

CITY OF CARMEL-BY-THE-SEA POLICY AND PROCEDURE

Subject: Support Groups Policy	Policy/Procedure No: C89-47
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Effective Date: 3 October 1989	Authority: Resolution No. 89-121
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Purpose:

To establish a formal procedure for relationships between the City and its support groups.

Policy/Procedure:

As fully set forth in the policy document, attached.

Responsible Party:

City Administrator/City Council

Department of Origin:

Administration/City Council

Revision Dates:

6 March 1990 (Resolution No. 90-26)
4 August 1992 (Resolution No. 92-70)
3 April 2007 (Resolution No. 2007-19)
2 October 2012 (Resolution No. 2012-70)
7 September 2021 (Resolution No. 2021-046)

Rescinded Date:

City Administrator Approval:

Signature

Date

Support Groups Policy

September 21, 1989

General:

The City Council recognizes that individuals of the community will join together from time to time in support groups to assist the municipal organization (City) or one of its departments for a variety of reasons. The City Council also recognizes the value of the assistance so provided by support groups and encourages the formation of such groups where appropriate and/or a need exists. So that both the City and its entities and the support groups have a clear understanding of the nature and extent of the relationship, the following guidelines have been developed and adopted by the City Council.

Definition:

Support groups are associations of individuals who have voluntarily joined together in a unit whose sole or primary purpose is to provide assistance – monetary, social, cultural or otherwise – but not political – to the City or one of its departments.

Nature of Relationship:

The City recognizes the importance of support groups to the financial, social, cultural and environmental fabric of our community as well as the need for private support groups to be independent and freed of the restrictions which are applicable to public entities. It is also recognized by the City that a relationship will exist between support groups and the City. It is the intent of the City to keep the relationship with all support groups to a minimum, recognizing that support groups are private in existence, a status which requires neither the specific public noticing, reporting and liability responsibilities of, nor financial assistance from, the City.

While members of support groups have the freedom of association guaranteed by the Constitution, the support group is recognized by the City as a private body.

City Involvement with Support Groups/Personnel:

City personnel, whether elected, employed or appointed, shall not serve on the board of directors (either as a member or in an ex officio capacity) of a support group. Employees of support groups are not City employees and support groups and their officers shall refrain from representing themselves as agents or officers of the City. City staff will be assigned by the City Administrator to serve in a liaison capacity and to provide technical assistance to support groups if requested.

Use of City Facilities*:

Support groups are entitled to free use of City facilities for meetings, either general membership, board, executive committee, or special committee as long as:

- a) The date and time are convenient to the operation and maintenance of the facility in which the meet is desired;
- b) The meeting room is not needed for a City board, committee or commission meeting;

- c) The meeting is to occur during regular hours of operation or does not require the scheduling of staff beyond regular schedules if held at a time other than regular hours;
- d) The desired room is available;
- e) The City will not incur a substantial cost for providing the room; and
- f) The use of the City facilities by the support group is in furtherance of the interests of the City.

The City shall draw up an agreement with each support group which shall outline the terms and conditions for the free use of meeting rooms and of storage space. Support groups may also store assets and belongings in a public facility subject to a valid Hold Harmless Agreement and certificate of insurance being on file with the City Clerk's office and naming the City as an additional insured party, and provided that the space is not required for municipal properties.

City facilities, with the exception of library facilities, may not be used to provide free space or equipment for the business office of the support group. The use of Library facilities shall be determined by the Harrison Memorial Library Board of Trustees, with the exception of events held at these facilities at which alcoholic beverages are offered. Limitations on such use are described in this Policy in the paragraph titled "Insurance".*

Use of City Equipment*:

No support group, its officers or members, shall utilize any equipment belonging to the City and/or any of its departments except audio/visual equipment and room furnishings which are normally provided upon request with the use of a room. City equipment is defined but is not limited to telephones, desks, copy machines, computers and computer terminals, mail and stamping devices, facsimile machines, typewriters and adding machines. The City Administrator may grant use of City equipment in special circumstances. The use of library equipment shall be determined by the Harrison Memorial Library Board of Trustees.*

Membership Rolls:

Membership rolls of support groups and the City can be exchanged if an agreement is reached between the parties and is consistent with both State and Federal laws.

Postage:

Each support group shall secure and maintain its own Post Office box or mailing address. The City's or a City department's Post Office box or bulk mailing permit is to be used for official City business only. Each support group shall incur all expenses associated with the mailing of its literature, minutes, agendas and fund-raising requests.

* For statutory provisions governing use of library facilities and equipment, see Education Code, Title 1, Division 1, Part 11, Chapter 5, Section 18919 and Carmel-by-the-Sea Municipal Code Section 2.72.050.

Political Activities:

No support group, organized for the purpose of assisting the City or one of its departments shall partake, either officially or unofficially, in any political activity involving the City of Carmel-by-the-Sea, its officers, employees, or facilities. Political activity includes, but is not limited to:

- Mayoral and City Council elections
- Local ballot issues
- Involvement in administrative or personnel matters

Support Groups are encouraged to use proper and accepted internal City communication channels and the public appearances section of City Council meetings.

Insurance:

The City will provide general liability insurance coverage for support groups including the cost of the insurance deductible as long as the support groups are meeting or holding events in public buildings or at public facilities. If a support group meets away from a public building or public facility and/or outside the City limits, then it shall be the option of the support group as to whether it desires to secure insurance protection. The City will not provide insurance protection for activities and events held outside of the City limits or away from public buildings and/or public facilities and will not provide coverage at any activity where alcoholic beverages are being served unless such activity is officially sanctioned and cosponsored via a Resolution of the City Council.

Should support groups desire to serve alcoholic beverages at an event, either in a public building or at a public facility, the support group will be required to secure its own insurance coverage, unless the City Council adopts a Resolution of co-sponsorship.

Co-Sponsorship:

A Resolution of the City Council of the City of Carmel-by-the-Sea is required in order for the City to co-sponsor with any support group any event, performance, activity or function, whether one-time, cumulative or ongoing.

Fund-Raising Events within Public Facilities:

The City recognizes that support groups from time to time will request the utilization of public facilities for fund-raising activities. Such requests for the use of public facilities shall be forwarded to the City Council for its review at least thirty (30) days prior to the scheduled event. The City will give preferential consideration to support groups over other groups for fund-raising activities within public facilities.

Requests for the use of Library facilities shall be forwarded to the Harrison Memorial Library Board of Trustees for its review at least thirty days (30) prior to the scheduled event.* However, any event approved by the Library Board of Trustees at which alcoholic beverages are to be offered must also have prior approval of the City Council as set forth in this Policy in the paragraph titled "Insurance".

Support Groups are cautioned that obtaining such approval by both bodies could take seven weeks or more, depending on the scheduling of their respective meetings.

Bylaws:

Each support group shall provide a copy of its current bylaws to the City Clerk.

Annual Audit:

The City requires a copy of the annual audit, review or internal financial report of each support group.

Responsibility for Implementation of Policy:

The City Administrator is delegated as the City official responsible for the implementation of this policy.

Periodic Review:

The City Council will, from time to time, review the intent and content of this policy and make any necessary amendments which it deems necessary to protect the interests of the City and the support groups. All support groups will be notified whenever a review is determined to be needed.

* For statutory provisions governing use of library facilities and equipment, see Education Code, Title 1, Division 1, Part 11, Chapter 5, Section 18919 and Carmel-by-the-Sea Municipal Code Section 2.72.050.

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2021-046

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
DESIGNATING CARMEL CARES AS AN OFFICIAL CITY SUPPORT GROUP IN
ACCORDANCE WITH SUPPORT GROUP POLICY NO. 89-47**

WHEREAS, in October 1989, the City Council adopted Resolution 89-121, the Support Group Policy, which establishes the relationship between the City and private groups; and

WHEREAS, in May 1990, the City Council adopted Resolution No. 90-47 designating the support groups of the City; and

WHEREAS, according to their website, "*Carmel Cares is a group of Carmelites dedicated to keeping Carmel-by-the-Sea a beautiful, safe, and inviting place;*" and

WHEREAS, Carmel Cares has already performed tremendous volunteer efforts, such as renovating the Scenic Pathway, Devendorf Park, Vista Lobos Park, and other grounds, donating tools and equipment, and championing community engagement groups including the "Tree Tenders," "Median Minders," and "Pick-Up Posse" programs; and

WHEREAS, Carmel Cares has become a certified, non-profit 501(c)3 organization; and has requested to be designated as an official Support Group of the City.

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA DOES HEREBY:**

1. Require Carmel Cares to provide all documentation pursuant to Policy No. 89-47.
2. Designate the following groups as Support Groups pursuant to Policy No. 89-47:
 - a. Friends of Harrison Memorial Library
 - b. Carmel Public Library Foundation
 - c. Friends of Carmel Forest
 - d. Friends of Sunset Foundation
 - e. Lester Rowntree Native Plant Garden Committee
 - f. Friends of Mission Trail Nature Preserve
 - g. Carmel Cares (upon compliance with #1)
3. Authorize the City Administrator to submit the updated list of support groups to the insurance carrier.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 7th day of September, 2021, by the following vote:**

AYES: COUNCIL MEMBERS BARON, FERLITO, THEIS, MAYOR PRO TEM RICHARDS,
MAYOR POTTER

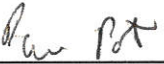
NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

APPROVED:

ATTEST:



Dave Potter
Mayor



Ashlee Wright
Acting City Clerk