



**DATE, Minden Town Board Agenda  
Administrative Agenda, Item Number 7**

DATE: July 25, 2011

Prepared by: Amber L. Smith  
Accounting Clerk

**SUBJECT:** Discussion on changes to the C.V.I.C. Hall rental policy as suggested by Staff, with additional revisions suggested by Board Members. Appearance by Trish Koepnick.

**PREVIOUS ACTION:**

- April 1, 2009: Annual review of rental rates for the CVIC Hall and Minden Park, and of Street Closure rates taking into consideration increases or decreases, as applicable, of materials costs, labor rates, insurance rates and other factors since the last such review was conducted. Board action may include keeping the rates as they are or increasing or decreasing the rates by not more than ten percent (10%) each category, i.e. CVIC Hall, Minden Park, and Street Closures. The Board deferred this item to the May 2009 meeting.
- May 6, 2009: Board approved an increase in the rental rate for the CVIC Hall by 35% with a 10 % discount to nonprofit, and a 35% discount to Minden residents if they are current in water and trash bills, to be effective July 1, 2009 with the exception of the theatre packages that are already booked; the rate increase on those will become effective January 1, 2010.
- June 3, 2009: Board approved an increase in the required liability insurance coverage amount from \$300,000 to \$1,000,000, and the refundable deposit rate for renters who are non-Douglas County residents to \$1,000.
- August 5, 2009: Board approved a three-tiered system for Minden, Douglas County, and non Douglas County residents. Deposit for Minden residents is \$400, Douglas County residents \$1000, and non-Douglas County residents \$2000; those amounts doubling with the presence of alcohol. Liability insurance requirement is \$1,000,000 for Minden and Douglas County residents and \$2,000,000 for non Douglas County residents. The time limit for private functions is midnight, and security is still required if the need is so determined by staff.
- April 7, 2010: Board approves policy limiting 'package rate' pricing for rental of the CVIC Hall for multi-day continuous use events to weddings only.
- July 6, 2011: Board discussed proposed changes to the rental policy and voted to bring the item back for further discussion at the August Board meeting, after submitting their suggested changes to the Town office for incorporation into the policy.

**BACKGROUND:** In 2009, the Minden Town Board reviewed the CVIC Hall Rental Policy as part of the annual rate review process. The objectives were to: (a) cover the cost of maintaining the Hall, (b) decrease the number of problem rentals, and (c) minimize the requests for waivers that appear before the Board. The Board approved a tiered rate/deposit structure that reduced the likelihood of damages and excessive after-rental cleaning by Town staff by increasing the requirements for out-of-county renters as well as those who will have alcohol at their events. The new policy allowed Minden tax

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payers and non-profit organizations to take advantage of a discounted rental rate. While this policy **greatly** minimized the problem rentals and had little impact on the revenue received from the Hall rentals, the number of waiver requests that appear before the Board has actually *increased*.

Staff has also recognized an issue with the inconsistency of rentals that are waived and feels the need to clarify the conditions in which waivers can be made. Specifically, which organizations are automatically granted waivers and under what circumstances. In addition, the conditions under which a renter may go to the Board with a request for a waiver need to be defined in order to minimize the time, effort, and potential inconsistencies that accompany such requests.

FISCAL IMPACT: Staff believes that the proposed changes will have little fiscal impact on rental revenue, and will save personnel costs with the more comprehensive and effective policy. There will be fewer waivers, and after-hours personnel costs will be covered, even with the waived public agency rentals.

RECOMMENDATION: Discussion only.

POSSIBLE MOTION: Discussion only.

ACTION TAKEN: Approve      Continue      Deny

Approve with conditions \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Key Changes to the Original 2009 Policy**

The changes listed below are the major modifications that have been made. Each of these has been made in response to frequent complications that arise under the current policy. The office firmly believes that these changes will alleviate much of the confusion that we routinely encounter as a result of all the ambiguities and exceptions that occur.

- Improved the layout of the document for ease of understanding.
- Closing procedures: defined a \$50 fee for leaving the building before the Town employee arrives to close.
- Established a “Public Agency” rate:
  - Rental fees for all Douglas County and other Board-Approved entities will be waived for events which **do not generate revenue**. Each opening and/or closing which occurs after regular weekday business hours (7:00 a.m. – 5:00 p.m. Monday through Thursday, excluding holidays) will be charged the **\$25 callback fee**, and a **\$25 fee** will be assessed if the renter leaves the building before the Town employee arrives to lock up.
  - For Public Agency rentals that **do generate revenue**, the hourly rental rate will be charged, less 25%. All other rental policies apply.

**Note: We will need Board clarification on what organizations will fall under this “Public Agency” category.**

- Increased Service Clubs / Non-Profit discount:
  - Currently, the non-profit discount is 10% for non-profit organizations. The new suggested discount is 25%. We anticipate that offering a more significant discount will make Hall rentals more feasible for these organizations and greatly minimize the number of requests that go before the Board, in effect increasing the rental revenue by decreasing the number of complete waivers.
- Added a “No Exception” clause to the policy:

**“The Minden Town Board has approved and stands behind these policies. The Board will make no exceptions unless remarkably extenuating circumstances exist, as determined by Staff, at which point any decisions regarding a deviation from the policy must be made publicly at a regularly-scheduled Minden Town Board meeting prior to the event.”**

  - The purpose of this is to discourage the renters from approaching the Board with requests as frequently as they do currently. The concept is that this is the policy which is approved by and enforced by the Board, so exceptions will not be made unless the circumstances are extremely unique. This will make a considerable difference in the way we rent the hall, eliminating a substantial amount of the complications that comes from policy deviations. The staff will have the authority to implement the policy in its entirety, and there will be a considerable decrease in the amount of time spent on preparing for, hearing, and deciding on renter requests at the Board level.

**Additional Board-Requested Changes:**

- “Public Agency” is changed to “Local Tax-Supported Agency” for clarification purposes. This specifies some parameters on which organizations are considered

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for this rate category, as well as provides Town staff room for discretion when it comes to individual bookings.

- The charge for leaving the building before the Town representative arrives to lock up the building is changed to \$50 for all rentals (it had been \$25 for Public Agency rentals prior to this change).
- Added a \$100 fee for any unlawful use of or tampering with the Automated External Defibrillator.
- Clarified that the non-profit / service club rate applies only to Douglas County organizations; added that they must have official non-profit status.
- Changed “remarkably extenuating circumstances” to just “extenuating circumstances,” and added “...or at the Chairman’s discretion” in the last paragraph of the policy to eradicate the redundancy and soften the language; we still want to discourage renters from going before the Board with excessive requests for waivers, but do not want renters to feel as though they are *unable* to approach the Board if they have an unusual situation that may warrant a waiver.

## CVIC Rental Policy and Procedures

The CVIC Hall is the most heavily used historic building in Douglas County. In its infancy and during its youth, the CVIC Hall served as a movie theater, a gymnasium, a live theater, a church and as the center of Carson Valley social life. Through the careful and diligent efforts of the residents of the Town of Minden over the past century, the CVIC Hall has not only survived but also matured.

We desire to keep respecting and improving this wonderful historic building. Please carefully review and meticulously follow these policies and procedures, and enjoy the CVIC Hall.

The CVIC Hall is available year-round for all types of public and private functions. Various organizations and individuals utilize the CVIC Hall for everything from weddings to exercise classes.

The CVIC Hall has a large open area, stage, kitchen, restrooms and two meeting rooms in the old building. Rental amenities include a podium, bar-counter, coat racks, 300 chairs, 15 six-foot round tables and 20 eight-foot rectangular tables.

The Main Hall is 3,300 square feet, and has a conference-ready sound and theatre system with internet connectivity available upon request. The Main Hall has a maximum capacity of 290 persons using auditorium seating for meetings and seminars, or for dances, parties and other functions. 190 is the maximum capacity for dining. The Fortnightly Room upstairs has a maximum capacity of 40 persons.

Americans with Disabilities Act (ADA) compliant access is available to both floors.

### I. GENERAL USE POLICY

- A. The applicant/responsible party must be at least 21 years of age.
- B. Groups or individuals using the Hall must sign the application and use permit agreement and agree to be bound by its terms.
- C. Professional bonded security may be required at the discretion of the Town.
- D. The sale of alcohol is prohibited in the facility unless applicant making such request has obtained all necessary permits, including, but not limited to: liquor license under Title 5 of the Douglas County Code, and outdoor festival permit, if required.
- E. The Minden Town Board does not allow tables and chairs to be removed from the building for a separate rental.
- F. Renters are obligated to follow Nevada State Health Department rules for any food preparation and service at their gathering. (**Attachment B**)
- G. No permanent storage of equipment, etc., will be allowed without specific written consent by the Town Board.

### H. HOURS OF USE:

- 1. **Public Events.** There is no time limit on Hall rental for public events. Generally, the only consideration is the next booking of the Hall for rental. Curfew and the need

to curtail noise after 10:00 p.m. must be kept in mind. All opening and closing procedures apply.

2. **Private Events.** All private events involving alcohol consumption must vacate the premises by midnight. The building will be locked promptly at midnight and any cleaning needed at that time will be done by Town employees and charged to the renter at Town rates noted under the cleaning policy. All opening and closing procedures apply.

3. **Opening.** Rental time begins when the Hall is opened for use. Apart from the initial opening and final closing of the Hall, there is a charge of \$50.00 for each callback to the Town employee outside of normal business hours (7 a.m. – 5 p.m., Monday – Friday, excluding holidays). Renters with a wedding package are allowed two callbacks before the \$50.00 callback charge applies.

4. **Closing.** Rental time ends when the Hall is locked up by the designated Town employee. Renters are responsible for the security of the building from the beginning of the rental until the building is locked by the Town employee. Additional charges of no less than \$50 will be incurred if the renter leaves the building before the employee arrives to lock up.

I. TOWN EMPLOYEE CONTACT:

- a. When rental begins, renters will be given a Town employee contact name and telephone number for their event. This number is also posted by the kitchen telephone.
- b. The Town employee is available by cell phone for opening and closings, and in case of any emergency.

J. SET UP:

- a. Renter is responsible for the set up of their event.
- b. When setting up, PLEASE take care not to drag tables, chairs, risers, etc., across the floors (both stage and Main Hall floor).

K. CLEANING:

- a. The renter is given instructions for Hall use and cleaning at the beginning of rental time, and a cleaning instruction list is posted on the bulletin board by the kitchen. **See Attachment A.**
- b. Renters are required to return the Hall to the condition in which it was found. If the Hall needs any cleaning after the closing time, cleaning will be done by the Town employees and renters will be charged accordingly at the following rates:

Cleaning rates: \$50.00 Minimum charge  
\$75.00 per hour

- c. Gum found anywhere other than in an appropriate trash receptacle will result in forfeiture of deposit. If a barbeque or other cooking device is used in the parking lot, grease pans or similar protection must be set in place to keep asphalt clean.

d. After the Town employee arrives to lock the building, there will be no further opportunity for cleaning. Building will be inspected AFTER the renters have vacated the building.

e. When cleaning, PLEASE take care not to drag tables, chairs, risers, etc., across the floors (both stage and Main Hall floor).

L. DECORATIONS:

a. Decorations that require nails, eyebolts, or staples may not be used.

b. Tape may not be used on the walls, as it tends to pull the finish off; a damage fee may be assessed to the renter if this happens. If tape is used on the floor, it must be painter's tape that will not pull off the finish.

c. Glitter and confetti are extremely difficult to clean up and are not permitted.

d. Crepe paper will stain the floor when wet and is not permitted.

e. Do not affix anything to the light fixtures.

f. All decorations must be removed in their entirety when the event is over.

g.. Birdseed use is limited to outside the building.

M. Pursuant to Douglas County Code, SMOKING IS PROHIBITED IN THE BUILDING.

N. Reasonable safety precautions must be observed. No open flame of any kind including lighted candles will be allowed. No smoke machines are allowed; they set off the smoke alarms and cause the fire department to respond. No electric panel should be tampered with or bypassed.

O. Renter is responsible for safe and proper use of kitchen appliances. Fan and supply air must be turned on during operation of kitchen range. No propane stoves, camp stoves or other open flame apparatus will be allowed for use inside of the building.

P. Fire protection system: Any tampering with the fire protection system may result in a \$500.00 fine and/or jail time in accordance with fire department regulations. Renter will also be responsible for actual cost of Town staff time or other verifiable Town expenses incurred in addressing and responding to any false alarm. **In addition, a \$100.00 fee may be assessed for any unlawful use of and / or tampering with the Automated External Defibrillator.**

a. If the Ansel Fire System in the kitchen is activated for any reason, renter is responsible for the \$500 fee for system recharge. The pull down door in the kitchen (at the serving window) is also a fire door; it must not be tampered with because it is attached to an electronic system which activates automatically in case of fire.

b. A pre-alarm warning system has been installed on selected fire alarms to alert renters that someone has either tampered with or attempted to activate the regular fire alarm system. No such pre-warning is available on the Ansel (chemical) system whose activation handle is located in the kitchen adjacent to the door which exits to the parking lot and Minden Park.

Q. The Town of Minden will not be responsible for lost, stolen or damaged property, or

for injuries to or damage sustained by persons using the facility.

R. Renter assumes responsibility for all accessible areas of the building during the rental and will be charged for any damage caused to any area of building during that time. Activities must be conducted in a manner that avoids damage to the building and furnishings. If damage occurs, the user will be billed for the actual costs of response, labor, and materials damages.

S. A public telephone is available in kitchen. Long distance phone calls can be made if charged to a third party or made as collect calls.

T. Minor children must be supervised at all times.

U. NOTICE: Any unlawful activity, including but not limited to serving or providing alcoholic beverages to minors, will result in the immediate termination of the Hall rental without refund of deposit. Town employees are instructed to call law enforcement officers to respond to any unlawful or disruptive activity.

V. No modifications/changes will be made to any equipment or property of the Town of Minden at the facility during rental.

W. Renters agree to indemnify and hold harmless the Town of Minden from any liability arising from the use of the facility.

X. Renters agree to accept all responsibility for anyone they have subcontracted for work, including but not limited to: caterers, cleaning services, disc jockeys, etc.

Y. The CVIC Hall parking lot is available for the use of the renter. We ask that special consideration be given to the needs of the upstairs business tenants and that the parking places designated for those businesses be observed.

Z. Any renter who feels aggrieved by any decision of a member of the Town Board or an employee of the Town during or relating to an event for which a rental fee has been paid to the Town may take such grievance to the Town Board at its next regular meeting upon proper notice.

### III. Reservations and Payment

A. Reservation process: The CVIC Hall is available for rent on a first come-first serve basis. All groups or individuals using the building must complete and sign the CVIC Hall application and agree to be bound by its terms. The application can be obtained from the Town office or online at [www.townofminden.com](http://www.townofminden.com).

#### B. Rates

##### 1. General Rates:

a. Main Hall: \$65 per hour on weekends, holidays, and after 1:00 p.m. Monday – Thursday; \$30 per hour from 6:00 a.m. – 1:00 p.m. Monday – Thursday, excluding holidays.

b. Fortnightly Room: \$50 surcharge when rented in addition to the rental of the Main Hall; \$25 per hour when rented separately.

## 2. Local Tax-Supported Agency Rate

### a. Douglas County and other Qualified Entities:

- When the event does not generate any revenue, there will be no charge for use during normal weekday business hours (7:00 a.m. – 5:00 p.m., Monday – Thursday, excluding holidays). A \$25 fee will be assessed for each opening and/or closing outside of normal business hours on these days. The renting agency is responsible for set-up, clean-up, and the security of the building. A \$50 fee will be assessed if the renter leaves the building before the Town employee arrives to lock up. Any organization who does not exercise proper care for the facility during their rental may have their complimentary rental privileges revoked.
- When the event *does* generate revenue, the Hall may be rented at full price less the public agency discount of 25% and is subject to all deposit and insurance requirements.

### b. Other Public Agencies:

- 25% discount on all hourly rental fees. All deposit and insurance requirements apply.

3. **Wedding package rate:** \$1,000 flat rate for a two-day rental. Rental includes use of the CVIC Hall and the Fortnightly Room for two consecutive days and use of the gazebo in Minden Park if available.

### 4. Theater package rate:

- \$1,350 flat rate for a two week rental, which includes use of the CVIC Hall and the Fortnightly Room for fourteen consecutive days..
- \$1000 for a one-week rental. Rental includes use of the CVIC Hall and the Fortnightly Room for seven consecutive days.

5. **Service club/non-profit organization rate:** 25% discount on all hourly rental fees for Douglas County service clubs and organizations with operating under official non-profit status. All requirements for deposits and insurance still apply. Negotiated rates and packages are not eligible for this discount.

6. **Town of Minden Resident rate:** 35% discount on rental fees. All requirements for deposits and insurance still apply. Proof of address must be provided and must match the Town of Minden billing records. All fees owed to the Town of Minden must be paid in full in order to receive the discount.

7. **Non-use:** The CVIC Hall may be rented for non-use; however, all rental fees will apply. "Non-use" means renting the Hall to keep other potentially competing or diverting activities from occurring on the same day and time as a planned event outside the Hall. For example, to keep parking space available during a street fair, merchants may choose to rent the Hall for non-use.

8. **Long-Term Tenants:** Groups may be allowed to rent the CVIC Hall on a semi-permanent basis. Anyone renting the Hall on in this manner may be required to enter

into a long-term lease agreement. At the discretion of the Town and with reasonable advanced notice to the long-term tenant, the long-term tenant's normal scheduled time may be adjusted by the Town to a different time. Generally, such disruption would occur only when the Town or Douglas County experiences an extraordinary need or has a special event that supersedes most normal activities.

C. Deposits:

1. **Private Events:**

- a. Minden Residents: A refundable deposit of \$400 is required when the responsible party for the event resides within Town of Minden, Nevada. The responsible party must provide proof of residency and proof of insurance. The name and address on the deposit check must match the name and address on both the proof of insurance and the Town of Minden billing records.
- b. Douglas County Residents: A deposit of \$1,000.00 is required when the responsible party of the event resides outside the Town of Minden but within Douglas County, Nevada. The name and address on the deposit check must match the name and address on the proof of insurance
- c. Out-of-Area Residents: Responsible parties outside of Douglas County are required to put down a deposit in the amount of \$3,000.00.

**NOTE: ALL DEPOSIT AMOUNTS DOUBLE WHEN ALCOHOL IS PRESENT.** The Town reserves the right to monitor the presence of alcohol at any time during the rental. In the event that alcohol is detected and the renter did not pay the additional deposit, the Town may immediately shut down the event and terminate the rental. There will be no refunds if this breach of contract occurs.

2. **Public Events:** the deposit amount is \$400.00 for Douglas County organizations and \$1,000.00 for organizations based outside of Douglas County.
3. If the application and deposit are received less than seven days from the scheduled date of the event, the deposit must be in the form of cash, cashier's check, or money order. The Town will not guarantee a reservation until both the deposit and signed application are on file in the Town office. Checks should be made payable to the Town of Minden. No out-of-state checks will be accepted for deposits. Proof of insurance must also be submitted at least seven days in advance of the event.
4. Additional deposit may be required at the discretion of the Town when the proposed use is likely to cause extraordinary post-activity cleanup efforts.

D. Payment:

1. 100% of all rental fees must be received at least ten working days prior to the rental. Purchase orders will be accepted from local public agencies. No out-of-state checks will be accepted as payment.
2. **FINAL CHARGES WILL BE DETERMINED AFTER THE EVENT.** Any charges over the estimate shown on the application will be billed to the applicant and

are due within 30 days of the revised invoice date. If the estimate shown on the application is lower than the actual charges, a refund will be issued.

3. The Town will not guarantee a reservation until both the deposit and signed application are on file in the Town office. Proof of insurance must also be submitted at least seven days in advance of the event.

D. Insurance:

1. Proof of liability insurance naming the Town of Minden as an additional insured is required. Douglas County residents must provide proof of \$1,000,000 liability insurance. Non-Douglas County residents must provide proof of \$2,000,000 liability insurance.

2. Proof of insurance must be submitted at least seven days prior to the event.

F. Refunds:

1. Deposits shall be returned to the applicant, pending an inspection of the reserved facility, subject to any and all claims for cleaning, repair, or other administrative fees. Deposits will **only** be sent to the name and address displayed on the original deposit check.

**2. PLEASE ALLOW 30 DAYS FOR RETURN OF DEPOSIT.**

3. If an event is terminated by the Town due to a breach of contract for any reason, no refunds will be issued.

4. In the event an individual or group fails to appear for the scheduled use or cancels with less than 48 hours notice to the Town's administrative office, the Town may choose not to issue a refund of the deposit.

G. Cancellations

1. A minimum cancellation fee of \$50.00 may be assessed for cancellation of any event.

2. In the event an individual or a the group fails to appear for the scheduled use or cancels with less than 48 hours notice to the Town's administrative office, the Town may choose not to issue a refund of the deposit.

3. If an event is cancelled as a result of an Act of God (i.e. natural disasters, heavy storms, etc.), fees will be waived or returned.

**The Minden Town Board has approved these policies and will make no exceptions unless remarkably extenuating circumstances exist, as determined by Staff, at which point any decisions regarding a deviation from the policy must be made publicly at a regularly scheduled Minden Town Board meeting prior to the event, or at the discretion of the Town Board Chairman.**