

RESOLUTION NO. 2023-045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, INCREASING CERTAIN ENTRY FEES FOR THE PALM DESERT AQUATIC CENTER AND TAKING OTHER ACTIONS THEREIN

WHEREAS, the City of Palm Desert (“City”) City Council established entry fees for the Palm Desert Aquatic Center (“PDAC”) on May 12, 2011; and

WHEREAS, the City had engaged Ballard King & Associates, LTD to conduct a study entitled Aquatic Center Operations Study (the “Study”) to establish the original PDAC rates; and

WHEREAS, the Study established a City goal of 60% cost recovery in order to ensure entry fees were set at an affordable level for the benefit all City residents; and

WHEREAS, due to escalating costs that have occurred since 2011, the date the original fees were implemented, actual cost recovery has been closer to approximately 35% of City costs to operate the facility; and

WHEREAS, the City elected not to implement the annual increases established in the Study at that time and instead chose to keep fees at the initial rate subsidizing the costs for public benefit; and

WHEREAS, the City has not increased its PDAC fees since they were established and the City now desires to increase the PDAC fees to ensure such fees are adequately recovering City costs of operating and maintaining the PDAC facilities and services provided; and

WHEREAS, the City has complied with the procedural requirements pursuant to California Government Code, section 66018 which requires the City to hold a noticed public hearing as part of a regularly scheduled meeting, at which oral and written presentations regarding the PDAC fees may be made; and

WHEREAS, notice for the public hearing notified all interested persons the public hearing will take place at 4:00pm on September 14, 2023 at the Civic Center Council Chambers located at 73510 Fred Waring Drive, Palm Desert, CA 92260 and said notice was provided pursuant to Government Code, section 6062a which requires at least ten (10) days’ notice prior to the date of the public hearing published twice with at least five (5) days intervening between each publication; and

WHEREAS, the City has prepared an estimate of the costs establishing the proposed PDAC fees and such fees do not exceed the reasonable estimate of costs to maintain and provide the PDAC facilities and services; and

WHEREAS, the City Council now desires to adopt the 2023 PDAC fees.

NOW, THEREFORE, BE IT RESOLVED by the City of Palm Desert, California City Council as follows:

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Findings. The City Council finds the following:

1. Notice of the public hearing was published twice with at least five (5) days intervening between each publication on September 3, 2023, with a second notice published on September 10, 2023, the first date being at least ten (10) days prior to the date of the public hearing.
2. The duly noticed public hearing was held and all oral and written presentations regarding the PDAC fees was heard and considered.
3. The PDAC fees do not exceed the estimated reasonable costs of maintaining and operating the PDAC facilities and services.
4. The City Council retains the right to establish fees at a lower rate should the public interest and welfare be served.

SECTION 3. Approval. The City Council adopts the PDAC fees, as identified in the attached Exhibit "A" and incorporated herein by this reference and the City Council now directs City staff to implement the fees to be effective January 1, 2024. All previous PDAC fees in effect as of January 1, 2024 are to be superseded and replaced.

SECTION 4. Applicability. This Resolution relates only to the adoption of the PDAC fees and does not affect any other City fee, charge, or rates previously adopted by the City Council.

SECTION 5. CEQA. That the City Council finds this Resolution is not subject to the California Environmental Quality Act (CEQA) in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty, as in this case, that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 6. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

SECTION 7. Effective Date. This Resolution shall become effective immediately following its adoption.

ADOPTED ON SEPTEMBER 14, 2023.

DocuSigned by:
Kathleen Kelly
382E74C11AC0434...
KATHLEEN KELLY
MAYOR

ATTEST:

DocuSigned by:
Anthony J. Mejia
8063A189723D437...
ANTHONY J. MEJIA
CITY CLERK

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2023-045 is a full, true, and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Desert on September 14, 2023, by the following vote:

AYES: HARNIK, NESTANDE, QUINTANILLA, TRUBEE, AND KELLY
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE
RECUSED: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Desert, California, on 9/18/2023.

DocuSigned by:
Anthony J. Mejia
8063A189723D437...
ANTHONY J. MEJIA
CITY CLERK

EXHIBIT "A"

Proposed Fee Schedule Palm Desert Aquatic Center

Proposed Implementation Timeframe with Annual Evaluation

Admission Type	Category	Current Fee* est. 2011	Year 1 1/1/2024	Year 2 1/1/2025	Year 3 1/1/2026	Year 4 1/1/2027	Year 5 1/1/2028
Resident Admission Rates							
Day Pass	<i>Adult</i>	\$4.00	\$5.50	\$7.50	\$9.00	\$11.00	\$13.00
	<i>Youth/Senior</i>	\$3.00	\$4.25	\$5.50	\$7.00	\$8.50	\$9.75
	<i>Junior</i>	\$2.50	\$3.50	\$4.50	\$5.50	\$6.50	\$8.25
25-Punch Card	<i>Adult</i>	\$94	\$125	\$170	\$205	\$250	\$295
	<i>Youth/Senior</i>	\$65	\$95	\$125	\$160	\$190	\$220
3-month unlimited	<i>Adult</i>	\$150	\$200	\$270	\$325	\$395	\$470
	<i>Youth/Senior</i>	\$110	\$155	\$200	\$250	\$305	\$350
Annual Unlimited	<i>Adult</i>	\$420	\$560	\$755	\$910	\$1,105	\$1,315
	<i>Youth/Senior</i>	\$550	\$435	\$560	\$700	\$855	\$980
Non-Resident Admission Rates							
Day Pass	<i>Adult</i>	\$6.00	\$9.00	\$12.00	\$15.00	\$17.00	\$19.75
	<i>Youth/Senior</i>	\$4.50	\$7.00	\$9.00	\$11.00	\$12.50	\$14.75
	<i>Junior</i>	\$3.75	\$5.75	\$7.75	\$9.75	\$11.75	\$12.25
25-Punch Card	<i>Adult</i>	\$142	\$205	\$270	\$340	\$385	\$445
	<i>Youth/Senior</i>	\$98	\$160	\$205	\$250	\$280	\$330
3-month unlimited	<i>Adult</i>	\$225	\$325	\$430	\$540	\$610	\$710
	<i>Youth/Senior</i>	\$165	\$250	\$325	\$395	\$450	\$530
Annual Unlimited	<i>Adult</i>	\$630	\$910	\$1,205	\$1,510	\$1,710	\$1,990
	<i>Youth/Senior</i>	\$825	\$700	\$910	\$1,105	\$1,260	\$1,485

*PDAC attendees eligible for an income-qualified discount will continue to pay the Current Fee, est. 2011.