

ELECTED OFFICIAL FACILITIES USE POLICY

SECTION 1. PURPOSE, INTENT, PUBLIC PURPOSE

1.1 Purpose

The purpose of this Policy is to establish uniform standards and procedures governing the use of designated City facilities by elected officials of the City for legitimate governmental, civic, educational, informational, ceremonial, constituent engagement and community purposes consistent with the lawful interests and operational needs of the City.

1.2 Legislative Intent

This Policy is intended to establish legislative standards governing fair and consistent access to municipal facilities while preserving executive authority over day-to-day operational administration consistent with the Charter. In furtherance thereof, this Policy is intended to:

- (a) Promote transparency, fairness, consistency, accountability and equal access in the scheduling and administration of City facilities;
- (b) Preserve and protect municipal facilities and taxpayer-funded resources;
- (c) Promote civic engagement, public participation and community access to governmental programming and events;
- (d) Reduce scheduling conflicts, operational uncertainty, inconsistent administration and disputes concerning facility usage;
- (e) Establish objective and uniform standards governing the use of municipal facilities by elected officials;
- (f) Ensure that municipal facilities are utilized in a lawful orderly, efficient, safe and publicly accountable manner consistent with the governmental purposes and operational needs of the City; and
- (g) Ensure that the administration of this Policy is conducted in a fair, transparent and nondiscriminatory manner.

1.3 Public Purpose

City facilities are public assets held in trust for the benefit of the citizens of the City. All uses authorized pursuant to this Policy shall serve a legitimate public or governmental purpose and shall remain subject to all applicable federal laws, state laws, City ordinances, ethics requirements, operational regulations and administrative procedures.

Nothing contained herein shall be construed to create a vested property right, exclusive privilege or continuing entitlement to use any City facility.

SECTION 2. APPLICABILITY

2.1 Covered Officials

This Policy shall apply to the Mayor and all duly elected members of the City Council seeking to reserve or utilize designated City facilities pursuant to this Policy.

2.2 Covered Facilities

This Policy shall apply only to those facilities expressly designated by the City as eligible for use under this Policy.

Any restriction, suspension or limitation of facility availability affecting elected official usage under this Policy shall be based upon documented operational, maintenance, emergency, public safety or governmental necessity considerations and shall be applied uniformly to substantially similar facility uses.

Non-emergency facility closures or restrictions affecting the use of designated facilities shall be communicated in writing to all elected officials within two (2) business days of such determination.

SECTION 3. DEFINITIONS

For purposes of this Policy:

(a) "City Facility" means any City-owned, leased, operated, maintained or controlled building, meeting room, civic center, park structure, recreational facility or other designated public facility made available for use under this Policy.

(b) "Governmental Purpose" means an activity reasonably related to the elected official's public duties, constituent engagement responsibilities, legislative responsibilities, community outreach functions, public education efforts, ceremonial functions, or dissemination of information concerning matters of public concern affecting the City or its residents.

(c) "Official Event" means an event directly connected to a legitimate governmental, informational, ceremonial, educational, constituent engagement or civic function of the elected official conducted for a public purpose and not primarily intended for private, political, campaign, fundraising, commercial or personal benefit.

(d) "Personal Event" means a private, non-governmental social gathering or function not constituting an Official Event and involving a category of facility use otherwise generally available to members of the public pursuant to applicable City policies and procedures.

(e) "Quarter" means each three-month calendar period beginning January 1, April 1, July 1 and October 1.

(f) "Political Activity" includes campaign events, campaign fundraising, political committee meetings, candidate promotion, partisan electioneering activity or activities intended to support or oppose the election of any candidate, political organization or ballot measure.

SECTION 4. FACILITY PRIORITY HIERARCHY

In the event of scheduling conflicts or operational limitations, facilities shall be prioritized in the following order:

(a) Emergency governmental operations and public safety functions;

(b) Official meetings and functions of the City;

(c) City-sponsored programs and events;

(d) Authorized elected official events conducted pursuant to this Policy; and

(e) General public or third-party reservations.

Official City functions scheduled after confirmation of an elected official's reservation shall not displace such reservation absent documented emergency necessity, public safety concerns or unavoidable governmental operational requirements.

SECTION 5. ACCESS AND FREQUENCY OF USE

5.1 Authorized Quarterly Uses

Each elected official shall be entitled to reserve and utilize designated City facilities up to four (4) times per Quarter, subject to facility availability and compliance with this Policy.

5.2 Scheduling Priority Options

Facility reservations shall be approved on a first-requested, first-confirmed basis, provided all required documentation and approvals have been timely submitted.

5.3 Monthly Limitation

No elected official may schedule more than two (2) events within a single calendar month pursuant to this Policy.

Notwithstanding the foregoing, an elected official may schedule up to four (4) related or recurring events within a single calendar month where:

(a) The events are part of a unified governmental, educational, informational, civic engagement or community outreach series;

(b) All related events are requested and scheduled simultaneously as part of a single coordinated reservation request;

(c) Sufficient facility availability exists;

(d) The events do not materially interfere with previously scheduled governmental operations, City-sponsored programming or authorized facility usage by others;

(e) The events do not create substantial and unreasonable staffing, operational, maintenance, security or administrative burdens upon the City; and

(f) The events otherwise comply with all provisions of this Policy.

Where facility availability and operational capacity reasonably permit, approval of related or recurring event series under this Section shall not be unreasonably withheld, delayed, conditioned or denied.

Where reasonably necessary to prevent substantial operational disruption, facility overutilization, staffing strain or unreasonable interference with governmental operations or authorized facility usage by others, the

requesting elected official may be asked to reasonably stagger, relocate, modify or coordinate related or recurring event dates, times or facility usage arrangements in order to accommodate legitimate operational and scheduling considerations consistent with this Policy.

5.4 Carry-over Provision

An elected official may carry over up to two (2) unused quarterly uses into the immediately succeeding Quarter.

Carry-over uses may be utilized for otherwise authorized events permitted under this Policy, including related or recurring event series authorized pursuant to Section 5.3.

Unused carry-over uses shall expire at the conclusion of the immediately succeeding Quarter and shall not accumulate indefinitely or roll over into subsequent calendar quarters.

Nothing herein shall be construed to exempt carried over uses from the scheduling limitations, operational safeguards or uniform administrative requirements otherwise applicable under this Policy.

SECTION 6. PUBLIC EVENT FEE WAIVER

6.1 Eligibility for Fee Waiver

Facility usage fees shall be waived for Official Events satisfying all of the following conditions:

(a) The event is directly related to a legitimate governmental, constituent engagement, informational, ceremonial, educational or civic purpose associated with the elected official's public office;

(b) The event is open to the public;

(c) No admission fee, ticket charge, required donation or fundraising contribution is imposed upon attendees;

(d) The event is non-commercial in nature;

(e) No private individual, business, political organization, campaign committee or outside entity receives financial profit, commercial proceeds, sponsorship revenue or commercial advantage from the event; and

(f) The event otherwise complies with all applicable laws ordinances, regulations, operational requirements and City policies.

6.2 Costs Not Subject to Waiver

Depending on the nature and complexity of the event, nothing herein shall prohibit the City from assessing charges for:

(a) Extraordinary staffing;

(b) Police or security services;

(c) Sanitation or cleanup services;

- (d) Equipment damage;
- (e) Facility restoration costs;
- (f) Overtime expenses; or
- (g) Other direct operational costs incurred by the City.

SECTION 7. LIMITED PERSONAL USE ACCESS

Each elected official may reserve a designated City facility for one (1) Personal Event per calendar year involving a category of facility use otherwise generally available to members of the public, subject to a fifty percent (50%) reduction of the otherwise applicable public rental fee.

Personal Events shall remain subject to:

- (a) Facility availability;
- (b) All operational requirements applicable to the general public;
- (c) All restrictions and prohibitions contained within this Policy; and
- (d) All generally applicable public rental requirements, procedures, operational standards, and facility regulations.

Personal use discounts shall not apply to weddings, private commercial events, fundraising activities, ticketed events, political activities, campaign-related functions, or events involving private profit generation.

Nothing herein shall be construed to authorize elected officials to receive exclusive access to facility categories, amenities, reservation opportunities, scheduling priority, or usage privileges not otherwise generally available to members of the public under applicable City policies and procedures.

The City may further designate specific facilities, facility categories, or limited-use public meeting spaces eligible for Personal Events under this Section based upon operational, staffing, public safety, scheduling, or facility management considerations.

SECTION 8. RESERVATION PROCEDURES

8.1 Submission Requirements

All reservation requests shall be submitted through the City's designated reservation process, not less than fourteen (14) calendar days before the proposed event date, unless waived for good cause; except that reservations for use of the Jonesboro City Center shall be made not less than 30 calendar days prior to the proposed event.

8.2 Required Information

Reservation requests shall include:

- (a) proposed date and time;

(b) Anticipated attendance;

(c) Event description and purpose;

(d) Requested facility areas;

(e) City equipment or staffing requests;

(f) Security needs;

(g) Set-up and take-down plan;

(h) Sanitation and clean-up plan; and

(i) Such additional information as may reasonably be required for operational, insurance, administrative or public safety purposes.

8.3 Approval, Coordination, and Confirmation

Reservation requests satisfying the objective requirements of this Policy shall be processed through the City's designated administrative reservation procedures and, absent a written basis for denial or requested modification consistent with this Policy, shall be deemed administratively approved.

Before a reservation request is denied based upon operational conflicts, staffing limitations, scheduling concerns, maintenance issues or similar administrative considerations, the requesting elected official shall, where reasonably practicable, be provided an opportunity to coordinate alternative dates, times, facilities, operational arrangements or reasonable event modifications intended to accommodate the requested usage consistent with this Policy.

Staffing limitations alone shall not constitute sufficient grounds for denial where reasonable alternative operational arrangements, scheduling accommodations, modified staffing plans, adjusted event parameters or alternative facility options can reasonably accommodate the proposed event consistent with legitimate operational and public safety considerations.

Any denial, condition, relocation, modification, rescheduling determination or revocation of a reservation request shall:

(a) Be issued in writing;

(b) Identify the specific operational, scheduling, maintenance, public safety or policy basis supporting the determination;

(c) Identify the material facts or circumstances supporting the determination; and

(d) Be maintained as part of the administrative reservation record.

Nothing herein shall prohibit reasonable operational coordination, scheduling adjustments, staffing requirements, maintenance limitations, public safety measures or other reasonably necessary administrative conditions to facilitate the orderly administration of municipal facilities consistent with this Policy.

SECTION 8.4 VOLUNTARY CANCELLATION BY REQUESTING OFFICIAL

An elected official may voluntarily cancel a confirmed facility reservation by providing written notice through the City's designated reservation procedures as soon as reasonably practicable prior to the scheduled event.

Where reasonably possible, cancellation notice should be provided sufficiently in advance to permit the facility to be made available for other governmental, civic, or public uses.

An elected official voluntarily canceling a reservation shall not be responsible for ordinary operational, staffing, custodial, scheduling, or administrative costs associated with the canceled reservation.

An elected official voluntarily canceling a reservation may remain responsible only for:

- (a) Extraordinary operational expenses previously approved or incurred pursuant to this Policy; or
- (b) Non-recoverable extraordinary expenses contractually incurred by the City prior to cancellation.

Any extraordinary costs assessed pursuant to this Section shall be reasonably documented and substantially consistent with comparable facility usage determinations.

Repeated reservation cancellations, scheduling abuse, or repeated nonuse of reserved facilities may be considered in evaluating future scheduling requests pursuant to uniformly applied administrative standards.

SECTION 8.5 INVOLUNTARY CANCELLATION, REVOCATION, RELOCATION, OR RESCHEDULING

Confirmed facility reservations authorized pursuant to this Policy may be cancelled, relocated, modified, rescheduled, suspended, or revoked only upon documented operational, maintenance, emergency, public safety, governmental necessity, or Policy compliance grounds reasonably necessitating such action consistent with the operational standards and administrative safeguards established by Sections 8.3, 10.1, 10.2, and 10.3 of this Policy.

Except in cases involving emergency circumstances, imminent public safety concerns, or unforeseen governmental necessity requiring immediate action consistent with this Policy, reasonable advance written notice of any cancellation, revocation, relocation, modification, or rescheduling determination shall be provided to the affected elected official.

Any cancellation, revocation, relocation, modification, or rescheduling determination issued pursuant to this Section shall:

- (a) Identify the specific operational, public safety, maintenance, emergency, governmental, or Policy basis supporting the determination;
- (b) Identify the material facts or circumstances supporting the determination;
- (c) Be reasonably proportional to the operational circumstances necessitating the action; and
- (d) Be maintained as part of the administrative reservation record.

Where reasonably practicable, the affected elected official shall be provided an opportunity to coordinate alternative dates, times, facilities, operational arrangements, or reasonable event modifications intended to accommodate the proposed event consistent with this Policy.

Cancellation, revocation, relocation, modification, or rescheduling determinations shall be administered in a fair, consistent, objective, and nondiscriminatory manner and shall not be utilized to selectively burden, politically disadvantage, or unreasonably interfere with lawful facility usage authorized pursuant to this Policy.

Nothing herein shall prohibit temporary emergency operational actions reasonably necessary to protect public safety, preserve municipal property, address emergency governmental operations, or respond to unforeseen operational circumstances materially affecting facility availability consistent with the operational and public safety standards established by this Policy.

SECTION 9. FACILITIES CALENDAR, ACCESS AND RECORDKEEPING

9.1 Facilities Calendar and Access

A shared and publicly accessible facilities calendar shall be maintained, identifying pending reservation requests, confirmed reservations, scheduled events, facility blackout periods, cancellations, and other facility scheduling information governed by this Policy.

The facilities calendar shall be administered in a manner intended to promote transparency, equal access, scheduling coordination, operational consistency, and public awareness of governmental and civic events.

Calendar access and scheduling visibility shall be provided equally and contemporaneously to all elected officials participating under this Policy.

No elected official shall be required to obtain separate mayoral approval solely to access facility availability information, review calendar scheduling activity or submit reservation requests pursuant to this Policy.

9.2 Records Retention and Administrative Documentation

Administrative records concerning facility reservation requests, approvals, denials, modifications, relocations, cancellations, fee waivers, assessed charges, staffing determinations, operational conditions, enforcement actions, and related administrative determinations shall be maintained consistent with applicable records retention requirements and public transparency obligations.

Written determinations issued pursuant to this Policy shall be maintained as part of the administrative reservation record and shall be reasonably available for review consistent with applicable law.

SECTION 10. STAFFING, OPERATIONAL SUPPORT, AND ADMINISTRATIVE SAFEGUARDS

10.1 Determination of Operational Needs

Operational staffing, security, custodial support, technical support, facility oversight, and related operational requirements for events conducted pursuant to this Policy shall be determined using objective and substantially uniform operational standards reasonably related to the nature and scope of the proposed event.

Such considerations may include:

- (a) Anticipated attendance;
- (b) Event duration;
- (c) Facility requirements;
- (d) Public safety considerations;
- (e) Operational complexity;
- (f) Time and date of the event;
- (g) Staffing availability;
- (h) Prior compliance history; and
- (i) Other legitimate operational considerations reasonably related to the safe and orderly administration of the facility.

Determinations made pursuant to this Section shall be reasonably proportional to the nature and operational needs of the proposed event and shall be administered in a manner substantially consistent with comparable facility uses and events.

10.2 Uniform Administration Safeguards

Staffing, operational support, custodial assignments, security determinations, scheduling accommodations, and related administrative decisions made pursuant to this Policy shall be administered in a fair, consistent, objective, and nondiscriminatory manner and shall not be unreasonably withheld, delayed, conditioned, manipulated or administered so as to impair the lawful use of facilities authorized under this Policy.

Operational requirements and staffing determinations imposed pursuant to this Policy shall be reasonably related to legitimate operational needs and shall not materially exceed those imposed for substantially similar facility uses absent documented operational justification.

10.3 Written Determinations for Extraordinary Conditions

If staffing requirements, operational conditions, security requirements, scheduling restrictions or staffing limitations materially and significantly differ from those imposed upon substantially similar events, a written explanation identifying the operational basis for such determination shall be provided and maintained as part of the administrative reservation record.

Where reasonably practicable, such written explanation shall be provided within three (3) business days following the determination.

10.4 Prohibition on Retaliatory or Selective Administration

No provision of this Policy shall be administered in a manner intended to retaliate against, selectively burden, intentionally disadvantage, discriminatorily impact or unreasonably interfere with the lawful facility usage rights of any elected official.

Administrative decisions made pursuant to this Policy shall be based upon legitimate operational, scheduling, maintenance, public safety or facility management considerations and shall not be based upon political disagreement, viewpoint, interpersonal conflict or disagreement concerning municipal policy matters.

10.5 Responsibility for Staffing Costs

Except as otherwise expressly authorized pursuant to this Policy or otherwise approved through generally applicable administrative procedures, elected officials utilizing facilities pursuant to this Policy shall not be responsible for reimbursing the City for ordinary staffing, custodial support, operational oversight, technical support or ordinary security costs associated with Official Events conducted pursuant to this Policy.

Nothing herein, however, shall prohibit the assessment of reasonable charges associated with:

- (a) Extraordinary staffing requirements;
- (b) Overtime expenses arising from extended or extraordinary operational needs;
- (c) Extraordinary police or security services;
- (d) Extraordinary custodial or sanitation services;
- (e) Repair or restoration costs resulting from facility damage;
- (f) Extraordinary technical support requests; or
- (g) Other extraordinary operational expenses directly attributable to the event and reasonably necessary for the safe and orderly administration of the facility.

For purposes of this Section, “extraordinary” operational expenses shall mean operational, staffing, security, custodial, technical support or facility management expenses materially exceeding those ordinarily associated with substantially similar governmental, civic, informational, educational or community events conducted at the same or comparable facilities under substantially similar circumstances.

Extraordinary operational expenses shall not include reasonable and ordinary staffing, ordinary facility oversight, routine custodial services, standard scheduling administration or customary operational support typically associated with ordinary facility usage during normal operating conditions.

Extraordinary operational requirements or costs shall not be imposed in a manner intended to materially discourage, impair, or unreasonably burden lawful facility usage otherwise authorized under this Policy.

Any determination that operational expenses are extraordinary shall be reasonably documented and based upon objective operational factors specific to the proposed event.

10.6 Advance Deposits and Operational Estimates

Where extraordinary operational expenses are reasonably anticipated, a detailed written operational justification identifying the basis for such anticipated extraordinary expenses shall first be provided to the requesting elected official prior to the imposition of any advance operational estimates, deposits, reimbursement agreements, or similar financial conditions associated with the reservation.

Any such estimates, deposits, or reimbursement requirements shall be based upon standardized schedules, objective operational criteria, or reasonably documented estimates substantially consistent with comparable facility uses and events.

Any deposit, estimate, or reimbursement requirement materially exceeding those imposed for substantially similar facility uses shall be accompanied by additional written operational justification identifying the specific operational factors supporting such determination.

Final reconciliation of any approved reimbursable operational expenses shall occur following the event.

10.7 Review of Extraordinary Operational Determinations

An elected official may request administrative review by the Mayor of operational determinations materially affecting facility usage, staffing requirements, scheduling conditions, security requirements, extraordinary operational assessments, or related administrative determinations alleged to be materially inconsistent with this Policy or substantially inconsistent with prior comparable facility determinations.

Any request for review shall identify the basis upon which the requesting elected official contends that the disputed determination is inconsistent with the objective standards, uniform administration requirements, operational safeguards, proportionality standards, or nondiscrimination provisions established by this Policy.

Nothing herein shall be construed to authorize individual elected officials or the governing authority collectively to directly supervise City personnel, administer day-to-day operational functions, direct staffing assignments, or otherwise exercise executive authority inconsistent with the Charter.

Any review determination issued pursuant to this Section shall be final and documented and maintained as part of the administrative reservation record.

SECTION 11. CLEAN-UP, DAMAGE, RESTORATION REQUIREMENTS

11.1 General Responsibility

Elected officials utilizing City facilities pursuant to this Policy shall be responsible for ensuring that facilities are left in substantially the same condition as existed prior to the event ordinary wear and tear excepted.

11.2 Cleanup Obligations

If City staffing is unavailable or not provided for a scheduled event, the elected official shall be responsible for ensuring proper cleanup, trash removal, equipment removal and restoration of the facility following the event.

If cleanup, repair, restoration or related services are required due to noncompliance with this Policy, the elected official shall be responsible for reimbursing the City for the actual documented costs incurred.

11.3 Notice of Charges

Before assessing charges or penalties pursuant to this Section, the City shall provide written notice identifying the basis for the charges and an opportunity for the elected official to review supporting documentation.

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560 **SECTION 12. INSURANCE, LIABILITY, INDEMNIFICATION**
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562 The City may require insurance coverage, security measures, indemnification agreements, damage deposits
563 or other reasonable risk management measures where warranted by the nature, size or operational risks
564 associated with a proposed event.
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566 Elected officials utilizing City facilities pursuant to this Policy shall remain responsible for the conduct of
567 attendees, vendors, contractors, participants and guests associated with their events.
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569 **SECTION 13. PROHIBITED USES**
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571 City facilities reserved pursuant to this Policy shall not be used for:
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- 573 (a) political campaign activities;
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- 575 (b) campaign fundraising events;
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- 577 (c) political committee activities;
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- 579 (d) partisan political events;
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- 581 (e) private commercial promotion or sales activities;
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- 583 (f) unlawful conduct;
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- 585 (g) activities creating unreasonable risks to public safety or municipal property; or
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- 587 (h) any use prohibited by applicable law ordinance or City policy.
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589 Nothing herein shall prohibit lawful governmental informational meetings concerning matters of public
590 concern, provided such activities do not constitute campaign activity or political fundraising.
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592 **SECTION 14. NONDISCRIMINATION AND UNIFORM ADMINISTRATION**
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594 This Policy shall be administered uniformly and non-discriminatorily.
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596 Nothing herein shall be construed to authorize exclusive or preferential facility access inconsistent with
597 applicable law, ethics requirements, constitutional protections, or generally applicable City policies
598 governing the use of municipal facilities.
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600 **SECTION 15. ENFORCEMENT, SUSPENSION, APPEALS**
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602 **15.1 Enforcement Authority**
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604 The City may deny, suspend, revoke or terminate facility usage privileges for violations of this Policy,
605 nonpayment of assessed charges, repeated scheduling abuse, property damage, unlawful conduct or conduct
606 materially interfering with governmental operations or public safety.
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608 **15.2 Notice and Opportunity to Respond**
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Before suspension or revocation of future privileges, the affected elected official shall be provided written notice of the alleged violation and a reasonable opportunity to respond.

SECTION 16. ADMINISTRATIVE IMPLEMENTATION AUTHORITY

The City may adopt administrative forms, procedures, scheduling protocols, operational requirements, implementation guidelines and internal administrative procedures reasonably necessary to administer this Policy; provided that any administrative procedures adopted pursuant to this Section shall be consistent with the express provisions, purposes, standards, and protections established by this Policy and shall not materially impair or frustrate the facility access rights established herein.

SECTION 17. SEVERABILITY

If any section, subsection, sentence, clause or provision of this Policy is declared invalid or unenforceable by a court of competent jurisdiction, such determination shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 18. EFFECTIVE DATE

This Policy shall become effective immediately upon adoption by the Mayor and Council.