



**HEATHER GARDENS METROPOLITAN DISTRICT  
BOARD ACTION**

**DATE:** AUGUST 15, 2024

**MOTION NUMBER:** 2024-8-15-5

**MOTION: APPROVE CLUBHOUSE FACILITY RENTAL AND EVENT POLICY**

I move that the HGMD Board of Directors approve the attached Clubhouse Facility Rental and Event Policy to express HGMD's general policy and to guide procedure memoranda amendment and future development consistent with this statement of policy. The policy reiterates the District's long standing policy that rental agreements must be completed for non-resident use, and resident commercial use. Damage deposit agreements may be required for resident private use.

**ECONOMIC COST TO THE DISTRICT:** NONE  
**APPROPRIATED BY:** NA

Motion by: Robin O'Meara

Second by: Eloise Laubach

Rationale: The use and rental of District facilities is fairly straightforward when dealing with non-residents. Non-residents must pay to access the District facilities. Resident use has been more confusing for residents and HG staff. This policy expresses the circumstances under which residents must pay for the use of District facilities. HGMD is striving to shift more of the burden of upkeep and maintenance for the clubhouse facilities to those who directly benefit from its use.

Debate: \_\_\_\_\_

Secondary Motion to : \_\_\_\_\_

Secondary Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

**VOTE:**

	Yes	No		Yes	No
Craig Baldwin					
Rita Effler	✓				
Eloise Laubach	✓				
Robin O'Meara	✓				
Daniel Taylor	✓				
Total	4				

The secondary motion does/does not have a majority and passes/fails.  
The main motion does/does not have a majority and passes/fails.

Robin O'Meara  
Robin O'Meara, Secretary  
HGMD Board of Directors

Daniel Taylor  
Daniel J. Taylor, President  
HGMD Board of Directors

August 15, 2024

## **CLUBHOUSE FACILITY RENTAL AND EVENT POLICY**

### **PURPOSE**

1. **Purpose of Policy.** The HGMD Board of Directors intends to establish a consistent, understandable policy controlling the rental of space and facilities owned by the District. The unique character of the Heather Gardens community lends itself to confusing issues regarding the rental of facilities and the beneficial use enjoyed by residents in exchange for the recreation fee paid by HGA on behalf of its members. Therefore, HGMD establishes this policy, which after its adoption, may require the amendment of various procedure memoranda and control the development of future procedure memoranda consistent with its terms.

### **FACILITY USE**

1. **General Policy.** All HGMD facilities are owned and maintained by HGMD. It is the policy and responsibility of HGMD to recover the costs of maintaining and operating the facilities through rental fees, use fees, class and event fees, retail sales, damage fees, and the recreation fee paid by HGA for resident use of the District properties (Rec Fee).
2. **Use of District Property.** All property owned by HGMD is public property. As such, it is available for use by the general public as well as Heather Gardens' residents. Although the general public may use the District properties, HGMD may control access to the facilities, the fees charged, and proper use of its facilities. All District facilities must be used for the purpose for which they are intended.

### **RENTAL TERMS**

1. **Non-Resident Facility Rental.** Any member of the public or vendor may rent HGMD facilities pursuant to the rental fees and facility purposes set forth in procedure memoranda. Such rental shall require the following, unless specifically waived by HGMD:
  - a. A signed rental agreement in which the renter shall agree to use the facility for the approved purpose, adhere to any requirements concerning facility capacity, age restrictions, food and beverage service, smoking and alcohol, and the use of electronic equipment. Adequate lead time is required for reservations that require room setup or the use of HGMD electronic equipment.
  - b. Payment in advance.
  - c. A damage deposit adequate to repair or replace lost or damaged property.

- d. A room setup fee, when applicable, for trash removal and custodial fee for large groups or security required.

2. **Resident Facility Rental.**

- a. **Private Use.** Heather Gardens residents may use the District facilities for their personal use and their guests at no charge, subject to the terms and conditions as stated in procedure memoranda. Some activities have user fees to recover costs attributable to a small group of residents or those activities HGMD has chosen not to subsidize. Facilities are available by reservation or on a first come, first served basis. HGMD reserves the right to assign an appropriate space based upon the use and number of people expected to attend.

Clubs and groups of residents may also use the facilities at no charge, if at least 75% of the attendees are HG residents, and there is no charge for attendance or other commercial purposes, such as company or professional marketing. Commercial marketing meetings require rental of the space whether or not there is a charge to attendees.

- b. If electronic equipment is required such as microphones, tv monitors or other equipment, a damage deposit will be required, and the renter must allow adequate time for staff setup and instruction.
- c. **Commercial Use.** If a resident, club or group of HG residents, chooses to hold an event in which a fee will be charged for attendance or at which food and beverages will be sold for more than the actual cost, then the use will be considered commercial and the renter shall comply with the following, unless specifically waived by HGMD:
  - i. A signed rental agreement in which the renter shall agree to use the facility for the approved purpose, adhere to any requirements concerning facility capacity, age restrictions, food and beverage service, smoking and alcohol, and electronic equipment. Adequate lead time is required for reservations that require room setup or the use of electronic equipment.
  - ii. Payment in advance.
  - iii. A damage deposit adequate to repair or replace lost or damaged property.
  - iv. A room setup fee, when applicable, for trash removal and custodial fee for large groups or security required.

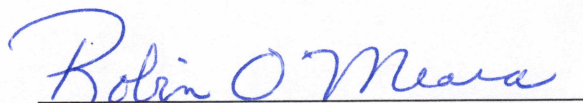
3. **Governmental/Civic Use.** Heather Gardens has traditionally allowed elected officials, including HG elected officials to reserve and use rooms at no charge as a benefit to the community to have these meetings and presentations occur onsite. This policy will continue.

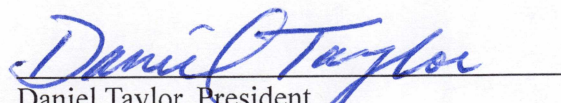
Candidates for election to government offices or HG offices, or groups wishing to reserve and use rooms for meetings and presentations concerning ballot issues may do so once a month per ballot issue or candidate within 45 days of the election date, at no charge.

Candidates or groups supporting ballot issues who wish to have meetings or presentations more than once a month during the 45 days preceding the election or prior to 45 days before the election date, may rent rooms at the non-resident or resident rental rates as appropriate.

4. **HGMD Sponsored Event/Classes/Trips.** HGMD may sponsor events, classes or trips (Events) that benefit the community whether initiated by a club, teacher, organizer or group of residents. Although the goal of HGMD is for the revenue generated by an event to pay the costs associated with that event, HGMD recognizes that the benefit to the community and the District's primary mission to provide recreation to the community, of some events outweighs this goal. Therefore, HGMD may sponsor the event. In such case, the revenue for the event shall be retained by HGMD and accounted for, along with the event expenses, so that HGMD can determine the net cost to the District. HGMD may use volunteers, outside vendors, or HGA employees to conduct an event, and shall pay the associated costs.

**DONE THIS 15<sup>TH</sup> DAY OF AUGUST, 2024.**

  
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Robin O'Meara, Secretary  
HGMD Board of Directors

  
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Daniel Taylor, President  
HGMD Board of Directors.