

ORDER NO. 25-0109-06

AN ORDER APPROVING BRUSHY CREEK COMMUNITY CENTER POLICY FOR MEETING ROOM, GYM, AND GARDEN PAVILION RENTALS

WHEREAS, Brushy Creek Municipal Utility District (the “*District*”) is a conservation and reclamation district, a body corporate and politic and governmental agency of the State of Texas, created under Article XVI, Sec. 59 of the Texas Constitution by order of the Texas Water Commission, now the Texas Commission on Environmental Quality (“*TCEQ*”), and the District operates under Chapters 49 and 54 of the Texas Water Code, as amended;

WHEREAS, Section 49.463 of the Texas Water Code authorizes districts to own, develop, construct, improve, manage, maintain, and operate park and recreational facilities;

WHEREAS, pursuant to the foregoing authority, the District has financed, constructed and operates numerous park and recreational facilities to serve the residents of the District, including a community center, parks, swimming pools and park pavilions;

WHEREAS, Section 54.205 of the Texas Water Code authorizes a municipal utility district to regulate privileges on any land owned or controlled by the district;

WHEREAS, pursuant to such authority, the Board of Directors desires to adopt the Brushy Creek Community Center Policy for Meeting Room, Gym, and Garden Pavilion Rentals in the form attached hereto as **Exhibit “A”** to set forth the policies of the District regarding rental and use of the facilities referenced therein; Now, Therefore,

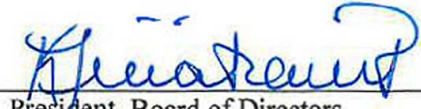
BE IT ORDERED BY THE BOARD OF DIRECTORS OF BRUSHY CREEK MUNICIPAL UTILITY DISTRICT THAT:

Section 1. The matters and facts recited in the preamble to this Order are found to be true and correct and the same are incorporated herein as a part of this Order.

Section 2. The Board of Directors hereby approves the Brushy Creek Community Center Policy for Meeting Room, Gym, and Garden Pavilion Rentals in the form attached hereto as **Exhibit “A”**, which policy shall be effective immediately upon adoption of this Order.

Section 3. The President and Secretary of the Board are hereby authorized and directed to execute this Order. After this Order is executed, an original Order shall be filed in the permanent records of the District.

PASSED AND APPROVED this 9 day of January, 2024.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

Exhibit "A"
Brushy Creek Community Center Policy for Meeting Room, Gym, and Garden Pavilion Rentals

Brushy Creek Community Center Policy for Meeting Room, Gym, and Garden Pavilion Rentals

Purpose

The Brushy Creek Community Center, a community resource dedicated to serving the needs and interests of the residents of Brushy Creek, is a place for family and community events.

Reservation Priorities for Community Center Facilities

To best meet the needs of the community it serves, the following priorities have been assigned for the scheduling and use of the Community Center meeting rooms:

1. Meetings related to the business of the Brushy Creek Municipal Utility District take precedence over other meeting room use. A specific schedule of meeting dates and times will be reserved for this purpose. To maximize the availability of the meeting rooms, these meetings will be scheduled with as much advance notice as reasonably practicable.
2. Meeting room reservations and use for all other purposes will be on a first-come, first-serve basis up to 12 months in advance.
3. To ensure that the needs of the entire community are being served, the District reserves the right to limit the number of reservations by any user or group.

Reservation Procedures

1. Reservations for meeting rooms, the gym, the Garden Pavilion, and related areas shall be made by applying, in the approved District format, and paying the applicable Deposits and User fees, as noted below will be retained by the District.
2. Meeting rooms, the gym, the Garden Pavilion and related areas are made available to rent during the Community Center's normal operating hours. After-hour reservations are available, for an additional fee. See Additional Fees Rate Schedule.
3. There is no additional charge for the use of tables and chairs, overhead projector screens, Internet access, and general sports equipment. Items are subject to availability.
4. Any event that involves the consumption of alcohol, MUST comply with the Community Center's Official Alcohol Policy. No exceptions.
5. All fees are established by the BCMUD Board of Directors and are subject to change only by the board.
6. Community-Based Groups are defined as legally organized groups that substantially benefit BCMUD community residents. A mission statement for these groups is to be provided upon the District's request.
7. Community-based and Non-profit Groups may receive discounted pricing for the use of the Garden Pavilion and Craft Room, during approved hours. These groups may also use the meeting rooms when available for a discounted price. For peak hours, groups may receive a resident rate for an approved number of hours. The conference room is made available at no charge to these groups

when not being used for District business. This policy applies only to single events. The Board of Directors must approve all requests for exceptions to this policy.

8. The Board Room is made available at no charge to Community-Based Groups when not being used for District business. The Board Room is to be used for meeting purposes only. No activities or crafts are allowed in the Board Room. The meeting size is limited to 20 people maximum. Use of the Board dais and the electronic equipment in the Board Room is prohibited
9. Non-profit 501(c)(3) entities may receive the resident rate during peak hours for an approved number of hours. This policy applies only to single events. The Board of Directors must approve all requests for exceptions to this policy.
10. Community-based or non-profit groups who establish a long-term rental contract (three or more rentals within a 12-month period) will receive a special rate, see chart.
11. Additional services available: Contract Security is available if needed or required, as per the Alcohol Policy. See the Additional Fees Rate Schedule for a list of services available.
12. The Resident, or Member, completing the application and paying the use fee must live in the Brushy Creek Municipal Utility District or be a current annual member of the Community Center and be present at the event.
13. The person completing the rental application must sign in with a photo ID to gain access to the rented space. The Renter must remain on the premises for the entirety of the rental and sign out at the end of the reservation. Failure to adhere to this rule can result in additional fees or denial of future rentals. The District does not allow third party reservations.

Reservation and Cancellation Policy

Deposit

1. A \$50 deposit will hold room(s) up to 120 days prior to event. This \$50 deposit will be applied towards the rental or retained if the rental is cancelled.

Payment Schedule

1. 120 days before the event, one-half of rental payment is due.
2. 60 days before the event, the remaining portion of the rental amount is due.
3. At least 14 days before event, the deposit is due. An additional required Alcohol Deposit is due if alcohol is to be served. If the reservation is not completely paid for at this point, all fees previously paid will be forfeited.
4. A refund may take up to 30 days for processing.
5. Up to 100% of the deposits will be returned, depending on the condition of rooms and on patrons following all rules as stated in the "Facility and Meeting Room Use Policies" (last page of this document.)

Cancellations and Date Changes

1. Once the event is less than 60 days away, and a cancellation is requested, this will result in the loss of the full Rental Fee; however, the alcohol deposit will be refunded if it has been paid.
2. In the event of acts of mother nature or other force majeure events, as determined by the District, reasonable efforts will be made to reschedule.'. Use of the facilities can only be guaranteed to the extent that circumstances remain under the control of the staff. Reasonable efforts will be made to deal with any extreme circumstance by the District in the best interest of all parties.

Event dates will be allowed to change one time providing the change is made at least 60 days prior to the originally scheduled event date. Changing the event date will result in a fee of \$50 per room, excluding the kitchen, or 25% of the entire rental fee, whichever is higher. Canceling the event after the event has been rescheduled will result in forfeiting 100% of the entire rental fee.

Refund based on the Number of Days prior to event.

Days prior to event	Refund Due
At least 120 days prior	100% rental fee refunded less \$50 room reservation deposit
119 to 61 days prior	25% of total rental fee retained by BCMUD Example: Paid \$250 Total Rental \$500 Refund \$125 Example: Paid \$500 Total Rental \$500 Refund \$375
60 to 0 days prior	0% refund of rental fee

**To qualify for the Resident rate, the person completing the application and paying the use fee must live in the Brushy Creek Municipal Utility District or be a current annual member of the Community Center. We do not allow third party rentals.*

Community-based and Non-profit prices

Room	Single Event Price	Long Term Rental Contract Price	Time Unit
Meeting Room/ pavilion/ kitchen/ craft room	50% off resident rate Non-peak	25% off resident rate Non-peak	TBA*
½ Gym (one full court)	50% off resident rate Non-peak	25% off resident rate Non-peak	TBA*
Any rooms - all other hours	Resident rate Peak hours	Resident rate Peak hours	TBA*

*Per- approved number of hours/To Be Arranged

Room Descriptions and Capacity

Maple, Elm, Oak Meeting Rooms -Each room consists of 960 square feet and will seat approximately 60 people, assembly style, with room for a presentation area at the front of each room. Each room will seat 60 people at rectangular tables and 54 at round tables. Access to Patio, and allows access to the garden trails when not reserved by other parties.

The Craft Room – Consists of 4 tables with 16 people seated. This room has two sinks.

The Kitchen is equipped with a sink, dishwasher, stove, oven, microwave, icemaker, refrigerator, coffeemaker and cleaning materials. The center doesn't provide utensils, cups, plates, glasses or linens. Trash bags are available.

Garden Pavilion -Multi-use covered area with ceiling fans, electrical outlets, and Garden Trails access. Small or large groups.

Arbor / Garden – Rustic outdoor setting. For groups up to 70.

Conference Room – One conference room table and ten chairs.

Gymnasium -The gym consists of 2 full courts that can be divided into individual courts by dropping a full-length separation curtain. Each court has its own bleacher section and scoreboard. Each court can be subdivided into smaller courts to accommodate multiple games. Primary use is Basketball, Volleyball, Pickleball, and Badminton. Basketball-1 full court or 2 (3/4 size) setups, Volleyball-1 full court or 2 full court setups, Badminton-3 full courts.

Facility and Meeting Room Use Policies*

1. Smoking is not permitted inside the building. Smoking is permitted outside, not within 15 feet of any door to the Community Center.
2. The exterior doors in meeting rooms Oak, Elm, and Maple may not be propped open or blocked.
3. **Room use is limited to reserved space and restrooms. Charges will incur for the use of non-rented space.**
4. **Set-up time and clean-up time is part of the total rental time. Example:** If an event is scheduled for 2 hours, from 2-4 PM, and it will take 30 minutes to set up and 30 minutes to clean up, then the total rental time needs to be 3 hours. This is due to the possibility of back-to-back bookings for the same area. Any amount of time beyond the scheduled time, will be subject to the Hourly Rate listed under the Additional Fees Section. Rentals time may be extended if space permits, as determined by the on-duty supervisor, but must conclude by midnight per #18.. The hourly rate will not be pro-rated or based on actual minutes of overuse. The full hourly rate will be charged to the deposit if deemed to be appropriate by the Facility Staff.
Common sense will prevail.
5. No open flames allowed, except for supervised catering use. All candles must be enclosed in lantern-type holders.
6. **Adult supervision of children is required at all times**, including the kitchen,

with a ratio of no more than 6 children under age of 12 to one adult over 18 years of age. No children should be running in the hallways, entering other rooms, playing in the parking lot or garden area.

7. Except for a person that is a license holder or who is otherwise permitted under Texas law to carry a handgun or other firearm or weapon on District property, no firearms or other weapons are permitted on the premises of any District property. Any authorized firearms located on District property are subject to all requirements and restrictions of state law. Any form of gambling or game of chance, unless expressly permitted by law and subject to approval, is prohibited.
8. No animals, except service animals, are allowed in the building.
9. **All facilities must be left clean** and ready for the next user. If staff time or other expenses are incurred to clean the facilities, the District will deduct a corresponding amount from the deposit.
10. All trash must be disposed of in the dumpster located in the west parking lot in the dumpster enclosure.
11. No amplified sound (inside or outside the building) is allowed without prior approval. The volume within the rented space must be controlled so as not to disturb other users of the facility and the surrounding perimeter.
12. Mounting putty is the only approved method to be used to affix decorations. Tacks, nails, staples, cellophane tape, duct tape or other fastening methods are NOT permitted.
13. No rice or confetti is to be thrown inside or outside the building. Use of birdseed or such items must be approved by the Reaction Manager prior to use and may require an additional \$50 to the deposit.
14. No individual or entity may publish the name or address of the District, or Community Center as its mailing address for business or other professional purposes. Any promotional advertising, except that incidental to programming and District business, is subject to review and approval by the General Manager, and Recreation Manager.
15. Any exceptions to the above policies must be approved by the General Manager, and Recreation Manager and may require a higher deposit.. Attendance in any meeting room may not exceed room capacity.
16. Garden area will be closed to public access for the duration of the pavilion rental.
17. All events must terminate and users must vacate the Community Center premises by midnight .
18. *Failure to follow any of the above policies may result in forfeiture of all or part of the cleaning and damage deposits, fees, termination of rentals rights, and cancellation.' All current District policies apply during the usage of The Brushy Creek Community Center and amenities.