

RESOLUTION NO. 2023-070

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT,
CALIFORNIA, ADOPTING AN ADMINISTRATIVE POLICY FOR USE OF
CITY OWNED FACILITIES

WHEREAS, the City of Palm Desert owns, operates, manages, and leases a variety of indoor and outdoor spaces; and

WHEREAS, the City makes many of these spaces available for public use for a variety of purposes such as youth sports leagues, birthday parties, and large community events; and

WHEREAS, the City may contract with private organizations such as Desert Recreation District and YMCA to manage and operate these spaces, including taking reservations and collecting fees; and

WHEREAS, the uses of these spaces and the fees administered for their use are guided by the Palm Desert Municipal Code, Policies & Procedures, and those policies and fees of contracted private organizations; and

WHEREAS, the City finds a need to provide clarity on this matter by consolidating provisions and guidance related to the use of City owned facilities through the development and implementation of an administrative policy; and

WHEREAS, the City Council directed staff to develop such policy, including a fee schedule and process for consideration of fee waivers, during a duly held City Council meeting on May 12, 2022.

NOW THEREFORE, the City of Palm Desert, State of California, hereby finds and resolves that it approves and adopts the Administrative Policy for use of City Owned Facilities, as attached hereto as Exhibit "A".

ADOPTED ON June 8, 2023.

DocuSigned by:
Kathleen Kelly
382E74C114C0434
KATHLEEN KELLY
MAYOR

ATTEST:

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

I, Anthony J. Mejia, City Clerk of the City of Palm Desert, hereby certify that Resolution No. 2023-070 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 June 8, 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 2/6/2024.

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

Exhibit A

	CITY OF PALM DESERT ADMINISTRATIVE PROCEDURES	
	<i>Subject</i>	ADMINISTRATIVE POLICY FOR USE OF CITY OWNED FACILITIES
	<i>Policy No.</i>	
	<i>Date</i>	Issued: June 8, 2023
	<i>Approved by</i>	Resolution No. 2023-070
	<i>Authored by</i>	Public Works Department

I. PURPOSE

The City of Palm Desert owns, operates, manages, and leases a variety of indoor and outdoor space. The intended purpose of those spaces ranges from indoor spaces that are dedicated solely for the conduct of City business to outdoor spaces that promote a diversity of uses. Such spaces include the pavilions and playing fields that can be reserved in advance at the Palm Desert Civic Center Park, Hovley Soccer Park, and Freedom Park together with the Palm Desert Civic Center Park amphitheater that can be rented for larger events. The Palm Desert Community Center and Portola Community Center, both operated by the Desert Recreation District, are additional facilities that can be rented, along with the Palm Desert Aquatic Center, operated by the Family YMCA of the Desert.

The purpose of this policy is to support the:

- City regulations adopted as Chapter 11.04, Park Reservations and Park Use Permit, as part of the Palm Desert Municipal Code;
- Existing agreements with the Desert Recreation District for annual park services and the lease of the Palm Desert Community Center (Contract No. C32410, as amended, and Contract No. C39690);
- Existing Facility Use Agreement for lease of space within the Portola Community Center;
- Existing agreement with the Family YMCA of the Desert for the management and staffing of the Palm Desert Aquatic Center (Contract No. C36620, as amended);
- Existing City Resolutions 2015-34 and 2015-96, establishing a sports facilities use policy and authorizing modifications to the Facility Use Agreement for Youth Sports Organizations, respectively; and
- Rules, regulations, and policies of the Desert Recreation District and the Family YMCA of the Desert.

It also serves to create a consistent and uniform City policy directed to the prioritization of uses within certain spaces, including the restriction of some uses that would either interfere with the operation of the Palm Desert Civic Center or the simultaneous use and enjoyment of other outdoor spaces within the City's parks.

This policy clarifies those fees and charges that are due to reserve and use a space by each agency, as may be applicable, and establishes a procedure by which fee waivers may be requested for the waiver of City fees.

This policy is intended to complement the existing policies adopted by the Desert Recreation District and the Family YMCA of the Desert and has been carefully reviewed to avoid any intentional conflict. Should conflict be identified in the future, the City reserves its ability to interpret this policy or to make amendments to it at a later date under the authority granted to the City Manager under the Palm Desert Municipal Code.

II. SCOPE

This policy and procedure addresses all indoor and outdoor spaces owned, operated, managed, and leased by the City of Palm Desert.

III. DEFINITIONS

- A. "Amusement Activities" means rock walls, rollercoasters, funhouses, gaming trucks, laser tag, ice skating, or other rides or amenities.
- B. "City" means the City of Palm Desert, California.
- C. "Commercial Use" means any event organized and conducted by a person, organization or company that does not qualify as a tax-exempt, non-profit organization or governmental agency, and is not a youth recreation/sports league (Class IV).
- D. "Commercial Recreation League" means a recreation/sports league that does not qualify as a tax-exempt, non-profit organization or governmental agency, including organized adult leagues (Class III).
- E. "Community Use" means any event organized and conducted by a person, organization or company that qualifies as a tax-exempt, non-profit organization or governmental agency, and that is open to the public (Class II).
- F. "Community Recreation League" means a recreation/sports league that qualifies as a tax-exempt, non-profit organization or governmental agency (Class I).
- G. "Event" means an occurrence of a local celebration, fundraiser, athletic, cultural, or educational activity.

- H. “Inflatables” means temporary air-filled play structures commonly known as bounce houses, jumpers, blow-up slides, etc., with or without water features.
- I. “League” means a group of sports teams or individual athletes that compete against each other in officiated games in a specific sport.
- J. “Open to the public” means any area on City property where the public is allowed to be present and may move unfettered. Areas that are open to the public include, but are not limited to, City parks, City parking lots, and any areas of City facilities that provide direct services to the public.
- K. “Private Use” means an event that is not open to the public. Private Use events include those organized by both residents and non-residents of Palm Desert.
- L. “Regional park” means a park that is 20 acres or larger in size. Up to 50 people may gather in regional parks without obtaining a permit. Group gatherings of 50 people or more are required to obtain a permit.

IV. RESERVABLE AND OPEN USE SPACES AND FACILITIES

Reservable spaces within the City are limited. Due to this limitation, there is a potential that not all requests for reservation will be granted. In the event that the City receives multiple applications for the use of the same facility on the same date, the application that was filed first shall receive priority. In addition, should an organization successfully make a reservation, this does not guarantee availability for future use.

Special event requests that also encompass areas outside of the City parks or facilities are subject to approval of a separate Special Events Application.

The following spaces are available for reservation and use within the City:

- A. Palm Desert Civic Center
 - a. Civic Center Park Pavilions (5 pavilions)
 - b. Ball fields and courts (4 baseball fields*, 6 tennis courts, 4 beach volleyball courts, 3 basketball courts)
 - c. Civic Center Park Amphitheater
 - d. Palm Desert Aquatic Center
- B. Palm Desert Community Center & Gymnasium (Gymnasium (basketball/volleyball/pickleball), 2 multipurpose rooms)
- C. Portola Community Center (2 Multipurpose rooms) – only Class I or Class II non-profit community groups based in the City of Palm Desert
- D. Freedom Park Baseball Fields* (3 baseball fields, 1 football field, 1 soccer field)
- E. Hovley Soccer Park Fields* (5 soccer fields)
- F. Palm Desert City Council Chambers – only Class II governmental organizations
- G. Other Parks & Open Spaces not listed above

* Use of these spaces by Class I (Community Recreation Leagues) also may permit the use of the corresponding snack bar. The use of the snack bars is subject to approval by the Director of Public Works and contingent upon the user

organization providing adequate maintenance and care of City property per the Facility Use Agreement.

V. RESERVATION PROCESS

A. Application and Fees

Facility rentals for activities or events are required for groups gathering in a regional park with an anticipated attendance of 50 people or more. Applications must be completed and submitted to the organization contracted by the City for management of the facility. Additional fees apply for groups of over 100 people. Organizations requesting use of both City parks and areas within the public right-of-way are required to complete a Special Event Application. City facilities must be used for the purpose stated in the application, or the event/use is subject to cancellation without refund.

Applications must be completed at least 30 days in advance for all reservations. For amphitheater rental, applications may be submitted up to 180 days in advance. For all sports fields and courts, applications may be submitted 120 days in advance for the season or year. Other facility rentals may also be submitted 120 days in advance of the event or use.

The City reserves the right to refuse the use of any facility if the applicant fails to comply with the terms of this Policy, any applicable laws, rules, and regulations, or if the planned event is not an appropriate usage of the requested facility. Any infraction of the terms of this Policy, any applicable laws, rules, and regulations shall be cause for refusal of any further use of City facilities for a period of 3 years.

B. Fees will be assessed based on the City of Palm Desert Master Fee Schedule (Attachment A). Fees are calculated based on the following Class system:

- Class I: Community Recreation League
- Class II: Community Use
- Class III: Commercial Recreation League
- Class IV: Commercial Use
- Class V: Private Use

Fees for the use of City facilities are set in Attachment A and Attachment B. Changes to the fee schedule for the use of reservable open spaces and City facilities may be initiated by the Public Works Director in coordination with the authorized facility management contractor. Fee changes shall be reviewed and ratified by the Parks and Recreation Commission prior to going into effect. In the event that the Parks and Recreation Commission objects to a fee change, the change shall be presented to the City Council for ratification. To the

maximum extent possible, amendments to the fee schedule shall be timed with the City's annual budgeting process.

C. Insurance

The City requires a minimum of \$1M liability insurance policy with the City named as additional insured for certain uses. Based on the event type, this amount may be increased and/or the City may require additional insurance policies.

Insurance is required for the following use types:

- All Commercial events and uses (Class III and Class IV)
- Events anticipating attendance of 50 people or more
- All amphitheater rentals

If inflatables or amusement activities are planned for any type of use, the inflatable company must provide a \$1M liability policy with the City named as additional insured.

D. Alcoholic Beverages

- a. Section 11.01.080 of the City of Palm Desert Municipal Code prohibits bringing into, consuming or having in their possession in any park an alcoholic beverage as defined in Section 11.01.010, unless waived as provided by Section 9.58.040 of the Municipal Code.
- b. Section 9.58.040 allows the City Manager, or designee, or City Council to waive this provision in certain circumstances. The City Council may approve such a waiver if the facility use is associated with a community event that is open to the public and is receiving City funding. Examples of these include, but are not limited to, Concerts in the Park, the Wildflower Festival, and the Palm Desert Half Marathon. The City Manager may approve such a waiver if the facility use is associated with a community event that is open to the public but is not receiving City funding and no other waivers of the Municipal Code are needed. Requests for waiver must be received at least 30 days prior to the event.
- c. Waiver of this provision must ensure that all State and County guidelines and permits are obtained, and any conditions imposed on the applicant must be followed.
- d. A copy of all permits must be provided to the City prior to the facility use.

E. Requests for Fee Waiver

- a. Waiver of fees administered by the City may be requested in writing to the Parks and Recreation division by emailing parks@cityofpalmdesert.org.

- b. Fee waivers must be requested at least 30 days prior to the event and will be considered and approved or denied by the City Manager.

F. Requests for Park Use Waivers

- a. Section 11.04.050 of the City of Palm Desert Municipal Code restricts the issuance of permits for park use for certain situations. Waiver of any of these provisions may be requested in writing to the Parks and Recreation division by emailing parks@cityofpalmdesert.org.
- b. Park use waivers must be requested at least 30 days prior to the event and will be considered and approved or denied by the City Manager.

G. Appeals

- a. In the event a Request for Fee Waiver or a Request for a Park Use Waiver is denied, an appeal may be requested to a Request for Fee Waiver or Request for Park Use Waiver decision by emailing parks@cityofpalmdesert.org.
- b. Appeals will be added to the next available City Council meeting agenda for consideration.

Attachment A – MASTER FEE SCHEDULE

City of Palm Desert District Master Fee Schedule \$20 administrative fee for all rentals							
Fee Description		Class I	Class II	Class III	Class IV	Class V	Cleaning Deposit
1	Pavilions* (50-100 people)	N/A	\$115	\$230	\$230	\$80	\$100
		<i>* Residents of the City of Palm Desert are assessed an \$80 fee for pavilion rental.</i>					
	Pavilions** (100 people or more)	N/A	\$230	\$460	\$460	\$160	\$200
		<i>** Residents of the City of Palm Desert are assessed an \$160 fee for pavilion rental.</i>					
2	Amphitheater (50-100 people)	N/A	\$230	\$230	\$230	\$230	\$2,500
	Amphitheater (100 people or more)	N/A	\$460	\$460	\$460	\$460	\$5,000
		<i>Cleaning deposit may be reduced based on event details.</i>					
3	Fields & Courts						
	Baseball Soccer Basketball Tennis Pickleball (2 courts) Football Other <i>(i.e. volleyball, horseshoes, petanque, etc.)</i>	N/A	\$30/hour			\$20/hour	\$250

	Full 8-hour day use	N/A	\$150/day			\$150/day for field \$75/day for courts	
4	Lights	N/A	\$30/hour	\$30/hour	\$30/hour	\$10/hour	
	Full 8 hour day use	N/A	\$150/day	\$150/day	\$150/day	\$150/day for field \$75/day for courts	
5	Palm Desert Community Center						
	<i>Monday through Thursday</i>						
	Gymnasium	\$70/hour	\$70/hour	\$140/hour	\$140/hour	\$70/hour	\$1,000
	Multipurpose Room	\$45/hour	\$45/hour	\$90/hour	\$90/hour	\$45/hour	\$275
	Multipurpose Room & Kitchen	\$15/hour	\$15/hour	\$15/hour	\$15/hour	\$15/hour	\$275
	<i>Friday through Sunday</i>						
	Gymnasium	\$130/hour	\$130/hour	\$260/hour	\$260/hour	\$130/hour	\$1,000
	Multipurpose Room	\$75/hour	\$75/hour	\$150/hour	\$150/hour	\$75/hour	\$275
	Multipurpose Room & Kitchen	\$15/hour	\$15/hour	\$15/hour	\$15/hour	\$15/hour	\$275
6	Portola Community Center						
	Multipurpose Room <i>(non profit/ community groups only)</i>	N/A	N/A	N/A	N/A	N/A	\$275

City of Palm Desert Non-District Master Fee Schedule \$20 administrative fee for all rentals							
Fee Description		Class I	Class II	Class III	Class IV	Class V	Cleaning Deposit
1	Pavilions (50-100 people)	N/A	\$115	\$230	\$230	\$130	\$100
	Pavilions (100 people or more)	N/A	\$230	\$460	\$460	\$260	\$200
2	Amphitheater (50-100 people)	N/A	\$230	\$230	\$230	\$230	\$2,500
	Amphitheater (100 people or more)	N/A	\$460	\$460	\$460	\$460	\$5,000
<i>Cleaning deposit may be reduced based on event details.</i>							
3	Fields & Courts	N/A					
	Baseball Soccer Basketball Tennis Pickleball (2 courts) Football Other <i>(i.e. volleyball, horseshoes, petanque, etc.)</i>	N/A		\$30/hour		\$25/hour	\$250

	Full 8-hour day use	N/A	\$150/day			\$170/day for field \$85/day for courts	
4	Lights	N/A	\$30/hour	\$30/hour	\$30/hour	\$20/hour	
	Full 8 hour day use	N/A	\$170/day	\$170/day	\$170/day	\$170/day for field \$85/day for courts	
5	Palm Desert Community Center						
	<i>Monday through Thursday</i>						
	Gymnasium	\$70/hour	\$70/hour	\$140/hour	\$140/hour	\$80/hour	\$1,000
	Multipurpose Room	\$45/hour	\$45/hour	\$90/hour	\$90/hour	\$55/hour	\$275
	Multipurpose Room & Kitchen	\$15/hour	\$15/hour	\$15/hour	\$15/hour	\$15/hour	\$275
	<i>Friday through Sunday</i>						
	Gymnasium	\$130/hour	\$130/hour	\$260/hour	\$260/hour	\$150/hour	\$1,000
	Multipurpose Room	\$75/hour	\$75/hour	\$150/hour	\$150/hour	\$85/hour	\$275
	Multipurpose Room & Kitchen	\$15/hour	\$15/hour	\$15/hour	\$15/hour	\$15/hour	\$275
6	Portola Community Center						
	Multipurpose Room <i>(non profit/ community groups only)</i>	N/A	N/A	N/A	N/A	N/A	\$275

Attachment B – PALM DESERT AQUATIC CENTER FEE SCHEDULE

City of Palm Desert			
Palm Desert Aquatic Center Fee Schedule			
	Fee Description	Resident	Non-Resident
1	Admissions		
	Adult (13-59)	\$4	\$6
	Youth/Senior (6-12 & 60+)	\$3	\$4.50
	Adult Punch Card 25	\$94	\$142
	Youth/Senior Punch Card 25	\$65	\$98
	Adult 3-Month Pass	\$150	\$225
	Youth/Senior 3-Month Pass	\$110	\$165
	Adult Annual Pass	\$550	\$825
	Youth/Senior Annual Pass	\$420	\$630
2	Water Exercise		
	One Class	\$6	\$8
	10 Punch Pass	\$60	\$80
	Monthly Pass	\$65	\$85
3	Swim Lessons		
	Group Lessons	\$63	\$84
	Recreational Swim Team	\$87	\$116
	Private/Semi-Private 30 min.	\$36	\$48
	Private/Semi-Private 1 hour	\$54	\$72
	Private/Semi-Private 30 min. 10 pack	\$324	\$432
	Private/Semi-Private 1 hour 10 pack	\$486	\$648
4	Specialty Rates		
	Full Facility Rental (2-hour minimum)	\$650/hour	\$800/hour
	Add'l lifeguards (as required by PDAC)		\$20/hour
	Multi-Use Room Rental		\$75/hour \$150 security deposit
	Organization (Summer Camps)		\$3 per person
	School Field Trip		\$5 per child