

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Resolution No. 432 - Amending Resolution No. 423 Recreation Program Refund Policies and Procedures
DEPARTMENT:	Parks, Recreation, and Cultural Services
PRESENTED BY:	Mary Reidy, Recreation Superintendent
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

On February 26, 2018, via Resolution No. 423, the City Council adopted a Recreation Program Refund Policy and Procedures to outline under what circumstances and through what process refunds for programs will be given. The Parks, Recreation, and Cultural Services (PRCS) Department has determined that modifications to the adopted Recreation Program Refund Policy and Procedures are necessary.

Proposed Resolution No. 432 (Attachment A) would amend Resolution No. 423 and put in place an updated Refund Policy and Procedure (Exhibit A) based on recent experiences with implementing the Recreation Program Refund Policy and Procedures. The Council discussed the proposed Resolution No. 432 at its November 26, 2018 meeting and directed staff to make some amendments to the proposed Policy and bring back proposed Resolution for adoption. Tonight, Council is scheduled to adopt proposed Resolution No. 432.

RESOURCE/FINANCIAL IMPACT:

Proposed Resolution No. 432 does not have a financial impact to the City. PRCS revenue projections accounts for a certain amount of refunds. It is not anticipated that the new policy will result in a change in the number or amount of refunds granted.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 432.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

With the adoption of Resolution No. 394 in 2016, the Parks, Recreation and Cultural Services (PRCS) Department established a formal Refund Policy and Procedure to formalize the PRCS Department's financial management and monitoring around refunds, as well as standardize customer service. In January 2018, after a full year of implementation, staff recommended changes to Council to enhance the policy and streamline the procedures. These changes were adopted by Council on February 26, 2018 through Resolution No. 423. PRCS staff has since been using this Recreation Program Refund Policy and Procedures to guide its approval and distribution.

The PRCS Department has subsequently determined that further modifications to the adopted Recreation Program Refund Policy and Procedures are necessary. Proposed Resolution No. 432 (Attachment A) would amend Resolution No. 423 and put in place an updated Refund Policy and Procedure based on recent experiences with implementing the Recreation Program Refund Policy and Procedures. The Parks, Recreation and Cultural Services Board unanimously recommended approval of the proposed changes to the Policy at its September 27, 2018 meeting.

The City Council discussed proposed Resolution No. 432 at its November 26, 2018 meeting and directed staff to make minor changes to the Policy and bring back the proposed Resolution with the requested changes for adoption. The staff report for the November 26th Council discussion can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2018/staffreport112618-8a.pdf>.

DISCUSSION

As discussed on November 26th, 2018, the purpose of the proposed Recreation Program Refund Policy and Procedures is to describe under what circumstances refunds will be awarded and describe the necessary steps to refund payment for services and use of facilities. The City Council was generally supportive of the proposed amendments to the Policy and supported staff bringing the Policy back for adoption.

As well, at the November 26th meeting, Council requested that staff make two changes to the Policy: one to Section 2.15 clarifying the definition of summer camp, and one to Section 5.12 editing phraseology. These changes have been made and are included in the revised proposed Recreation Program Refund Policy and Procedures, which is Exhibit A to Attachment A. The changes include:

1. Change Section 2.15
Summer Camp - Any camp which occurs any time during ~~offered~~ June through August.

2. Modify Section 5.12

Refund due to Injury or Illness. Refunds will not be issued for injury or illness incurred outside of participation in the program unless it is diagnosed ~~cited~~ as a communicable disease by a medical professional.

RESOURCE/FINANCIAL IMPACT

Proposed Resolution No. 432 does not have a financial impact to the City. PRCS revenue projections accounts for a certain amount of refunds. It is not anticipated that the new policy will result in a change in the number or amount of refunds granted.

RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 432.

ATTACHMENTS

Attachment A: Proposed Resolution No. 432, including Exhibit A

RESOLUTION NO. 432

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, AMENDING SECTIONS OF THE RECREATION PROGRAM REFUND POLICY AND PROCEDURES.

WHEREAS, on February 26, 2018, via Resolution No. 423, the City Council adopted a Recreation Program Refund Policy and Procedures so as to outline under what circumstances and through what process refunds for recreation programs will be given; and

WHEREAS, the Recreation Program Refund Policy and Procedures as adopted by Resolution No. 423 is currently within the City's Policy and Procedure library under City Clerk Receiving No. 9045; and

WHEREAS, the Parks, Recreational, and Cultural Services Department has determined that amendments to the adopted Recreation Program Refund Policy and Procedures were necessary to facilitate better clarity and administration of the Policy; and

WHEREAS, the City of Shoreline Parks Board considered the proposed amendments to the Recreation Program Refund Policy and Procedures at its September 27, 2018 meeting and recommended approval; and

WHEREAS, the City Council considered the new Recreation Program Refund Policy and Procedures at its November 26, 2018 regular meeting and accepts the Department's and Parks Board's recommended amendments to the Recreation Program Refund Policy and Procedures;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, HEREBY RESOLVES:

Section 1. Amendment of Recreation Program Refund Policy and Procedures. The City Council hereby adopts the amendments to the "Recreation Program Refund Policy and Procedures" as set forth in Exhibit A attached hereto.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this resolution, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or resolution numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this resolution or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Effective Date. This Resolution shall take effect and be in full force immediately upon passage by the City Council.

ADOPTED BY THE CITY COUNCIL ON DECEMBER 10, 2018.

Mayor Will Hall

ATTEST:

Jessica Simulcik Smith
City Clerk

Shoreline Policy and Procedure

Recreation Program Refund Policy and Procedures

Category and Number: 7.161003	Receiving Number: To be determined
Code and statutory authority: Resolution No. 423	Authorized: Effective Date: By:
Supersedes: 8623	

1.0 PURPOSE

The purpose of this Recreation Program Refund Policy and Procedures is to describe under what circumstances refunds will be awarded and describe the necessary steps to refund payment for services and use of facilities.

2.0 DEFINITIONS

2.1 Cancellation – City notification of class, camp, program or event being cancelled.

2.2 Security Reserved

2.3 Security Deposit – Any payment received in addition to the facility rental fee required to compensate for damage to City facilities incurred during the rental period, not adhering to rental permit conditions or requiring extra on-site staff time

2.4 Late Payment – Payments received or owed after the deadline set by the rental agreement, or as otherwise noted in Facility Rental Policy and Procedures.

2.5 League - Organized on-going rental with scheduled games.

2.6 Pass – A purchased amount of time that allows for entrance to specified drop-in activities.

2.7 Point of Sale Item – Any product sold for purchase that is not a program or service.

2.8 PRCS Director – The Director of the City of Shoreline Parks, Recreation and Cultural Services Department.

2.9 Refund - Any money once received by City of Shoreline and then returned to a customer per this policy.

2.10 Registration – The process by which the rental of a facility is secured including receipt of full payment and confirmation of completed Rental Use Permit or the process of paying for and receiving confirmation of acceptance to participate in a class, trip/workshop or special event by the City of Shoreline.

2.11 Rental Use Permit – Signed agreement governing the use of City of Shoreline facilities, including both indoor and outdoor spaces.

2.12 Renter – Person(s) or party on the signature line of a Rental Use Permit who is legally obligated to terms and conditions of agreement.

2.13 Multi-Day Course – A class or ~~specialty camp (not Camp Shoreline)~~ program, for which a participant must register and that consists of multiple days.

2.14 Camp – A Program with the word ‘Camp’ in the title.

2.15 Summer Camp – Any camp offered anytime during June through August.

2.16 Single Day Course – Class, trip or program that lasts one day or less.

2.17 Special Event – A program for which a participant must register that is identified as a Special Event in marketing materials.

3.0 REFERENCES AND FORMS

3.1 Facilities Rental Policies and Procedures

3.2 Code of Conduct for Use of City Facilities

4.0 DEPARTMENTS AFFECTED

4.1 Parks, Recreation and Cultural Services Department

4.2 Administrative Services Department

5.0 PROCESS

5.1 Refund Due to City Cancellation. Classes, camps, programs, trips or workshops/special events cancelled by the City of Shoreline will result in a 100% Refund of the program fee paid.

5.2 Cancellation Due to Weather. Refunds will not be issued for reasons of inclement weather, unless it results in the closure of the City facility hosting the event during the time of session or rental or cancellation of the camp, class or program.

5.3 Refund Request Deadlines.

~~5.3.1 Course fee first day. Program fees may be refunded in full for any reason after the first day of class, as long as the refund is requested prior to the second day of class. Aquatics programs requests must be made through the pool registration desk. All other recreation program requests must be made~~

~~at the Sports Recreation Center registration desk. 5.3.2 Course fee second day. After the second day of class, but prior to the third requested refunds will be pro rated per the registration fee paid and the total number of classes.~~

~~5.3.3 Course fee third day. Refunds will not be issued after the third day of class, unless an exception is granted. Exception requests are to be submitted per 5.9 of this policy. The City has sole discretion to decide whether or not to grant this exception.~~

~~5.3.4 One Day Class. Refunds may be issued if requested at least three (3) calendar days prior to (not including) event course date.~~

5.3.5 Point of sale admissions. Refund requests must be made in writing and submitted to the registration desk prior to leaving the facility on the day of use. All requests are at the discretion of the PRCS Director.

5.3.6 Single Trips: Refunds may be issued if requested at least seven (7) calendar days prior to (not including) event date.

5.3.7 Camp Shoreline camps

5.3.7.1 Full refunds will be given until the close of business on the first Monday in June.

5.3.7.2 Refunds requested after COB the first Monday in June, but prior to 7 days before (but not including) the first day of camp, will be subject to an administration fee for each weekly camper registration.

5.3.7.3 No refunds will be given less than seven (7) days (not including) the first day of camp.

5.3.7.4 If transferring from one Camp Shoreline Day Camp into another the administration fee will be waived during the transfer. The transfer must be made at the same time as the cancellation.

5.3.7.5 Transfer can only be made into a camp that has an available spot.

5.3.8 Facility rental cancellation. Rentals cancelled by the Renter seven (7) or more calendar days before the event will be refunded in full. Rentals cancelled by the Renter less than seven (7) days, but before 24 hours prior to the date/time of reservation, will be issued a 50% refund of the fees already collected or \$50, whichever is less. Reservations cancelled 24 hours or less prior to the rental will not receive a refund. Any Security Deposit received associated with this rental will be 100% refunded.

5.3.9 Park and Open Space Non-Exclusive Use Permit Permits cancelled by the Renter seven (7) or more calendar days before the event will be refunded in full. Permits cancelled by the Permittee less than seven (7) days, but before 24 hours prior to the date/time of reservation, will be issued a 50% refund of the fees already collected or \$50, whichever is less. Reservations cancelled 24 hours or less prior to the rental will not receive a refund. Any Security Deposit received associated with this permit will be 100% refunded.

5.3.10 Concession Permit. Concession Permits are nonrefundable.

5.3.1 Multi-Day Course

5.3.1.1 First Day. Program fees may be refunded in full for any reason after the first day of class, as long as the refund is requested prior to the second day of class. Aquatic program requests must be made through the pool registration desk. All other recreation program requests must be made at the Spartan Recreation Center registration desk.

5.3.1.2 Second Day. After the second day of class, but prior to the third, requested refunds will be pro-rated per the registration fee paid and the total number of classes.

5.3.1.3 Third Day. Refunds will not be issued after the third day of class, unless an exception is granted. Exception requests are to be submitted per 5.9 of this policy. The City has sole discretion to decide whether or not to grant this exception.

5.3.2 Single Day Course. Refunds may be issued if requested at least seven (7) calendar days prior to (not including) the course day.

5.3.3 Point of Sale Admissions. Refund requests must be made in writing and submitted to the registration desk prior to leaving the facility on the day of use. All requests are at the discretion of the PRCS Director.

5.3.4 Camps - Summer Camps

5.3.4.1 Full refunds will be given until the close of business on the first Monday in June for Summer Camps.

5.3.4.2 Refunds for Summer Camps requested after close of business the first Monday in June, but prior to seven (7) days before (but not including) the first day of camp, will be subject to an administration fee for each weekly camper registration.

5.3.4.3 No refunds will be given less than seven (7) days (not including) the first day of camp.

5.3.4.4 If transferring from one Camp into another the administration fee will be waived during the transfer. The transfer must be made at the same time as the cancellation and for the same participant.

5.3.4.5 Transfer can only be made into a camp that has an available spot.

5.3.5 Non-Summer Camps

5.3.5.1 Full refunds will be given up to 14 days prior to the start (not including the first day) for non-summer camps.

5.3.5.2 Refunds requested after close of business 14 days prior to start (but not including) the first day of camp, will be subject to an administration fee for each weekly camper registration.

5.3.5.3 No refunds will be given less than seven (7) days (not including) the first day of camp.

5.3.6 Facility Rental Cancellation. Rentals cancelled by the Renter seven (7) or more calendar days before the event will be refunded in full. Rentals cancelled by the Renter less than seven (7) days, but before 24 hours prior to the date/time of reservation, will be issued a 50% refund of the fees already collected or \$50, whichever is less. Reservations cancelled 24 hours or less prior to the rental will not receive a refund. Any Security Deposit received associated with this rental will be 100% refunded.

5.3.7 Park and Open Space Non-Exclusive Use Permit. Permits cancelled by the Renter seven (7) or more calendar days before the event will be refunded in full. Permits cancelled by the Permittee less than seven (7) days, but before 24 hours prior to the date/time of reservation, will be issued a 50% refund of the fees already collected or \$50, whichever is less. Reservations cancelled 24 hours or less prior to the rental will not receive a refund. Any Security Deposit received associated with this permit will be 100% refunded.

5.3.8 Concession Permit. The City may, at its sole discretion, cancel a Concession Permit anytime due to an emergency, severe weather, power outage, or situations that may result in facility damage or personal injury as determined by the PRCS Director. In such instances, the Permittee will be entitled to a 100% refund. All other permit refunds must be requested 30 days prior to scheduled use.

5.4 Waitlist and Pro-Rated Refunds.

5.4.1 Waitlist refunds. For those that are on a class waitlist that attend after the start date, requests for refund shall be treated as if the first day of attendance is the first day of class.

5.4.2 Pro-rated refunds. Class fee refunds will not be pro-rated when registering after the start date except for those entering from the waitlist.

5.5 Refund of Security Deposits. The City will inspect the permitted area in the Rental Use Permit after usage to determine if any damage occurred. If damage occurred, the City will assess a cost to fix the damage and retain that amount from the Security Deposit. Security Deposit may also be retained if all conditions of the permit are not adhered to or extra on-site staff time is required. Any remainder of the Security Deposit will be refunded. Should no damage occur, all conditions of the permit are met and extra staff time is not required then 100% of Security Deposit will be refunded

5.6 Facility Rental Cancellation Outside of Renter Control. The City may, at its sole discretion, cancel a rental anytime due to an emergency, severe weather which merits either School District or City facility closures, power outage, or situations that may result in facility damage or personal injury as determined by the PRCS Director. In such instances, the Renter will be entitled to a 100% refund. If a field is deemed unusable by City staff on the day of the rental, a credit will be issued to the Renter's account. If a field is deemed unusable on the day of rental by a League official, the Renter must notify the City in writing so that the City receives such notice within five (5) calendar days of event cancellation in order to have a credit issued on their account.

- 5.7 No Pro-Rated Pass Refunds.** All passes are for the specified amount of time from purchase date. Pro-rated refunds are not permitted for unused portion of purchased time.
- 5.8 Refund for Defective Products.** Point of Sale Items may be returned for a full refund within one week of purchase if product has a manufacturing defect.
- 5.9 Exceptions.** Requested exceptions from this Policy may be submitted on the Refund Request Waiver Form to the Recreation Superintendent and require approval by the PRCS Director.
- 5.10 10 Punch Passes** expire on December 31st of the calendar year purchased with the remaining punches value refunded.
- 5.11 Registrations associated with special events** are non-refundable.
- 5.12 Refund due to Injury or Illness.** Refunds will not be issued for injury or illness incurred outside of participation in the program unless it is diagnosed as a communicable disease by a medical professional.

6.0 PROCEDURE AND METHOD FOR ISSUING REFUNDS

- 6.3** Debit/credit card payments will be refunded to the debit/credit account from which the payment was made if within 120 days of the original purchase date. If past 120 days a check will be issued within six (6) weeks or refund request.
- 6.4** If paid in cash or check, the City of Shoreline will issue, remit and mail a refund check within six (6) weeks to the customer who made payment.
- 6.5** No cash refunds will be made.
- 6.6** Any standing credit on accounts will be refunded after six (6) months by a City of Shoreline issued check.
- 6.7** Security Deposits may be refunded in full or part after completion of the activity and assessed by City staff for damage, breach of permit or staffing requirements. Rentals paid via credit card shall be refunded with a credit to the Renter's card. If paid by cash or check, the City of Shoreline Finance Department will issue, remit, and mail a refund check to Renters within six (6) weeks. No cash refunds will be made.
- 6.8** Fees paid through scholarship funds are not refunded in cash. They are reassigned to account per City of Shoreline Scholarship Policy.

- 6.9** Any payment made via State of Washington Department of Social and Health Services (DSHS) shall not be refunded to an individual but rather will be taken off prior to billing balance sent to State quarterly.