

RESOLUTION NO. 2002-2473T

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING GUIDELINES FOR THE APPROVAL OF RENTAL FEE WAIVERS REQUESTED BY QUALIFIED GROUPS, ORGANIZATIONS OR OTHER USERS OF THE MIAMI BEACH PARKS AND RECREATION DEPARTMENT'S PARKS AND RECREATION FACILITIES AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO IMPLEMENT SAID GUIDELINES.

WHEREAS, the Parks and Recreation Department's recreational facilities are regularly being utilized by various groups and organizations for activities including but not limited to cultural performances and presentations, educational activities, fund raising events, community meetings and other activities that benefit our residents; and

WHEREAS, often times these users request a waiver of the rental fee; and

WHEREAS, in the past the Administration, via the Parks and Recreation Department have approved fee waivers for the use of Parks and Recreational Facilities (including, but not limited to specific parks, fields, multi use courts, community centers, bandshells, theater and open space areas) for Miami Beach and non Miami Beach Community Groups, based on a policy recommendation approved by the City Manager in October of 1984; and

WHEREAS, based on the increasing number of rental fee waiver requests and the Administration's desire to formalize a rental fee waiver process the Parks and Recreation Department in conjunction with the Parks and Recreational Facilities Board began to review this issue and develop a set of guidelines they recommend be following when considering such a request; and

WHEREAS, a presentation and discussion was held at the September 21, 2000, meeting of the Finance and Citywide Projects Committee and at that time the Committee was informed of the direction this matter was taking and supported the Administration proceeding with the plan; and

WHEREAS, this process continued at the Parks and Recreational Facilities Board meeting on February 14, 2001, when the Board reviewed and voted unanimously to recommend the fee waivers guidelines as presented be implemented; and

WHEREAS, the review process concluded at a joint meeting of the Finance & Citywide Projects Committee and Community Affairs Committee held on December 12, 2001 with the Members recommending the acceptance of the guidelines with minimal modifications which are now incorporated in guidelines; and

WHEREAS, the following are the guidelines for rental waivers as recommended:

Guidelines for Rent Waiver Consideration

A group seeking any adjustment of waiver of cost or rent must first submit a written request to the City's Parks and Recreation Department for consideration and recommendation for approval from the Administration (the City Manager or his designee).

The group must submit a detailed written description of the event, its history, and why the request should be considered for adjustment.

Financial Information required for non-profit, 501 C-3 organizations

The group must supply financial information, upon request, relative to the use of funding for its stated service mission.

The group must disclose its efforts in securing corporate and private sponsorships.

Cost or Rent Waiver Amount Guidelines

The Administration may waive up to 100% of the rent, providing the event principally benefits the citizens of Miami Beach or is based in Miami Beach, or has significant community impact.

All requests will be forwarded on a case by case basis to City Manager for approval/disapproval, with a recommendation from the requesting City Department describing any unique elements or special circumstances of the request. The City Manager shall have the ability to examine requests that may be outside the guidelines and therefore considered exceptional and grant the waiver request, if deemed appropriate and in the best interest of the City.

Recommendation will include all direct costs, problems and any other pertinent information that the recommending City Department is aware of.

No group, organization, business or other user may exceed the total allowed waivers in a one-year period as stipulated in each of the user categories.

The following criteria shall be used by the appropriate City Department in making its recommendation:

A. Non-Profit Organizations with 501-c-3 Designation

• Miami Beach Based

-Must provide a copy of 501-c-3 certificate with Miami Beach street address and contact.

-Up to 100% waiver (rent only) for an event or meeting with no admission or donation.

-Up to 50% waiver (rent only) for pre-set admission/donation "gated" events or meetings.

- One waiver per month, maximum of 6 per year, per user organization.
- Must pay all direct costs.
- Must provide insurance as appropriate.
- **Not Miami Beach Based**
- Must provide copy of 501-c-3 certificate with organizational street address and contact.
- Up to 100% waiver (rent only) for an event or meeting with no admission or donation.
- Up to 50% waiver (rent only) for admission/donation "gated" event or meeting.
- One waiver per month, maximum 3 per year, per user organization.
- Must pay all direct costs.
- Must provide insurance as appropriate.
- In the event of a scheduling conflict any Miami Beach based organization receives priority.

B. "Not for Profit" Organizations/ Groups without 501-c-3 Designation
(i.e. PTA's, Booster Clubs, Condominium Organizations/Senior Citizen/social groups, local sports organizations)

- **Miami Beach Based**
- Must provide program outline or letter describing community and/or educational value of usage. To be evaluated by Department.
- Up to 100% waiver (rent only) for an event or meeting with no admission or donation.
- Up to 50% waiver (rent only) for admission/donation "gated" events or meetings.
- One waiver per month, maximum 6 per year, per user organization.
- Must pay all direct costs.
- Must provide insurance as appropriate.
- **Not Miami Beach Based**
- Must provide program outline or letter describing community and/or educational value of usage. To be evaluated by Department.
- Up to 50% waiver (rent only) for an event or meeting with no admission or donation.
- Up to 25% waiver (rent only) for admission/donation "gated" event or meeting.
- One waiver per month, maximum 3 per year, per user organization.
- Must pay all direct costs.
- Must provide insurance as appropriate.

C. Professional and/or Community service organizations, government agencies or businesses.

- Must provide program outline or letter describing community and/or educational value of usage. To be evaluated by Department.
- Up to 100% waiver (rent only) for an event or meeting with no admission or donation.
- Up to 50% waiver (rent only) for admission/donation "gated" event or meeting.
- One waiver per month, maximum 3 per year, per user organization.
- Must pay all direct costs.
- Must provide insurance as appropriate.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY

COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission herein approve the Guidelines set forth herein for the Approval of Rental Fee Waivers Requested by Qualified Groups, Organizations or Other Users of the Miami Beach Parks and Recreation Department's Parks and Recreation Facilities and Authorize the City Manager or His Designee to Implement Said Guidelines.
PASSED and **ADOPTED** this 30th day of **January, 2002**.



MAYOR

ATTEST:



CITY CLERK

JMG/RCM/KS
L:\CMGR\AGENDA\2002\JAN3002\REGULAR\Fee Waiver_1-30-02.2RES..doc

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

1/29/02
Date