

**Ramirez, Kimberly**

---

**From:** McDonald, Cristal  
**Sent:** Monday, October 16, 2023 2:09 PM  
**To:** Ramirez, Kimberly  
**Subject:** Fwd: Award of License Agreement for Special Event Management Services for Town Square Park Amphitheater and Amendment of Town Square Park and Amphitheater Usage Policy and Operations Framework  
**Attachments:** image001.jpg; 10-17-23 Highlighted Agenda Report ATT 2 - Amended Town Square Park and Amphitheater Usage Policy and Operations.pdf

Begin forwarded message:

**From:** Kassen Klein <[REDACTED]>  
**Date:** October 16, 2023 at 12:56:56 PM PDT  
**To:** "DeForest, Lisa" <LDeForest@murrietaca.gov>, "Stone, Lori" <LStone@murrietaca.gov>, "Warren, Cindy" <CWarren@murrietaca.gov>, "Levell, Jon" <JLevell@murrietaca.gov>, rholiday@murrietaca.gov  
**Cc:** "Summers, Kim" <KSummers@murrietaca.gov>, "McDonald, Cristal" <CMcDonald@murrietaca.gov>, "Crane, Kristen" <KCrane@murrietaca.gov>, "Holler, Ivan" <IHoller@murrietaca.gov>, Kassen Klein <[REDACTED]>  
**Subject:** Award of License Agreement for Special Event Management Services for Town Square Park Amphitheater and Amendment of Town Square Park and Amphitheater Usage Policy and Operations Framework

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Please see the attached with my highlights, comments and questions.




## KASSEN KLEIN

Real Estate Development Entitlement Consulting



Murrieta, CA 92564

	<h2>City of Murrieta City Council Policy</h2>	
	<b>POLICY: TOWN SQUARE PARK AND AMPHITHEATER USE POLICY AND OPERATIONS PLAN</b>	
	<b>POLICY NO.:</b> 100-XX	<b>DATE:</b> Approved - April 4, 2023 Amended – October 17, 2023

### PURPOSE

The purpose of this policy is to establish an operations framework to appropriately manage events and reservations at Town Square Park and Amphitheater in a manner that protects and preserves the Park facility and grounds from inappropriate use or damage while providing safe and enjoyable events which benefit the residents of the City of Murrieta and being a good neighbor to the surrounding community.

### DEFINITIONS

- A. An “Amphitheater Event” is the temporary use of public property, including streets, sidewalks, rights-of-way, parks and community centers in and around the Town Square Park and Amphitheater for the purpose of conducting community events, including, but not limited to, concerts, festivals, ceremonies, or other similar activity for the purpose of celebration, education, or cultural enrichment expected to draw people to the Amphitheater.
  
- B. A “Signature Event” is a large-scale special event approved by the Murrieta City Council, open to the community and which provides significant cultural, economic, or social benefit. Current signature events include: the Tour de Murrieta, Field of Honor, Susan G. Komen Walk, and the Murrieta Rod Run. All new signature events must be approved by the City Council through a resolution.
  
- C. A “City Sponsored Event” or “Co-Sponsored Event” means any special event whereby the City is either the coordinator of the event or collaborates with an outside organization, typically a government or non-profit agency. Such sponsored and co-sponsored events include (but are not limited to): Murrieta’s Birthday Bash, Father’s Day Car Show, Concerts-in-the-Park, Movies-in-the-Park, Fall Festival, Firefighters Barbeque, Town Square Tree Lighting, Spring Eggstravaganza, Riverside County Household Waste collection events, National Night Out, Prescription Take-Back event, and others. City-sponsored or co-sponsored events are approved by the City Manager or his/her designee and are sometimes exempt from the Special Events Permit Application. Normally these events are approved by the City Council annually via the budget process.

## POLICY

A. In keeping with the purpose and policy goals related to the Town Square Park and Amphitheater, the attached Operations Plan – Framework for Operations and Special Events (Attachment A) provides a framework for how the Town Square Park and Amphitheater can be used and by whom for a 24-month time pilot period, effective October 2023.

**Including City sponsored or co-sponsored events?**

B. All requests for Amphitheater Events should be filed with the Special Events staff using the most recent Town Square Park and Amphitheater Special Events Permit Application at least one hundred (120) days in advance of the requested date(s) and typically no more than nine (9) months prior to the event.

1. Special Events Permit Applications are available online or by contacting the appropriate City of Murrieta special event staff.
2. All pertinent information and deadlines are included on the Special Events Permit Application.
3. A submitted Special Events Permit Application must be accompanied by the Special Events Application Permit Fee. An application is not considered complete unless it includes the Permit Fee. See fee schedule for fees.
4. Completion of the Special Events Permit Application does not guarantee that the request will be granted.
5. A late fee will be added for Special Events Permit Applications submitted after 120-day minimum required. See fee schedule for fees.

**Identify "Committee" members more specifically. "Relevant" is too general.**

C. The Special Events Committee (Committee), comprised of staff from relevant City departments, is responsible for the review of applications and shall provide a recommendation of approval or disapproval of all special events that would like to take place at the Town Square Park and Amphitheater.

a. The Committee will identify Conditions of Approval detailing limitations for each event, including conditions addressing topics such as safety, security, accessibility, and other requirements associated with use of the space.

**Nexus of determining fees?**

b. Fees for use of the Town Square Park and Amphitheater will be set based on the scope of the proposed event through the Special Event Permit application process, billed at the rate set per the City of Murrieta Fee Schedule established by resolution of the Murrieta City Council.

---

Kim Summers  
City Manager

**City of Murrieta**

**Town Square Amphitheater and Park**

**Operations Plan - Framework for Operations and Special Events**

**Adopted by City Council April 4, 2023**

**Amended by City Council October 17, 2023**

---

**I. Purpose and Introduction**

- A. The Town Square Park and Amphitheater is a treasured Murrieta community amenity, operated by the City of Murrieta and owned by the residents, open to all when not in use for special events, that serves as an integral community gathering space. Community-focused events at the Town Square Park and Amphitheater add to community vitality and quality of life.
- B. With the goal of taking good care of this community investment and amenity as well as **being a good neighbor to the surrounding homes and businesses**, the purpose of this document is to establish a clear plan, parameters, and expectations regarding operational aspects of special events at the Town Square Amphitheater and Park that may be hosted by either 1) a firm under contract with the City to host special events or 2) **approved nonprofit organizations**, so all parties are clear on roles and responsibilities for both the City and its partners for use of this amenity for community events.
- C. All expenses incurred in providing an event and complying with the requirements of this policy shall be borne by the event host/permittee.
- D. This plan is being adopted as a 24-month “pilot” program, subject to review and modification approximately 24-months after implementation to address effectiveness and opportunities for improvement. However, if needed for operational reasons or based on lessons-learned, modifications to the Operations Plan can be made prior to 24-months.

Who/what determines a “good neighbor”?

What are the “approved” nonprofits and who approves them? What are the criteria?

**II. Special Events Plan**

- A. Parameters for Special Events:
  - i. All activities at the Town Square Park and Amphitheater, including special events, shall comply with then-existing Murrieta Municipal Code requirements and the uses allowed in the Public/Civic/Institutional zone.
  - ii. The Town Square Amphitheater and Park are intended to be used for community events and, therefore, are not available for special event

Why?  
What is Tour de Murrieta?

rental and/or reservation by private individuals or for-profit organizations and/or organized sports.

Which is it, CC or City Manager?

iii. No scheduled events will be allowed on official City holidays unless approved in advance by the City Council and subject to the availability of staffing. Exceptions must receive approval from the City Manager. If an exception were to occur, holiday rates would apply.

Does this include Springs Charter School that uses the park for PE purposes?

iv. When the amphitheater is not otherwise in use, non-coordinated activities with 25 or fewer people, that are not a business or for-profit activity, do not require a special event permit and must comply with all public park rules. To avoid a conflict, informal users are advised to check the event calendar on the City's website to verify the park and amphitheater are not reserved for another use.

v. The organizations authorized to use the Town Square Park and Amphitheater for special events with more than 25 people include:

- City of Murrieta and all associated special districts, departments, advisory committees, labor groups, etc.;
- City-affiliated nonprofits, such as the Murrieta/Wildomar Chamber of Commerce, Friends of the Library, Paws for Laws, and Animal Friends of the Valley;
- Sponsors of longstanding events previously designated by the City Council as annual "signature events," such as the Murrieta Rotary Veteran Day display, Tour de Murrieta, and the Susan G. Komen Breast Cancer event;
- Local public agencies that serve the residents of Murrieta, including the Murrieta Valley Unified School District and the four water districts that serve the City;
- Murrieta-based nonprofit organizations that are civic-focused and/or economic and cultural organizations that serve Murrieta; and
- Any City-contracted special event management firms or vendors.

vi. With the exception of events hosted by the City and the City's contract special event management firm, other organizations as described above may host up to one event per year, including one large-scale event (2,500 people or greater) in approximately a 12-month period, subject to availability of the Park.

vii. After this pilot period, the City Council may consider amending this list of organizations allowed to use the Town Square Park and Amphitheater for large events.

viii. Event hosts that do not adhere to the rules for use of the Town Square Park and Amphitheater and the conditions established through the Special Event application process may be prohibited from using the venue in the future.

ix. Event Size:

- A. Special event permits will be required for all events that are not sponsored by the City with more than 25 attendees, consistent with the City's current process for special events at all City facilities and parks.
- B. Events that are not City sponsored with 25 or more attendees must complete a Special Event Permit application and submit the application fee (specific to the Town Square Park and Amphitheater). Special Event permit processing time should be anticipated to take approximately 45 days.
- C. **In an effort to be a good neighbor**, other than signature events and events hosted by the City or its contractor, no more than one event per month may occur with more than 2,500 attendees unless approved by the City Council. The permission of large events is also subject to availability, which includes factoring in time as needed for recovery of the turf between events.

Restrictive/  
discriminatory

- x. **Examples of permissible types of events include concerts in the park, movie nights, art shows, food-tasting events, outdoor plays, and galas or benefit dinners benefiting community non-profits.**

Subjective and selective?

- xi. Since the Town Square Park and Amphitheater are intended to be a community-gathering space, generally, events held there should be open to the public to attend at no or low cost, with a discounted rate for Murrieta residents. **If an event host sells tickets to an event, the event host may be asked to consider revenue sharing with the City,** in addition to covering the City costs as would regularly be required.

xii. Reservations

- A. Reservation availability for the Town Square Park and Amphitheater will be scheduled based on availability to coordinate around the schedule for City operations and City-hosted special events. City-hosted events (including those hosted by the City's contract special event management firm) shall take priority.
- B. Nonprofit event hosts (not including the City and its contract special event management firm) can request to schedule an event up to nine-months and no less than 120 days in advance.
- C. Event hosts must submit a Special Event Application to the City a minimum of 120 days in advance of their requested event. Requests with less notice may be accommodated in the discretion of the City Manager depending on staff availability, other City commitments/obligations, and the impact to City operations.

- D. Events shall generally not exceed three (3) days consecutively per occurrence unless an exemption is made by the City Manager.
- E. Reservation of the monument areas only (Veterans memorials, 9-11 memorial, “Murrieta through Time” display, and the Missing in Action (MIA) monument) will be considered separately depending on park availability.

xiii. Role of City Staff for Non-City Events Hosted by Allowed Nonprofits and City-Contracted Special Event Management Firm

What does this mean?  
Impacts such as? examples?

- A. Events not hosted by the City are generally expected to function as stand-alone events with minimum assistance from City staff before, during, and after.
- B. Event hosts must complete and submit a Special Event Permit application for use of the Town Square Park and Amphitheater, for review by the City’s staff Special Events Committee.
- C. City staff will use the Special Event Permit application to work with the event hosts to review their event plans and confirm consistency with this Operations Plan to maintain the condition of the facilities, protect City resources, and minimize impact on the surrounding neighborhood. If a permit is issued, it will include applicable conditions based on the scope and scale of the event.

“Staff” in addition to Police & Fire?  
For what purpose, what role/ authority?

- D. The City will coordinate in advance of the event with City contractors regarding landscaping, irrigation, etc.
- E. A City staff person is required to be on-site for the duration of the applicant’s use, at the expense of the host.
- F. After the event, the City will coordinate post-event custodial service of the restrooms. More intense events that require service during events will be the financial responsibility of the event hosts. It will be determined through the Special Event Permit application process whether this service would be provided by City staff or whether an alternative resource will be necessary.

xiv. Event Hours:

- A. No special events are allowed before 7:00 am or after 10:00 pm. Exceptions to allow an event to start before 7:00 am may be considered by the City Manager.
  - 1. Event setup not involving amplified sound may be allowed before 7:00 am.



Conflicts with security purposes

B. Special events and all noise-generating activity must end by 10:00 pm, with clean-up starting promptly at 10:00 pm. The high-powered park lighting must be shut off by 11:00 pm per Murrieta Municipal Code Chapter 16.18.110.

C. Multi-day events wherein the event host wants to keep elements set up overnight are at the permittee's risk and require overnight security provided by and at the expense of the event host.

Too short for a 2 or 3 day event

D. Events proposing to use fencing must receive prior approval as part of the Special Event Application process and must limit the closure of the park to no more than seventy-two (72) hours.

xv. Noise and Music:

A. All activities on the site require compliance with Murrieta Municipal Code Chapter 16.30.

B. No amplified music shall be allowed before 7:00 am (unless previously approved by the City Manager through the Special Event Permit application process) or after 10:00 pm.

Does the City adhere to this requirement? i.e. birthday bash, Father's Day Car Show, etc.

C. In the interest of being a good neighbor, depending on the event scope, as determined by City Staff, event hosts may be required (at their expense) to place and monitor sound decibel monitors at the property line for the park to ensure compliance with the City's noise ordinance.

D. Event hosts that do not adhere to the City's noise ordinance may forfeit their deposit and may not be allowed to host future events at the facility.

xvi. Lighting

A. Event lighting must comply with Murrieta Municipal Code Chapter 16.18.110.

B. Any non-compliant lighting (including but not limited to stage lighting, large floodlights, portable lights in parking lots) must be shut off between 11:00 pm and daybreak.

xvii. Parking and Traffic:

A. For maximum safety and to minimize the event impact on surrounding neighborhoods, a traffic control/traffic management plan is required for events anticipated to have 2,500 or more attendees or 750 cars and may be required by the City for smaller events depending on scope.

1. The traffic control plan must be prepared and stamped by a California-registered traffic engineer for review and approval by the City Engineer or his/her designee.
2. Depending on the event size and scope, traffic control plans may need to include a combination of signage and certified traffic control personnel depending upon the circumstances of the event.
3. Costs for the implementation of the traffic control plan will be paid for by the event host.

B. On-Site Parking:

1. The City Hall parking lots and dirt lots surrounding the Town Square Park and Amphitheater are City property and can accommodate approximately 750 vehicles and may be used by an event host as part of using the amphitheater when City Hall is not open.
2. To minimize event parking in adjacent neighborhoods, event hosts may not charge event attendees for parking in these dirt lots.
3. Event hosts are responsible for ensuring that the City's parking lots are left in the same condition as they were in prior to the event.

Minimize parking on public streets?  
Consistent with ALL events: Rod Run,  
Tour de Murrieta, FD BBQ, etc.?

C. Off-Site Parking

1. For events expected to exceed 2,500 attendees or 750 cars, to minimize overflow parking in adjacent neighborhoods, event hosts must provide off-site parking and shuttles.
2. Shuttle pick-up and drop-off locations must be identified as part of the traffic control/management plan, along with the plan for communicating to event attendees where the off-site parking is located.

THESE ARE  
PUBLIC  
STREETS!!!

xviii. Catering and Alcohol for Special Events

- A. All catering, food service, and food vendor activities must follow County of Riverside Health Department requirements.
- B. Service of alcohol by any entity must adhere to County of Riverside and State of California requirements. The request to sell or serve alcohol must be included on the Special Event Permit application at the time of original submission.

C. Only beer and wine may be sold or served, unless an exception is granted by the City Manager, and must be done in accordance with County and State requirements.

~~C.D.~~ The Special Event Licensee for the Town Square Park and Amphitheater may serve additional types of alcohol other than beer and wine per the Council-approved Additional Provisions stated in their Agreement.

~~D.E.~~ Vendors selling food and/or beverages must obtain proper State of California Sellers Permits for the Town Square Park location.

~~E.F.~~ Caterers, vendors, and hosts serving food and/or alcohol must have adequate insurance (as determined through the Special Event Application process) and a City of Murrieta business license.

~~F.G.~~ City conditions for events serving alcohol will be added through the Special Event Permit application process, based on the scope of the event proposal, including the requirement for security.

xix. Public Safety and Security

A. Requirements for event security and emergency medical response will be established by the City's Police and Fire Departments based on the event scope and scale.

B. Other than City events, the cost for event security and emergency response will be at the expense of the event host.

C. Depending on the scope and scale of the proposed event, the Police Department may require additional security measures which will be determined during the Special Event Permit application process.

xx. Trash and Recycling

A. Keeping the Town Square Park beautiful and trash-free for all to enjoy is a high priority for the City. For events considered larger than "normal park operations" that would generate trash, for example, those with food and beverage and/or vendors, the event host may be required to be responsible for providing additional solid waste receptacles and servicing them.

B. The City of Murrieta has an exclusive Franchise Agreement ~~with~~ Waste Management for solid waste and recycling services.   
 [exclude name of current franchisee]

C. As required by the City of Murrieta by State law, event hosts are required to provide and service three types of waste receptacles – trash, recycling, and organics/compost.

- D. Other than City-hosted events, City personnel are not available during special events to service waste receptacles.

xxi. Special Event Fees

- A. Event hosts must pay the City's base current fees and deposits for Special Event Permit applications at the time of application submittal.
- B. Through the Special Event Committee process, event hosts will receive an itemized cost estimate based on the scope and scale of the proposed event for City services. The ultimate amount of fees charged are subject to change as they are based on the City's actual costs.
- C. These costs are at the expense of the event host.
- D. A minimum deposit of \$1,500 is required for all events. Depending on the scope and scale of the event, an additional deposit may be required to ensure the facility is left in the same condition it was found or to allow the City to make repairs, including turf replacement if deemed necessary. The value of any additional deposit will be determined through the Special Event Permit application process.
- E. Any businesses participating in an event, including as a vendor, are required to have a City of Murrieta business license. Businesses selling goods on premises are also required to have a temporary Seller's Permit designated to Murrieta through the California Department of Tax and Fee Administration.

Consistent requirement for all events including, Signature events, sponsored and co-sponsored events. i.e. Market Nights?

xxii. Risk Management and Insurance Requirements

- A. All event hosts will be required to maintain and provide proof of insurance in amounts determined through and in accordance with the Special Event Application process depending on the event scope.
- B. Event hosts are responsible for ensuring appropriate measures are taken as required by law for events during which volunteers may be working with children.

xxiii. Event Sponsorship

- A. The Town Square Park and Amphitheater are public spaces. Therefore all publicly displayed signs or materials must be provided to City Staff for approval no later than 30 days prior to the event. Sponsorships and advertising from the following industries are prohibited: cannabis, tobacco, adult-oriented businesses, and alcohol, as well as advertisements that are demeaning or disparaging, that depict violence, or contain illicit or otherwise inappropriate graphics.

1st Amendment?

A.B. Subject to City Council approval in the License Agreement, the Special Event Licensee may be allowed to have non-direct monetary sponsorships of in-kind items and materials from businesses in the alcohol industry.

Subjective

xxiv. Public Notification  
Scheduled special events will be noticed on the City's online community calendar and, once constructed, on the electronic notification message sign at the corner of Jefferson Avenue and Kalmia Street. **Certain events may also be** promoted on the City's social media. Interested parties can subscribe for updates to the calendar to be automatically notified of scheduled events.

B. Operations of Facility Components

i. Event hosts are responsible, at their sole cost, for ensuring all facilities used (including the turf) are returned to the same condition in which they were prior to the event to the satisfaction of the City or their deposit will be used to make repairs.

ii. Amphitheater

A. Any equipment to be hung from the overhead amphitheater structures must meet the engineering specifications and load calculations for the facility and will be hung by the City-contracted vendor for house rigging.

B. Use of City-owned sound equipment, lighting, and/or stage material must use the City's specialized vendor with a full deposit in case of damage and cost-neutral to the City.

iii. Dressing Rooms are available for use for an additional fee and deposit.

iv. Electricity – A fee will be charged for use of electricity to reflect cost recovery.

v. Water – A fee will be charged for use of water to reflect cost recovery.

vi. Certain types of event set-up components will require review, approval, and inspections by Building & Safety and/or Fire Prevention, such as fencing, tents, light towers, temporary stages, cooking equipment, bleachers, etc. at the expense of the event host. These features must be identified in the Special Event Permit application.

- A. Any tents and cooking set-ups must comply with the Fire Code and generally will require inspections.
  - B. A permit is required to use fireworks and/or any open flame elements. Only proximate fireworks are permitted with a Fire Department permit.
  - C. Event capacity limitations are set based on Chapter 10 of the California Fire Code.
- vii. Based on the event scope and scale, portable restrooms may be required at the expense of the event host.
  - viii. For enclosed events, egress requirements will be determined by the Fire Marshal based on the event size and configuration.
  - ix. Event configuration and activities must comply with the Americans with Disabilities Act (ADA), including access to restrooms and ensuring accessible paths of travel.
  - x. Uses that are **Not Allowed:**
    - A. Smoking and vaping
    - B. Canopies larger than 10' x 10' may not be set up by private individuals. Event hosts for individual events may allow private individuals to set up canopies that are 10' x 10' or smaller.
    - C. **Dogs, unless they are service animals.**
    - D. Commercial activities, unless approved through the Special Events Permit application.
    - E. Amplified sound/music, unless approved through the Special Event Permit application and in conformance with Section II.A.xv. above.
- C. Exceptions to these limitations identified above may be considered by the City Manager.

Leashed dogs are permitted by MMC. Furthermore, dogs consistently attend events (music in the park) including, city council member's dogs!