

Lakeville Arena

Facility Use Policy

Adopted June 2007

Lakeville Arena Facility Use Policy

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City of Lakeville Arena Facility Use Policy

I. Preamble

The Lakeville Arena Joint Powers Agreement defines certain ice scheduling guidelines related to public skating, Independent School District 194 and the Lakeville Hockey Association. Section 8 C of the Lakeville Arena Joint Powers Agreement also delegates to the City of Lakeville the responsibility and authority to establish the facility scheduling policy. Section 8 of the Lakeville Arena Joint Powers Agreement is attached as Exhibit hereto.

The City of Lakeville therefore hereby approves and sets forth the following Facility Use Policy relating to the Lakeville Arena.

II. Definitions

- City: City of Lakeville
- ISD 194: Independent School District 194
- JPA: Joint Powers Agreement
- LHA: Lakeville Hockey Association
- Lakeville Adult Athletic Groups: Organized adult athletic groups whereby the majority of the members are residents of City or ISD 194 or sponsored by a business located in the City or ISD 194.
- Lakeville Arena: As defined in the Lakeville Arena Joint Powers Agreement.
- Lakeville Community Organizations: Includes recognized Lakeville community service and civic non-profit organizations and agencies activities and programs. These organizations include but are not limited to: Knights of Columbus, Rotary, Lions and YMCA.
- Lakeville Youth Associations – ice related: Includes the following youth associations - a recognized figure skating club serving Lakeville residents and the following youth hockey associations: Lakeville Hockey Association, Apple Valley Hockey Association, Rosemount Hockey Association and Farmington Hockey Association.

- Lakeville Youth Associations – dry floor related: includes Independent School District #194, Independent School District #196 (Parkview), Independent School District #192 (North Trail Elementary), Lakeville Private Schools (All Saints), Lakeville Baseball Association (LBA), Lakeville Soccer Club (LSC), Lakeville Fast Pitch Softball Association (LFSA), Lakeville Football Association (LFA), Lakeville Lacrosse (LL), Rosemount Area Athletic Association (RAAA), Farmington Athletic Association (FAA), Valley Athletic Association, Inc. (VAA), Other Clubs & Individual Teams with roster of Lakeville residents.
- Sponsored activities (Arena): Any events established, promoted and under the direct control of the Lakeville Arena. Includes but not limited to Learn to Skate programs, open hockey, figure skating and arena sponsored leagues.

III. Ice Use

Allocation of ice schedule is subject to the terms and conditions of the JPA. For scheduling purposes, the ice season is defined as October 1 thru September 30. The guidelines are as follows.

A. Scheduling Priorities

The City of Lakeville reserves the right to modify the ice allocation policy in order to preserve the underlying concepts of the JPA. Scheduling of ice shall be allocated based on the following Priorities. The Arena Manager shall have authority to use reasonable judgment and discretion with respect to schedule administration.

<u>Priority</u>		<u>Deadline to submit request</u>	<u>Deadline to refuse any ice hours allocated</u>	<u>Deposit due date</u>
1	Public Skating	1-Jul	1-Aug	
2	ISD 194 (high school teams)	1-Jul	1-Aug	
3	LHA (Ames Arena only)	1-Aug	1-Sept	
4	Arena Sponsored	1-Aug	1-Sept	
5	Lakeville Youth Assoc.	1-Aug	15-Sept	15-Sept
6	Lakeville Adult Athletic Groups	22-Aug	22-Sept	22-Sept
7	Lakeville Community Organization	22-Aug	22-Sept	22-Sept
8	Other	1- Sept	30-Sept	30-Sept
9	1 st come 1 st serve			Upon Reservation

B. Ice Scheduling - General Conditions

a. Priority 1 – Public Skating

Terms and conditions of priority 1 are pursuant to Section 8.A.3 of the JPA

b. Priority 2 – ISD 194 (high school teams)

Terms and conditions of priority 2 are pursuant to Section 8.A of the JPA

c. Priority 3 – LHA (Ames Arena only)

Terms and conditions of priority 3 are pursuant to Section 8.B of the JPA

Since the objective of the Lakeville Arena's is to operate the facilities in an entrepreneurial manner, it may be prudent to convert Ames Rink 1 for dry floor activities effective March 1. In such situations the Arena Manager may use discretion in the scheduling of the LHA at Rink 3 consistent with the spirit of the JPA.

There may also be situations where the LHA and ISD 194 mutually agree to the transfer of ice hours between Ames and Rink 3 consistent with the spirit of the JPA.

d. Priority 4 – Arena Sponsored

Any events established, promoted and under the direct control of the Lakeville Arena. Includes but not limited to Learn to Skate programs, open hockey and arena sponsored leagues.

e. Priority 5 – Lakeville Youth Associations

- i. To be recognized as a priority 5 an organization must submit to the Arena Manager by July 1 the names and addresses of participants registered for the previous season through the respective governing body (i.e. USA Hockey, US Figure Skating, ISI) who
 - A) reside in the City of Lakeville or
 - B) reside in the ISD 194

An organization must submit and meet all criteria as stated in this section in order to be eligible as a priority 5 in the ice allocation process.

- ii. The associations must submit by August 1 the minimum number of hours they intend to guarantee for the coming year based on the allocation formula described below.

- iii. For purposes of determining ice allocation hours the following formula will apply.
 - A) If a participant resides in the City of Lakeville they will count as 1 individual.
 - B) If a participant resides in the ISD 194 boundary they will count as 1 individual.
 - C) If a participant resides in the City of Lakeville and within the ISD 194 boundary they will count as 2 individuals.
- iv. The Arena Manager will prorate the allocation of available ice hours based on the number of individuals in the respective organizations as determined in step iii above. Subject to the terms of the JPA, the Lakeville Hockey Association must utilize the available ice hours at Ames Arena during the High School hockey season in order to lease hours at Rink 3. Available ice time hours are from approximately 5:30 p.m. until approximately 10:30 p.m. Monday thru Friday and from 6:00 a.m. until 10:30 p.m. Saturday and Sunday; the available ice hours is not applicable for those days and times when the Lakeville Arenas is scheduled to be closed. The Arena Manager shall have authority to use reasonable judgment and discretion with respect to schedule administration.
- v. On or about the second Saturday of August, the ice hours will be allocated with the teams selecting the hours of their choosing.
 - A) The hours will be distributed in one hour increments (or other reasonable units as determined by the Arena Manager.) The distribution for each round will be in direct proportion to the allocation as calculated in step iv above.
 - B) The process will start with the organization with the least number of hours to be allocated and proceed in ascending order. In the second and subsequent rounds of allocation the order of who selects 1st will rotate accordingly.
- vi. If after initial distribution of hours there are still hours available for use, and the youth associations have not received all hours they are willing to guarantee as stated in step ii above, the process will be repeated as shown in step v. above until all the hours guaranteed as described in section i.e. are allocated.

f. Priority 6 – Lakeville Adult Athletic Groups

- i. The Arena Manager may establish “blocks” of hours for the purpose of establishing priority 6.

- ii. Organizations with prior experience shall have first opportunity to bid on a block. If more than one organization qualifies, the process will commence with organizations with the largest blocks rented in the two previous years. In cases of a tie or if more than one organization qualifies for no previous rental experience, the allocation will be based on flipping of a coin or other random method as determined by the Arena Manager.

g. Priority 7 – Lakeville Community Organizations (October 1 – March 30)

- i. The Arena Manager may establish “blocks” of hours for the purpose of establishing priority 7.
- ii. Organizations with prior experience shall have first opportunity to bid on a block. If more than one organization qualifies, the process will commence with organizations with the largest blocks rented in the two previous years. In cases of a tie or if more than one organization qualifies for no previous rental experience, the allocation will be based on flipping of a coin or other random method as determined by the Arena Manager.

h. Priority 8 – Other

- i. The Arena Manager may establish “blocks” of hours for the purpose of establishing priority 8.
- ii. Organizations with prior experience shall have first opportunity to bid on a block. If more than one organization qualifies, the process will commence with organizations with the largest blocks rented in the two previous years. In cases of a tie or if more than one organization qualifies for no previous rental experience, the allocation will be based on flipping of a coin or other random method as determined by the Arena Manager.

C Deposits

- a. Lakeville Arenas, City, and ISD 194 are exempt from providing a deposit.
- b. All Lakeville Youth Associations, Lakeville Adult Athletic Groups and Lakeville Community Organizations must provide a 10% deposit on or before the deposit due date. The Lakeville Arena may waive the deposit requirements for any organization or entity which has at least 3 consecutive years of good standing with the Lakeville Arena. – as determined by the Lakeville Arena Board.
- c. All other groups, organizations or individuals must provide a 25% deposit by the deposit due date or at the time of confirmed reservation whichever is later.

D. Payment Schedule

- a. Ice Use – October thru March
Payment is due (less any deposits) within 30 days of receipt of invoice.
Invoices will be processed after ice use.

- b. Ice Use – April thru September
100% (less any deposits and other prepayments) at least 14 calendar days prior
to the scheduled ice event.

IV. Dry Floor Use

For the purposes of this Arena Facility Use Policy, the dry floor activities shall be considered to be the period of March 1 thru February 28 of the subsequent year. Allocation of dry floor activities is subject to the terms and conditions of the JPA or contractual agreements. The guidelines as follows.

A. Scheduling Priorities

Scheduling of ice shall be allocated based on the following Priorities.

<u>Priority</u>		<u>Deadline</u>	<u>Refuse</u>	<u>Deposit</u>
1	Arena sponsored	1-Apr	1-Apr	
2	ISD 194 (High school teams)	1-May	1-May	
3	Lakeville Youth Assoc.	15-May	15-May	30-Jun
4	Lakeville Adult Athletic Groups	1-Jun	1-Jun	30-Jun
5	Lakeville Community Organizations	15-Jun	15-Jul	15-Jul
6	Other	1-Jul	1-Aug	1-Aug
7	1 st Come – 1 st Serve			Upon Reservation

B. Dry Floor Scheduling - General Conditions

a) Priority 1 – Arena Sponsored

Any events established, promoted and under the direct control of the Lakeville Arena.

b) Priority 2 – ISD 194 (high school teams)

c) Priorities 3. – Lakeville Youth Associations

i) Each of the organizations to be submitting requests for Priority 3 must certify to the Arena Manager prior to January 1, the names and addresses of all youth who were registered with the respective youth sports organization and who

(1) reside in the City of Lakeville or

(2) reside in the ISD 194

- ii) The associations must submit by January 1 the minimum number of hours they intend to guarantee for the coming year based on the allocation formula described below.
- iii) For purposes of determining dry floor allocation hours the following formula will apply.
 - (1) If a participant resides in the City of Lakeville they will count as 1 individual.
 - (2) If a participant resides in the ISD 194 boundary they will count as 1 individual.
 - (3) If a participant resides in the City of Lakeville and within the ISD 194 boundary they will count as 2 individuals.
- iv) The Arena Manager will prorate the allocation of available dry floor hours based on the number of individuals in the respective organizations as determined in step iii above.
- v) The dry floor hours will be allocated with the teams selecting the hours of their choosing.
 - 1. The hours will be distributed in one hour increments (or other reasonable units as determined by the Arena Manager.) The distribution for each round will be in direct proportion to the allocation as calculated in step iii above.
 - 2. The process will start with the organization with the least number of hours to be allocated and proceed in ascending order. In the second and subsequent rounds of allocation the order of who selects 1st will rotate accordingly.
- vi. If after initial distribution of hours there are still hours available for use, and the youth associations have not receive all hours they are willing to guarantee as stated in step ii above, the process will be repeated as shown in step v above until all the hours guaranteed as described in section ii are allocated.

Note: An organization must submit and meet all criteria as stated in above in order to be eligible as a priority 3 in the dry floor allocation process.

d) Priority 4 – 6

- i) The arena Manager can establish “blocks” of hours for the purpose of establishing priority 4.
- ii) Organizations with prior experience shall have first opportunity to bid on a block. If more than one organization qualifies, the process will commence with organizations with the largest blocks rented in the two previous years. If more than one organization qualifies for no previous rental experience, the allocation will be based on flipping of a coin or other random method as determined by the Arena Manager.

C. Deposits

- a. Lakeville Arena, City and School districts are exempt from providing a deposit.
- b. All Lakeville Youth Associations, Lakeville Athletic Groups and Lakeville Community Service organizations must provide a 10% deposit on or before the deposit due date. The Lakeville Arena may waive the deposit requirements for any organization or entity which as at least 3 consecutive years of good credit standing with the Lakeville Arena as determined by the Lakeville Arena Board
- c. All other groups, organizations or individuals must provide a 25% deposit on or before the deposit due date.
- d. The deposit will be refunded if the Lakeville Arena is able to rent the facility to others.

D. Payment Schedule

Payment is due (less any deposits) within 30 days of receipt of invoice. Invoices will be processed after facility use. Deposits will be refunded if Lakeville Arena is able to rent the designated cancelled hours to others.

V. Insurance

Organizations will be required to provide proof of general liability insurance coverage at a minimum amount of \$500,000 for property damage and bodily injury naming the City of Lakeville, Independent School District 194 and Lakeville Arena as an additional insured on the policy. The organization will also be required to sign a Facility Usage Release and Indemnification Agreement. These documents are due a minimum of two weeks prior to the scheduled activity.

VI.**Sublease Agreements**

No individual, group, organization may sublease the facility without the express written permission of the Arena Manager. A subleasee must comply with all insurance requirements.

Exhibit A

Section 8 – Ice Rentals Joint Powers Agreement

8. ICE RENTAL AGREEMENTS. Lakeville Arena's will have the authority to approve ice rental agreements with Independent School District 194 and other entities.

A. Independent School District 194. The Ice Rental Agreements with ISD 194 will take into consideration the following terms and conditions:

(1) Lakeville Arenas shall enter into ice rental agreements with the District. This agreement shall supersede and replace the following agreements:

- District Ice Time Agreement dated February 4, 1999 concerning the District's agreement with the City to rent ice time at the Ames Arena.
- District High School Practice Agreement concerning the District's agreement with Lakeville Arenas to rent ice time at the Ames Arena.
- Game Agreement concerning the District's agreement with Lakeville Arenas concerning game policies and the division of the gross ticket proceeds for High School games.
- Joint Powers Agreement for Lakeville Arena's dated December 14, 2004.

(2) Ice Time Commitment. The District shall purchase at least 740 hours of ice time per High School season for use by the High School teams, November 1 through March 13 effective with the commencement of operations for the Third Sheet of Ice.

(3) Scheduling of Ice Time. The District shall have the right to select ice time of its choosing, until July 1st of each year:

- (i) For practices at the Ames Arena between 12:01 a.m. and 5:30 p.m., Monday through Friday, and for the Third Sheet of Ice, between 12:01 a.m. and 9:00 p.m., Monday through Friday.
- (ii) For High School games. Scheduling of high school home games will be coordinated with the District Athletic Directors, arena management and the Arena Operations Committee in order to maximize use of the ice

rentals thereby providing adequate spectator seating opportunities and minimizing potential parking and other related issues.

(iii) The District's right to schedule ice is subordinate to the following: a minimum of four hours per week for open public skating of which a minimum of two will be on either Saturday between 8:00 a.m. and 8:00 p.m. or Sunday between noon and 8:00 p.m. Lakeville Arena's Board shall determine the public skating hours and location.

(4) Rental rate. The District shall pay Lakeville Arena's prime time ice rental rates in effect at the time.

(5) By July 1st annually, the Lakeville Arena's shall have the authority to approve any Agreements with the District regarding revenues derived from the High School game admissions.

(6) Use of parking lots. The District and Lakeville Arena's and the City of Lakeville will have shared use of the parking lots on a first come, first served basis and may not prohibit use by other patrons.

(7) Cancellation. Ice time that is scheduled for District use must be paid for by the District whether or not the ice time is actually used except that up to ten percent (10%) of scheduled ice time may be cancelled prior to September 1 at no cost however, the total hours of rent cannot be less than 740 per year.

B. Lakeville Hockey Association. The Lakeville Hockey Association ("LHA") shall have the right to select ice time of its choosing until September 1st of each year for the Lakeville Ames Arena. The LHA's right to schedule ice is subordinate to open public skating and the provisions of section 8A above. Ice time that is scheduled for LHA use must be paid for by the LHA whether or not the ice time is actually used except that up to ten percent (10%) of scheduled ice time may be cancelled prior to October 1 at no cost. The LHA's rights under this paragraph shall terminate if the LHA fails to comply with the terms and conditions relating to the Gaming Revenue Agreement with the City or when the LHA is no longer required to share gaming revenue with the City pursuant to the Gaming Revenue Agreement, whichever first occurs.

C. Other Ice Rental Agreements. The Lakeville Arenas may enter into ice rental agreements with hockey associations, figure skating associations or other entities subject to the provisions in section 8A and the City of Lakeville's ice time allocation policy.