

ORDINANCE NO. 604-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA, ADOPTING THE TOWN SQUARE PARK AND AMPHITHEATER USER FEES

Summary: This ordinance establishes new fees, rates, and service charges for municipal services related to the Town Square Park and Amphitheater and provides for an annual escalation of such fees based on a percentage increase in the Consumer Price Index.

WHEREAS, Chapter 3.32 of the Murrieta Municipal Code (“MMC”) and provisions of the California Constitution relating to fee and service charges provide for the adoption and implementation of fees, rates, and service charges for municipal services; and

WHEREAS, in 2023, City staff converted actual cost fees based on historical information to establish a fixed fee format for development-related processes to better serve customers; and

WHEREAS, the fees, rates, and service charges do not exceed the cost of providing the services; and

WHEREAS, the City has, pursuant to California Government Code section 66016, provided notice of and conducted a public hearing and received written and oral presentations regarding the fees, rates, and service charges; and

WHEREAS, the approval of these fees, rates, and service charges directly reimburses the City for the cost of services provided; and

WHEREAS, MMC section 3.32.040 and California Government Code 66017 provide that the fees shall be effective no sooner than sixty (60) days following the final action on the adoption of the fee; and

WHEREAS, the City has adjusted fees for Fiscal Year 2024/25 by the Consumer Price Index (“CPI”) of 4.3% for the Riverside-San Bernardino-Ontario area using the March to March changes as approved in Ordinance 603-24, introduced on May 7, 2024 and scheduled for adoption on June 4, 2024.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Town Square Park and Amphitheater User Fee Schedule, attached hereto as Exhibit “A” and incorporated herein as if set forth in full, is hereby adopted as prescribed below.

SECTION 2. The fees, rate, and service charges set forth in Section 1 above will automatically be incorporated into the Fiscal Year 2024/25 User Fee Schedule, introduced on May 7, 2024 and scheduled for adoption on June 4, 2024, by the City Council of the City of Murrieta through Ordinance No. 603-24.

SECTION 3. The fees, rates, and service charges set forth in Section 1, above, will be effective on the date set forth in Section 7, below, and shall thereafter be adjusted annually to increase on July 1st of each year consistent with the percentage increase in the CPI for the Riverside-San Bernardino-Ontario area or five percent (5%), whichever is lower.

SECTION 4. The fees, rates, and services set forth in Section 1 above may be amended, suspended, or modified by Resolution of the City Council unless state law requires such to be adopted by Ordinance.

SECTION 5. This ordinance is exempt from the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question would have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 6. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. This Ordinance shall become effective on the thirtieth (30th) day after its passage and adoption, and within fifteen (15) days after its final passage. The City Clerk shall cause it to be posted and published in a newspaper of general circulation, printed, published, and circulated in the City in the manner required by law, and shall cause a copy of this Ordinance and its certification to be entered in the Book of Ordinances of the City.

PASSED AND ADOPTED this 2nd day of July, 2024.

Lori Stone, Mayor

ATTEST:

Cristal McDonald, City Clerk

APPROVED AS TO FORM:

Tiffany J. Israel, City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)§
CITY OF MURRIETA)

I, Cristal McDonald, City Clerk of the City of Murrieta, California, do hereby certify that the foregoing Ordinance No. 604-24 was duly passed and adopted by the City Council of the City of Murrieta at the regular meeting thereof, held on the 2nd day of July, 2024, and was signed by the Mayor of the said City, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Cristal McDonald, City Clerk

I, Cristal McDonald, City Clerk of the City of Murrieta, California, further certify that Ordinance No. 604-24 was duly published according to law and the order of the City Council of said City, and the same was so published in the Press Enterprise, a newspaper of general circulation on the following date(s):

Adopted Ordinance: _____, 2024.

In witness whereof, I have hereunto subscribed my name this ___ day of _____, 2024.

Cristal McDonald, City Clerk

EXHIBIT A

Town Square Park and Amphitheater		
<u>COST RECOVERY FEE SCHEDULE</u>		
What is included in your reservation?		
*Park open grass space and Amphitheater (stage only; dressing room access not included) *Amphitheater/stage electricity *Event parking *Limited WiFi for sales and concessions *Public restroom access *Readily stocked restroom at start of rental period		
APPLICATION FEE		
Application Fee	\$695	
DEPOSITS		
Reservation Deposit*	\$1,500 min - \$5,000 max / event	
Base Deposit - 1 day event	\$1,500	
2nd Additional Day	\$1,500	
3rd Additional Day	\$1,500	
Dressing Room Deposit	\$500	
Staking for Large Tents	\$500	
Alcohol	\$1,500	
Carnival-type Attractions	\$1,500	
<i>Up to a maximum of \$5,000</i>		
RESERVATIONS FEES - ** Set-up/breakdown charge is calculated at 12 hours**		
Vacant lots (non-parking purposes)	\$100/day/lot	
Electricity/Utilities	\$200/day	
High-powered park lighting	\$75/hour	
Dressing Room	\$35/hour	
Dressing Room Cleaning	Actual Costs	
Stage Storage Room	\$50/day	
Restocking Supply Fee	\$50/day	
HOURLY RATES		
Monday-Thursday (2-Hour Minimum)	\$250	
Friday-Sunday (4-Hour Minimum)	\$350	
STAFFING (two hour minimum) - **See fee schedule for additional applicable hourly rates**		
Staff	Regular Rate	Overtime Rate
Maintenance Worker I	\$93/hour	\$139/hour
Maintenance Worker II	\$124/hour	\$186/hour
Senior Maintenance Worker	\$147/hour	\$220/hour
Recreation Leader	\$30/hour	\$45/hour
Recreation Coordinator	\$105/hour	\$157/hour
Special Events Supervisor	\$165/hour	\$247/hour
MPD Officer	\$134/hour	\$201/hour
Building Inspector	\$90/hour	\$135/hour
Fire Marshall	\$244/hour	\$366/hour
Traffic Engineering Consultant	Actual Cost	Actual Cost
Landscape Repair Contractor	Actual Cost	Actual Cost
LATE FEES		
Reservation Deposit	\$100/day	
Traffic Control Plan (if applicable)	\$100/day	
Noise Ordinance Violation	\$1,000/minute	
STAGE, SOUND, AND LIGHTING		
The Event Organizer must contact one of the pre-approved contractors to supply sound and lighting for stage events. No other vendor may be used other than the ones already vetted by the City. City staff can provide the approved vendor list if interested. All costs associated with stage, sound, and lighting are payable directly to the contractor.		
NOTES		
Should approval be given for an event to take place on a holiday, staffing hourly rates for holidays would be applicable.		
If applicant cancels the event 0 to 4 days in advance of the reservation, 50 percent of the deposit is forfeited.		
If applicant cancels the event 5 to 10 days in advance of the reservation, 25 percent of the deposit is forfeited.		