

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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Policy:

It is the policy of the Board of Supervisors to allow for the non-county use of County facilities for special events and other interim uses to the maximum extent feasible while maintaining compatibility with the County facility's primary mission and remaining in balance with the surrounding neighborhood and environment. Although allowing the maximum feasible use, the County recognizes special event and other interim use of County facilities may not benefit the general public. Therefore, the County will be required to recover the total cost of the facility use and the approval process including document processing costs.

In applying this policy consistently, the following guidelines and processes shall be adhered to:

1. **DEFINITIONS** -- The following terms shall have the following meanings for the purposes of this policy:
 - a. **County Facility** Land, buildings, and building space owned or leased by the County or dependent districts (districts whose governing board is the Riverside County Board of Supervisors) for governmental purposes.
 - b. **Special Event.** Special event means a specific incident held at a County facility that is not a normal function of County government.
 - c. **Interim Use.** Interim use means occupancy of the facility on a limited basis.
 - d. **Non-County Use** The applicant for use of the facility is not the County of Riverside or a dependent district of the County of Riverside.
 - e. **Managing Entity** The managing entity is the party controlling the use of the facility on behalf of the Board of Supervisors and is typically the Department of Facilities Management for County facilities, but Transportation and Land Management Agency (TLMA), Economic Development Agency, Regional Parks and Open Space District, and other entities manage some County facilities.
 - f. **Compatibility** Compatibility means a use or event can occur without seriously disrupting the normal governmental mission of the facility and the surrounding neighborhood and environment.

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2. **NON-DISCRIMINATION** - The determination of approval to use County facilities will be made solely on the proposed use of the facility without regard to the applicant's race, color, religion, sex, national origin, ancestry, disabilities, marital status, medical condition, age, or political persuasion. Further, bond indentures and other legal requirements may restrict the facility to specific uses.

3. **COMPATIBILITY** - The determination of compatibility of the proposed special event or interim use with the primary mission of the facility and surrounding neighborhood and environment will be made by each managing entity in coordination with the agency/ department occupying the requested space and other permanent tenants of the facility. A determination of compatibility will be made in a consistent manner so that similar proposed special events or interim uses can be expected to receive the same determination; however, frequency of types of events and uses may be a determining factor.

4. **APPLICATION** - All applicants will submit a complete special event/interim use application, including a County-approved Indemnification Agreement and a certificate of insurance evidencing required insurance coverage, along with the appropriate processing fee as well as that portion of the facility fee and/or deposit required by the managing entity. Necessary forms will be part of an application package provided by the managing entity. The package must also include, but will not be limited to, a check list of necessary items constituting a complete application, copies of Board Policy A-28 (Commercial Solicitation in County Facilities) and Board Policy A-23 (Non-smoking Policy), a copy of County Ordinance No. 542 (Regulating Charitable Solicitations), a copy of the facility's policy on the use of alcoholic beverages (which shall be consistent with any Board Policy governing the use of Alcoholic Beverages in County facilities), a list of additional requirements unique to that facility, the County-approved Indemnification Agreement, notification that events having third party participation will require participants to sign a County-approved release form, and an acknowledgment to be signed by the applicant upon receiving the package.

Temporary outdoor events held in the unincorporated area of Riverside County needing authorization under the provisions of County Ordinance 348 require a separate application and processing. Events at County facilities within an incorporated area may require city approval.

5. **REVIEW** - Depending on the type of proposed event or use, the application will receive County review including Facilities Management, County Counsel and Risk

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Management. Any addendums/changes to the process will also require prior approval.

All other events and uses will be subject to County review which requires, at a minimum, both Risk Management and County Counsel sign off before approval by the managing entity. At the sole discretion of the managing entity, County review may include required sign off by other departments and/or approval by the Board of Supervisors.

- 6. ESTABLISHING FEES/DEPOSITS** - Per Board Policy B-4 and generally accepted government accounting practices, each managing entity working with Facilities Management shall establish facility fees that totally recover the reasonable and necessary costs incurred in the use of the facility and deposits that protect against nonpayment of contracted amounts and property damage. The fees and deposits shall be established through consultation with the Auditor-Controller and the initial fee/deposit schedules as well as cost components of the fee may include, but are not limited to, maintenance, repairs, capital replacement (depreciation), administrative overhead, materials, equipment, utilities, and labor. The fee is designed to cover the cost of the use of the facility, but would not preclude the leasing of the facility at fair market rental value.

No fees/deposits will be charged to county-approved tours of facilities. Other entities will be charged on a cost recovery basis. Fees and/or deposits can only be waived by the Board of Supervisors.

- 7. SUBMITTAL DEADLINES** - Depending on the type of proposed event or use, the application submittal deadline is as follows:
- a.** For event/use allowing local review, the submittal deadline will be determined by the managing entity, but will not exceed 60 days before the event.
 - b.** For event/use requiring County review, the complete application and associated fees must be submitted no later than 60 days before the event.
 - c.** Certain outdoor events may fall under the provisions of County Ordinance 348, Section 19.51 et seq and may necessitate the applicant meeting additional submittal deadline requirements.

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8. INSURANCE, HOLD HARMLESS, AND SAFETY REQUIREMENTS -- In accordance with Board Policy B-10, insurance requirements will be determined by County Risk Management after the scope of the event is known. Insurance limits will vary depending on the scope of the event. Proof of insurance will be documented through presentation of certified, original copies of policies. Certificates of insurance naming the County as additionally insured or alternative arrangements approved by Risk Management are required.

9. ADDITIONAL REQUIREMENTS

Each event or use must comply with all applicable local, state and federal laws and regulations.

In keeping with the intent of the Board of Supervisors, it is recognized that the managing entity of certain facilities may place additional requirements, such as security, on applicants. Security is provided by the Riverside County Sheriff's Department upon prior arrangement and the costs are determined based upon the current approved extra-duty rate.

At those facilities where allowable, any special event or other interim use allowing, serving, providing, or selling any type of alcoholic beverage will require that the applicant obtain the appropriate license from the State of California Department of Alcoholic Beverage Control, conform to that facility's policy on the use of alcoholic beverages, and secure the minimum insurance determined by Risk Management.

Applicants shall not promote, advertise, sell, or furnish tickets to the special event or other interim use until such time as formally authorized, in writing, by the managing entity.

That the facilities management or group involved, require proof of the license of attorneys/investment counselors (i.e.: State Bar, Insurance or Securities license).

That a disclaimer be placed on all flyers, post-boards and advertising "Not recommended by or affiliated with Riverside County and/or _____ sponsoring group" in 10-12 point type.

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10. EXEMPTION - The Board of Supervisors recognizes the great benefit to the County of commercial filming. Therefore, interim uses involving commercial filming shall be exempt from this policy and continue to be regulated under Ordinance 634.1. Additionally, in recognition of the fact that special events and interim uses are an integral function of the Desert ExpoCenter, that facility shall be exempt from this policy.

Further, the Board of Supervisors recognizes the great benefit that Riverside County High School Mock Trial Competition provides to the County. Therefore, the local, state and national annual High School Mock Trial Competitions are exempt from this policy and that access and use of the Historic Courthouse for mock trial shall continue to be regulated by the Presiding Judge of the Superior Courts in Riverside County.

Reference:

Minute Order 3.4 of 03/22/94
Minute Order 3.8 of 02/17/98
Minute Order 3.41 of 01/26/99
Minute Order 3.17 of 06/22/99
Minute Order 3.2 of 06/27/00
Minute Order 3.2 of 07/21/09