



Albemarle County

Legislation Text

File #: 19-505, **Version:** 1

AGENDA DATE: 10/16/2019

TITLE:

Rules for the Public's Use of the County Office Buildings and Their Grounds

SUBJECT/PROPOSAL/REQUEST: Adoption of proposed "Rules for the Public's Use of the County Office Buildings and Their Grounds" to replace the current "Community Use of County Facilities Policy"

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Henry, Kamptner, Farley, Lantz, Stewart, Freitas, Carr

PRESENTER (S): Greg Kamptner

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: The Board's Community Use of County Facilities Policy (the "Policy"), first adopted on February 10, 1982, governs the public's use of the County's Office Buildings located at 401 McIntire Road (COB-McIntire) and 1600 5th Street (COB-5th). The Policy has been amended numerous times over the years in a piecemeal manner, most recently on October 3, 2018 when the Board amended the policy pertaining to the public's use of the parking lots at COB-McIntire.

A team composed of representatives from the County Attorney's Office, the County Executive's Office, the Police Department, and the Department of Facilities and Environmental Services has met several times to discuss amendments to the Policy for the Board's consideration. The proposed draft Rules for the Public's Use of the County Office Buildings and Their Grounds (the "Rules") (Attachment A) are the result of that team's work.

The August 7, 2019 executive summary explaining the proposed Rules in depth is included as Attachment B.

STRATEGIC PLAN: Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: The draft Rules address several issues regarding the public's use of COB-McIntire and COB-5th with the objectives to: (1) ensure that the County (including the School Division) and the public are able to conduct County business with minimal or no disruption; (2) enable the public to use the COB-McIntire and COB-5th in a reasonable manner; (3) recognize the public's interest in exercising First Amendment rights; (4) clarify the County's interests, as a property owner, in making certain areas of COB-McIntire and COB-5th available for public use while other areas are closed to the public; and (5) clarify the role of the County Executive and his designees as persons in charge of COB-McIntire and COB-5th.

The Rules have since been revised to clarify definitions, make minor organizational changes, correct the days that rooms in COB-5th may be available for organizations to meet (*i.e.*, Monday through Friday if the County is

open for business, as compared to Tuesday through Thursday at COB-McIntire), and make other changes to improve stylistic consistency. Staff also has received written feedback regarding the Rules from members of the public. Those comments were not received in time to be fully analyzed. Very briefly, the feedback recommends making more of the Front Lawn and the sidewalk area around the Visitors' Entrance available for First Amendment activities. Other feedback pertaining to clarifying some of the descriptions and the definition of "Expressive Activity" required only limited analysis and has been incorporated into the Rules. Staff will present its completed analysis of the feedback on October 16.

BUDGET IMPACT: Improvements to secure the parking lots have already been budgeted and appropriated. The cost to provide the gate at the Preston Avenue entrance is approximately \$40,000. Staff will recommend that the front lawn of COB-McIntire be improved to clearly delineate the location of the front lawn that will be available for the exercise of First Amendment rights. Several options for physical improvements continue to be developed by staff and will be presented to the Board for consideration when ready.

RECOMMENDATION:

Staff recommends that the Board adopt the attached Rules (Attachment A), inclusive of any changes requested by the Board on October 16.

ATTACHMENTS:

- A - Rules for the Public's Use of the County Office Buildings and Their Grounds
- B - August 7, 2019 Executive Summary