9. The roping off of a portion of a civic facility to create an exclusive section is permissible with an approved special event permit as long as the majority of the facility is open and accessible to the public.
10. Separate Council approved use agreements may supersede this Policy. Where conflicts in terms or conditions arise, the use agreement will prevail.

Public Use – Civic Facilities

A. Civic Center Lawn, Deck, and Stairs

The Civic Center lawn, deck, and stairs are focal points for the Town of Los Gatos Civic Center. These areas shall be used as the regular location for community gatherings and events free and open to all members of the public including concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance by submitting an

application for a special event permit, and Release of Liability. All required paperwork must be submitted with original signatures.

2. Scheduled events must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to immediately adjacent properties.
3. The following must be submitted and approved no later than two months prior to the scheduled event:
   a. Special Event Permit Application or Town agreement.
   b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, $1,000,000 liability insurance.
   c. Release of Liability, Assumption of Risk and Indemnity Agreement.
   d. Complete payment of all applicable fees and charges for use as established within the Municipal Code and are contained in the Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos."

B. Civic Center West Patio

The Civic Center West Patio (located at outside of the building at 106 and 108 E. Main Street) shall be used as the regular location for community gatherings and events open to all members of the public for the purposes of celebration, education, or cultural enrichment. For consistency with previous Town Council approvals, Civic Center West Patio may also be referred to as the Sculpture Garden.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance by submitting an application for a special event permit and Release of Liability. All required paperwork must be submitted with original signatures.
2. Private events are not allowed with the exception of approved events hosted by the tenants of 106 and 108 East Main Street as stated in tenant lease agreements.
3. Scheduled events must not interfere with the conduct of official Town business or be unduly disruptive to others present in Town Hall or to immediately adjacent properties.
4. The following must be submitted and approved consistent with Town Code:
   a. Special event permit application or Town agreement.
   b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, $1,000,000 liability insurance.
   c. Release of Liability, Assumption of Risk and Indemnity Agreement

d. Complete payment of all applicable fees and charges for use as established within the Municipal Code and are contained in the Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos."

C. Council Chambers

The Town Council Chambers may be reserved by federal, state, county, and municipal agencies, and schools for activities that benefit Los Gatos residents and students. The Town Council Chambers may also be reserved by agencies providing government education programs. A reservation of the Chambers includes access to the Chambers Lobby.

1. The Town may grant permission to use the Town Council Chambers in the following priority order:
   a. Town Council/Board, Commission, and Committees, including ceremonial events
   b. Town Departments
   c. Town established Organizations and Committees (in which Town employees or Town officials participate)
   d. Government Agencies and Officials
   e. Non-profit organizations that are related to Town business or are hosting events that are associated with a government purpose.
   f. Private events are not allowed with the exception of approved events hosted by the tenants of 106 and 108 East Main Street as stated in tenant lease agreements.
2. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to six months in advance by submitting an Application, and Release of Liability. All required paperwork must be submitted with original signatures.
3. The following must be submitted and approved no later than two weeks prior to the scheduled event:
   a. Application for Use of Room
   b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, $1,000,000 liability insurance
   c. Release of Liability, Assumption of Risk and Indemnity Agreement
4. During the evenings (after 5 p.m.), on the weekends (Saturdays and Sundays), and on Holidays, all users will be charged a Facility Use Fee and other applicable charges for Town services as set forth in the Fee Schedule, unless the meeting or event is for official Town business, and the meeting or event is planned, managed, and led by the Town Council or Town Department.

5. A Building Attendant is required for all meetings regardless of meeting time or size. The Town will schedule the Building Attendant and invoice the applicant for the actual time scheduled. The Building Attendant will be responsible for the opening and closing of the facility and overseeing that the room is returned to its original condition.
6. Use is limited to a maximum of ten hours, per event, subject to other scheduled events, or Town use.
7. Groups composed of minors must be supervised by at least one (1) adult for every ten (10) children under the age of 18 at all times while they are using the facility.
8. Alcohol is not permitted in the Council Chambers or Lobby.
9. Applicants are responsible for setting up before and cleaning up after each event in the Chambers. Applicants shall be responsible for removing all personal property, owned or rented, prior to vacating the facility.
    a. Absolutely no open flames are allowed in the Chambers or Lobby.
    b. No foreign substance may be applied to the floor, walls, or ceiling (this includes decorations).
    c. No rice, birdseed, confetti, etc., may be thrown in or around the Town Council Chambers or Lobby.
    d. Gambling or wagering is prohibited.
10. Pursuant to state and federal law and Town Council Resolution 2017-24, the use of the Town Council Chambers will not be restricted because of age, sex, color, race, marital status, sexual orientation, ancestry, physical or mental disability, medical condition, religion, place of national origin, or any other basis prohibited by law or Town resolution or policy.
11. Any exceptions to the use regulations must be approved, in writing, by the Town Manager.

D. Council Chambers Lobby (as a stand alone facility)

The Council Chambers Lobby located within Town Hall shall be used for conducting Town related business only.

1. The Town may grant permission to use the Council Chambers Lobby in the following priority order:
    a. Town Council and Town Council Committees
    b. Planning Commission
    c. Other Town Boards, Committees, and Commissions
    d. Town Departments

E. Civic Facilities Conference and Meeting Rooms

Conference and Meeting Rooms located within Town Hall, the Library, the Police Operations Building, and the Parks and Public Works Corporation Yard shall be used solely for conducting official Town business.

1. The Town may grant permission to use the Meeting Rooms in the following priority order:
   a. Town Council and Town Council Committees
   b. Planning Commission
   c. Other Town Boards, Committees, and Commissions
   d. Town Departments

F. Town Plaza Park and Oak Meadow Park

Town Plaza Park and Oak Meadow Park, as focal points for the Town of Los Gatos, shall be predominantly used as a location for free gatherings that are open to the public. Events allowed include concerts, festivals, ceremonies, or other similar activity for the purposes of celebration, education or cultural enrichment.

1. Reservations are processed on a "first come, first served" basis. A tentative reservation may be made up to one year in advance by submitting an application for a Park Use Permit and/or a Special Event Permit, and Release of Liability. All required paperwork must be submitted with original signatures.
2. Events are limited to one event per week.
3. No event may completely overtake the park. The park must always remain accessible to the public.
4. Private events (outside of Town designated reservable spaces as identified below) and fee for entrance events are not allowed. Incidental item sales may be allowed if they are consistent with the event activities, as approved.
5. Reservable spaces may include the Oak Meadow Bandstand, Oak Meadow picnic areas, Oak Meadow horseshoe pits, and other similar areas as designated by the Director of Parks and Public Works.
6. Public entrances to the event venue must remain open during all times of the event. This includes gates, roads, sidewalks, pathways, and parking lots. If shuttle buses are approved, the parking lot may be closed with a parking attendant present. Parking spots cannot be reserved, unless to increase handicap spots.
7. Events beyond the scope of the Town's Special Event Permit shall require a Town agreement and receive Town Council approval.

8. The following must be submitted and approved no later than six months prior to the scheduled event:
    a. Park Use Permit, Special Event Permit Application, or Town Agreement.
    b. Certificate of Insurance and Endorsement, naming the Town as an additional insured and making coverage primary, $1,000,000 liability insurance.
    c. Release of Liability, Assumption of Risk and Indemnity Agreement.
    d. Complete payment of all applicable fees, deposits, and charges for use as established within the Municipal Code, Park Use Fees, and as contained in the Town's Fee Schedule. All checks are to be made payable to "The Town of Los Gatos."

APPROVED AS TO FORM:

Robert Schultz, Town Attorney