

## Palo Alto College Procedure

Procedure Number:	F 5.0
Procedure Title:	Use of PAC Facilities by External Organizations
Relevant Board Policy:	<a href="#">G.1.4 Student Community Use of College District Facilities</a>
Relevant Board Policy:	<a href="#">C.1.3.3</a>
Originating Unit:	Campus Operations
Maintenance Unit:	Vice President of College Services

I. Purpose: This procedure describes the method by which Palo Alto College (PAC) facilities may be rented and reserved by organizations external to the Alamo Colleges District community. In accordance with the Alamo Colleges District Board policy, PAC wishes to make its facilities available to members of the larger community, but such use must not conflict or interfere with regular college programs and activities, and must be consistent with the mission of Palo Alto College.

### II. Procedure Statement:

- 1) Organizations wishing to reserve or rent PAC facilities should begin their request with the appropriate department by initiating the following communication.
  - a. For Natatorium, Gymnasium or Athletic Field event rentals (competition games, tournaments, practices, corporate parties, etc.), all inquiries and/or requests should be submitted to the Office of the Athletic Director at the Aquatic and Athletic Center at [PAC-AAC@alamo.edu](mailto:PAC-AAC@alamo.edu) or call 210-486-3800.
  - b. For all other facility and room reservations, the Request Use of Facilities form should be submitted to Campus Operations at [pac-events@alamo.edu](mailto:pac-events@alamo.edu) or call 210-486-3956.

### III. Fee Categories for Permitted Users of Facilities in reference to board policy C.1.3.3:

- 1) **Group 1:** No Rental Fees. Groups that are integral parts of the Alamo Colleges District such as student government, faculty, and/or staff may use facilities without charge by the Alamo Colleges District for matters relating to the Alamo Colleges District business. Use by such groups for purposes unrelated to Alamo Colleges District business will incur the Group 3 rate. For example, should the District Staff Council use a conference room for a meeting there would be no charge or cost recovery. Groups formally recognized by the Alamo Colleges District, such as registered student organizations, will be charged only for incremental costs for housekeeping, technology, security and/or other. The execution of a Facility Use Agreement containing insurance requirements are not required for Group 1 users.

- 2) **Group 2:** At cost: Use by groups that are organized for general civic improvement or welfare and exempt from federal taxation under 501(c)(3) and public officials or entities engaged in non-political activities may use the Alamo Colleges District facilities for meetings open to the public at a rate which covers the direct cost to the Alamo Colleges District, such as security, housekeeping, support personnel, set up fees, extra utilities, etc. The execution of a Facility Use Agreement containing insurance requirements is mandatory for Group 2 users.
- 3) **Group 3:** Commercial use charge: This classification shall include all other users, (excepting users outlined in Group 4), including, without limitation, commercial users, Group 1 users engaged in activities unrelated to Alamo Colleges District business, non-501(c)(3) nonprofits and individuals, groups or entities engaged in political activities. Such users shall be charged the greater of a market rate or the direct cost of the use to the College District. The execution of a Facility Use Agreement containing insurance requirements is mandatory for Group 3 users.
- 4) **Group 4:** Certain users and/or facilities qualify for use without any charge in furtherance of the legitimate interests of the Alamo Colleges District with a frequency sufficient to be authorized without resort to the fee exception process hereinafter set forth, as follows. A facility may be used (other than for large events which would generate a significant housekeeping and/or security burden) by neighborhood associations, chambers of commerce, similar associations or small local governmental units within its vicinity with the written permission of the Chancellor, the President or Vice-Chancellor responsible for the facility or the Associate Vice-Chancellor for Facilities. Facility use agreements shall not be required for authorized Group 4 uses, and such users shall designate the Alamo Colleges District as an additional insured with waiver of subrogation on any available user liability insurance, but shall not be required to purchase insurance, which they do not already carry.

IV. A Facility Usage Agreement (FUA) between the renting organization and the Alamo Colleges District-Palo Alto College must be on file prior to the event date(s). To obtain an FUA, the following steps must be completed at least three weeks prior to the event date(s):

- 1) Natatorium, Gymnasium, and Athletic Fields: Inquiry and/or Pre-Contract Information Form must be submitted to the Office of the Director at the Aquatic and Athletic Center
- 2) All other facility and room reservations: Use of Facilities Request Form must be submitted to Campus Operations at [pac-events@alamo.edu](mailto:pac-events@alamo.edu)
- 3) All forms must include the following scheduling information: date(s), time(s), space(s) required, estimated guests, floor plans, audio visual needs, special requests, etc.
- 4) If claiming non-profit status, a 501(c)3 document will be required. If Facility Rental fee(s) are to be waived, a Facilities Rental Fee Exception form will need to be completed and submitted to the President's Office for approval. In reference to board procedure C 1.3.3 the following criteria is for a rental fee exception.

- a. Co-Sponsorship: No Fee Required
  - Any activity/event in which the Alamo Colleges District is an announced and publicized co-sponsor with another organization.
  - Alamo Colleges District personnel must actively participate in the planning and managing of the activity.
  - Co-sponsorship waiver of facility fees must be approved by the VC/ President or designee.
- b. Professional Organization: May qualify for a reduced fee. Alamo Colleges District employee(s) or Board member(s) may use facilities for an event without complying with the rent or insurance requirements where the event meets the following limited conditions:
  - The employee or Board member actively participates in the event and is responsible for managing it; and the event is for professional organization in which the employee or Board member actively participates, and whose objectives directly relate to the employee's work at the Alamo Colleges District or the Board member's Alamo Colleges District responsibilities
- c. Special Cases: Alamo Colleges District facilities may be used for an event without fully complying with the rent requirement in special cases where the event meets the following limited conditions:
  - The user has a special relationship with the Alamo Colleges District or a Board member which is directly related to the Alamo Colleges District mission or key Community objectives recognized by the Board and the exception is specifically approved in writing by the Chancellor; or
  - The user offers consideration in kind in lieu of rent; or
  - The facility is an outdoor venue and rent is reduced or waived for a Community service event.

To obtain a Fee Exception for the above, the following conditions must be met:

- Facilities Use Agreement and all requirements within are compulsory.
  - Value or benefit to the Alamo Colleges District must be demonstrated in writing.
  - Request must be approved each fiscal year.
  - Exceptions from the published fee schedule must be approved by the Vice Chancellor/President or Vice Chancellor of Facilities Operation & Construction Management.
  - No sponsorships, revenue, ticket fees or any kind of generation of dollars from the renting party may be assessed. If any dollars are generated by the renting party, then the fee exception request will be denied. .
  - Fees for DPS, Housekeeping, Technology, Tech Support and other expenses beyond rental fees will be assessed even with the fee exception form approved. Fee exception only applies to rental fees.
- 5) The renting organization shall obtain at its own cost a Certificate of Insurance (COI) to cover the organization's use of the facility for its scheduled function

at the following minimum levels of coverage:

**Organization shall, at the time of execution of this agreement, provide Alamo Colleges with a copy of a certificate of insurance evidencing all applicable required policies which must list “Alamo Community College District” as a NAMED ADDITIONAL INSURED and beneficiary of contractual indemnification coverage and waiver of subrogation.**

WORKERS' COMPENSATION	STATUTORY
Must include coverage for alternate employers and borrowed servants	
EMPLOYER'S LIABILITY	
Each Accident (bodily injury)	\$500,000.00
Policy Limit (bodily injury by disease)	\$500,000.00
Each Employee (bodily injury by disease)	
	\$500,000.0
0 GENERAL COMMERCIAL LIABILITY	
General Aggregate	\$2,000,000.00
Each Occurrence (bodily injury/property damage)	\$1,000,000.00
Each Occurrence (personal injury/advertising injury)	\$1,000,000.00
Each Occurrence (Damage to Premises Rented to you)	\$1,000,000.00
All coverage must be primary and non-contributory	
UMBRELLA/EXCESS LIABILITY	
Each Occurrence	\$1,000,000.00
POLLUTION ON-SITE LIABILITY (required if Use presents risk)	
Each Occurrence	\$1,000,000.00

If the renting organization is the U.S. Federal Government, the organization shall self-insure in at least the amounts, and for the types of liabilities, described above, with no certificate required.

- 1) The Alamo Colleges District will provide an FUA to the renting organization for review and signature within four weeks of receiving all necessary documentation. All FUAs must be approved by the Alamo Colleges District Legal Services and reviewed and signed by both the renting organization and the Vice President of College Services prior to event date(s). A copy of the signed FUA will be provided to the renting organization upon completion.
- 2) Payment for services must be provided within the agreed upon schedule determined within the FUA. Non-payment(s) may result in legal action.

Attachments:

Aquatic and Athletic Pre-Contract Information  
Facilities Rental Fee Exception Approval Form  
Sample Certificate of Insurance

Date Created: April 22, 2020

Date updated/approved: November 15, 2022

Approved:

(signed: Katherine Doss)

Interim Vice President of College Services

(signed: Robert Garza)

Palo Alto College President