

RESOLUTION NO. 19/2022

**A RESOLUTION OF THE TOWN COUNCIL FOR THE TOWN OF CORTE
MADERA APPROVING THE REVISED USE POLICY FOR THE DIGITAL
MARQUEE AND DELEGATING THE RESPONSIBILITY OF FUTURE USE POLICY
DECISIONS TO THE PARKS AND RECREATION COMMISSION EFFECTIVE
MARCH 15, 2022**

WHEREAS, the Town of Corte Madera (hereinafter referred to as "TOWN"), owns and operates the digital marquee located at the Corte Madera Community Center located at 498 Tamalpais, Corte Madera, California. The former freestanding analogue marquee was replaced by the current double-sided digital marquee in 2012; and

WHEREAS, the digital marquee is an important medium for providing notice to Corte Madera residents about Town-sponsored, and Town-wide special events, and Town-endorsed messages. The intended use of the marquee is to increase awareness of Town-sponsored and Town-wide special events provide notice of events to the community, foster civic pride, and further the Parks and Recreation Department's mission to create community through people, parks and programs; and

WHEREAS, the Parks and Recreation Commission reviewed this Policy at their February 28, 2022 meeting and recommended by a vote of 7-0-1 (Commissioner Charley abstained) that the Town Council approve the policy and delegation of authority of future policy decisions related to the use of the digital marquee to the Parks and Recreation Commission as long as decisions comply with current Town of Corte Madera conditions of Town Project approval; and

WHEREAS, by adopting this Policy, the TOWN does not intend to create a public forum on the digital marquee. The TOWN has elected to make the marquee available to announce Town-sponsored and Town-wide special events, and Town-endorsed messages to achieve its goals of providing public notice, fostering civic pride, and strengthening community connectivity. With respect to Town-wide special events and Town-endorsed messages, the Parks and Recreation Department shall not discriminate on the basis of the viewpoint in a message in its administration of this Policy; and

WHEREAS, by adopting this Policy, the TOWN is replacing the existing policy last referenced in 2017, and since there is no record of approval for the existing policy, the new policy will codify a use policy as well as improve terms to support purpose, definitions of use, message logistics, and responsibilities of the Parks and Recreation Department and the Parks and Recreation Commission.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- The TOWN approves the Revised Use Policy for the Digital Marquee, included as

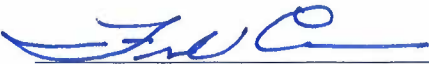
Attachment A to this Resolution.

- The TOWN delegates administration and operation responsibilities of the Policy to the Parks and Recreation Department. The Parks and Recreation Department shall charge a use fee consistent with its Parks and Recreation Master Fee Resolution.
- The Parks and Recreation Department shall develop an application for use of the digital marquee that each party seeking to use the marquee shall use.
- The Parks and Recreation Department shall review the applications and select the messages to post, provided that they comply with this Policy. With respect to Town-wide special events and Town-endorsed messages, the Parks and Recreation Department shall not discriminate on the basis of the viewpoint in a message in its administration of this Policy.
- The TOWN delegates responsibility of reviewing and approving future use policy decisions to the Parks and Recreation Commission as long as decisions comply with current Town of Corte Madera conditions of Town Project approval.

IT IS HEREBY CERTIFIED that the Town Council of the Town of Corte Madera duly introduced and regularly adopted the foregoing resolution at a meeting held on March 15, 2022 by the following vote, to-wit:

AYES: Councilmembers: Beckman, Casissa, Lee, Mongan, Ravasio
NOES: Councilmembers: - None -
ABSENT: Councilmembers: - None -
ABSTAIN: Councilmembers: - None -

APPROVED:


Fred Casissa, Mayor

ATTEST:


Rebecca Vaughn, Town Clerk

TOWN OF CORTE MADERA
USE POLICIES FOR COMMUNITY CENTER DIGITAL MARQUEE

I. Findings and Purpose.

- A. The Town of Corte Madera owns and operates the digital marquee located at the Corte Madera Community Center located at 498 Tamalpais, Corte Madera, California.
- B. The digital marquee is an important medium for providing notice to Corte Madera residents about Town-sponsored, and Town-wide special events, and Town-endorsed messages.
- C. Increasing awareness of Town-sponsored and Town-wide special events provides notice of events to the community, fosters civic pride, and furthers the Parks and Recreation Department's mission to create community through people, parks and programs.
- D. By adopting this Policy, the Town does not intend to create a public forum on the digital marquee. The Town has elected to make the marquee available to announce Town-sponsored and Town-wide special events, and Town-endorsed messages to achieve its goals of providing public notice, fostering civic pride, and strengthening community connectivity. With respect to Town-wide special events and Town-endorsed messages, the Parks and Recreation Department shall not discriminate on the basis of the viewpoint in a message in its administration of this Policy.

II. Definitions.

- A. A **"Town-sponsored Event Message"** is a message announcing an event or series of events conducted by the Town or any of its departments or commissions.
- B. A **"Town-wide Event Message"** is a message announcing an event, or a series of related events, of interest to a significant portion of the residents of the Town, which is not a purely commercial enterprise, and where (a) the proceeds, if any, will directly benefit either a federal, state, or local government agency or a charitable non-profit organization that maintains tax-exempt status under Internal Revenue Code Section 501(c)(3) or (b) the event or series of events will take place on Town-owned property and further a public purpose.
- C. For purposes of this Policy **"an event or series of related events of interest to a significant portion of the residents of the Town"** is an event where the Town reasonably expects an in-person attendance of 50 or more people for a single event and 100 or more people for a series of events. Expected attendance may be demonstrated

by attendance at that same event or series of related events in previous years, attendance at a similar event or series of related events in previous years, by attendance projections for an event or series of events based on sales of tickets or subscriptions to the event or series of related events, or, for an event or series of events that is being organized for the first time, by another reasonable measure of expected in-person attendance to be determined by the Parks and Recreation Department.

- D. **“Town-endorsed Message”** is a message approved of and endorsed by the Town celebrating the birthday, anniversary, retirement, graduation, marriage, or other similar special occasion or event involving a Town resident or residents.

III. Policy

- A. The Town of Corte Madera will use the digital marquee solely for the purpose of posting Town-Sponsored and Town-wide Event Messages, and Town-endorsed Messages and not as a forum for free expression by the public.
- B. The hours of operation of the digital marquee are from 7:00 a.m. to 7:00 p.m., seven days per week.
- C. The Parks and Recreation Department shall not display more than five messages per day.
- D. Due to the size of the Digital Marquee, no message may exceed four lines with 15 characters per line.

IV. Duties of the Parks and Recreation and Park Department in Implementing the Policy

- A. The Council delegates to the Parks and Recreation Department administration and operation of the Digital Marquee, consistent with this Policy.
- B. The Parks and Recreation Department shall charge a use fee consistent with its Parks and Recreation Master Fee Resolution.
- C. The Parks and Recreation Department shall develop an application for use of the digital marquee that each party seeking to use the marquee shall use. The Department shall review the applications and select the messages to post, provided that they comply with this Policy. With respect to Town-wide special events and Town-endorsed messages, the Recreation Department shall not discriminate on the basis of the viewpoint in a message in its administration of this Policy.
- D. The Parks and Recreation Department shall prioritize messages in the following order: (1) Town-Sponsored Event Messages, (2) Town-wide Event Messages, and (3) Town-endorsed Messages.