

## **Response to comments of Draft Policies on City owned property**

COMMENT: The most common comment involved the possibility of organizations that had been providing events in the community for a number of years might find that some other individual or organization had reserved the time that they historically had put on their event.

RESPONSE: This could occur under the proposed policies. The question was reviewed from the standpoint of trying to protect the historical events while recognizing that over time organizations and the events they sponsor may change. There also needed to be some means to allow new organizations to begin new events that over time might become historical events. The following draft language has been incorporated into the policies for Facilities and Open Space; meeting rooms are not likely to fall into the category this comment addressed.

“In addition, any nonprofit in good standing with the Arizona Corporation Commission, which is based in Willcox Arizona, and has used City Facilities or Open Space to operate event(s) on specific dates or times (such as a specific weekend, specific week of a month, an athletic season) for a consecutive period of seven (7) years, may schedule that same event(s) up to five (5) years in advance. The nonprofit will be required to finalize the reservation and make appropriate deposits not less than ninety (90) days prior to the actual event. Failure to finalize the event will result in the Facilities or Open Space being available for other potential users. If the nonprofit stops reserving the Facilities or Open Space, or does not themselves make use of the Facilities or Open Space (no subletting), for a period of two (2) years this exception will not be available, regardless of the continued existence of the nonprofit. This exception is designed to recognize the long standing community activities that have taken place in the City and allow for their continuation. This exception grants no specific rights to any organization and may be over ridden at any time by the City Council.”

COMMENT: The definition of Facilities is not clear as opposed to Open Space.

RESPONSE: While the examples are not intended to be all encompassing in order to allow future properties to fit within existing policies, the examples are hazy. The introduction to facilities has been rewritten to attempt to clarify.

COMMENT: The City should not have the right to “bump” meeting room reservations, and especially since there is no appeal or conflict resolution process. The example provided was what if the staff suddenly wanted to use the meeting room for a retirement party and bumped a scheduled use.

RESPONSE: City use is determined by the City Council not by the staff. The primary purpose of the meeting rooms is to conduct City Business. A retirement party would not be City business, although it would be an activity that the rooms could be used for. The more likely scenario is that the City Council, or an official committee of the City Council calls a special meeting and the Council Chambers has been reserved by some other group for that same time. In this case the City staff would try to accommodate the bumped party by moving their meeting to a different room in the City.

COMMENT: Under City Facilities the language should read the City MUST reserve facilities for a City sponsored event.

RESPONSE: This language currently is one sentence out of a two sentence paragraph which reads as follows; "City of Willcox may not "bump" a scheduled event in order to provide a City Sponsored event. The City may reserve Facilities for City sponsored events." The City owns the facilities and has the right to have first priority on the use of the facilities for City activities; therefore the City has to have the right to reserve the facilities. This paragraph is stating that the City is granting a special right to Users who have already scheduled the use of a Facility and that the City will not "bump" in that circumstance. The purpose is to recognize that events in these type facilities frequently are planned far in advance of the occurrence and bumping could cause considerable damage to the user. The right to use the Facility does extend to the City and the City has the right to reserve the facility.

This language has been added to the Open Space Policy.

COMMENT: There is a concerned raise about what happens on a reserved open space if someone else is there when the User arrives and should there be some written policy to be followed to mark the space as reserved.

RESPONSE: While this may occur, the answer would be to contact the on call person from the City to resolve the question. The types of Open Space that are available make it difficult to build a one size fits all response to the reservation. This is the type of situation that is best handles at the department level rather than trying to build a Policy which is much less flexible.