



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
April 4, 2012**

TO: Mayor and City Council
FROM: Patty Lorick, Recreation Supervisor
SUBJECT: Adopt the Facility Use Policy – Ignacio Plaza and Susana Park and establish fees for use
DATE: March 26, 2012

RECOMMENDATION:

Conduct a public hearing to adopt resolution (a) rescinding Resolution 044-04, and approving a new Facility Use Policy for Ignacio Plaza and Susana Park; and (b) amending the Schedule of Fees for City Services by user fees for Ignacio Plaza and Susana Park.

BACKGROUND:

The City Council adopted the “Ignacio Plaza Special Event Use Policy” via resolution number 044-04 on May 19, 2004 (attached as Exhibit A) to allow for limited special event use of the Plaza. Susana Park, located one block away, has also been a popular location for a variety of special event applicants in recent years. Both sites are surrounded by residential housing and near or adjacent to the Martinez Boy’s and Girl’s Club, Martinez City Hall and St. Catherine’s Church and School.

The Parks, Recreation, Marina and Cultural Commission (PRMCC) has worked for several months to craft a use policy for Ignacio Plaza and Susana Park to balance the organized use of these parks with the consequential impacts (such as parking, noise, and traffic) on the surrounding neighborhood. Events at Ignacio Plaza and Susana Park are carefully screened and regulated to minimize inconveniencing residents. The revised policy (attached as Exhibit B) and fee additions listed below establish clear guidelines for reserving and using these two locations.

The Parks, Recreation, Marina and Cultural Commission met on March 20, 2012 and recommended approval of the fee structure and new policy.

Facility	Cleaning/ Security Dep. (refundable)	Martinez Resident & Non- profit Org.	Non-Resident	Corporate
Ignacio Plaza	\$250	\$200	\$240	\$370
Susana Park	\$250	\$200	\$240	\$370

FISCAL IMPACT:

In accordance with the attached policy, a maximum of 10 events can be held between the two locations each year. Some local organizations have historically received fee waivers from the PRMCC for special events, and in anticipation of this, the City expects to receive annual revenue of between \$1,600 and \$1,800. This fee revenue will partially offset the costs for Recreation staff to process and submit applications to the PRMCC for review and approval, and for Parks staff to clean and prepare for an event.

ACTION:

Motion to adopt resolution (a) rescinding Resolution 044-04, and approving a new Facility Use Policy for Ignacio Plaza and Susana Park; and (b) amending the Schedule of Fees for City Services by user fees for Ignacio Plaza and Susana Park.

Attachments:

Resolution

Exhibit A – Resolution No. 044-04 and Ignacio Plaza Special Event Use Policy

Exhibit B – Facility Use Policy – Ignacio Plaza and Susana Park

Exhibit C – Facility Rental Fees

APPROVED BY:


City Manager

RESOLUTION NO. -12

RESCINDING RESOLUTION 044-04, APPROVING A NEW FACILITY USE POLICY FOR IGNACIO PLAZA AND SUSANA PARK, AND AMENDING THE SCHEDULE OF FEES FOR CITY SERVICES TO ESTABLISH FEES FOR USE

WHEREAS, the Martinez City Council adopted the Ignacio Plaza Special Event Use Policy via Resolution No. 044-04 on May 19, 2004; and

WHEREAS, in response to the increasing popularity of Ignacio Plaza and Susana Park as locations reserved through the City's Special Event Permitting process, staff and the Parks, Recreation, Marina and Cultural Commission worked together to prepare a revised policy intended to regulate use at both locations; and

WHEREAS, it is the policy of the City Council of the City of Martinez to establish fees in regard to governmental services specifically authorized by statute or ordinance as well as certain services and functions performed by the City in a proprietary capacity; and

WHEREAS, it has been the policy of the City Council to review and adjust the fees periodically to ensure they are equitable and justifiable; and

WHEREAS, the City maintains Ignacio Plaza and Susana Park and is desirous to rent these facilities no more than ten times a year; and

WHEREAS, user fees are required to help supplement City General Fund contributions to operate and maintain the facilities in a condition that meets public health codes and desired levels of service; and

WHEREAS, notice was published as required by Government Code sections 66018 and 6062(a); and

WHEREAS, on April 04, 2012 the City Council held a public hearing in compliance with Government Code Section 66018 where all oral and written presentations were heard; and

WHEREAS, the City Council finds that the fees set forth by Exhibit C do not exceed the reasonable costs of the City in offering and maintaining for rental, the facilities for which the fees are being imposed, and in fact the City will still continue to subsidize the costs of offering and maintaining these facilities for rental use even after this resolution takes effect.

NOW THEREFORE, IT BE RESOLVED that the City Council of the City of Martinez hereby rescinds Resolution No. 044-04 and adopts the new facility use policy for Ignacio Plaza and Susana Park as shown in Exhibit B, attached to this resolution.

BE IT FURTHER RESOLVED that page 16 of the Schedule of Fees for City Services (Community Services - Facility Rentals) is hereby amended to establish fees for Ignacio Plaza and Susana Park as shown in Exhibit C; and

BE IT FURTHER RESOLVED that this Resolution shall become effective upon its adoption.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 4th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

11.01.00

RESOLUTION NO. 044-04

ADOPTING IGNACIO PLAZA SPECIAL EVENT USE POLICY

WHEREAS, Ignacio Plaza, located at 525 Henrietta Street is primarily a pedestrian plaza surrounded by a residential neighborhood and bordered by Martinez City Hall and the Boys and Girls Club; and

WHEREAS, the Martinez Parks and Recreation Commission considered public comment from neighborhood residents and special event coordinators and drafted a policy to provide guidelines to applicants and staff that allows for limited special event use of the Plaza; and

WHEREAS, on May 4, 2004 the Parks and Recreation Commission recommended that the Martinez City Council adopt an *Ignacio Plaza Special Event Use Policy*.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Martinez adopts the *IGNACIO PLAZA SPECIAL EVENT USE POLICY*.

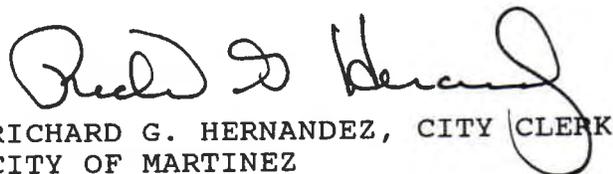
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I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 19th day of May, 2004, by the following vote:

AYES: Councilmembers DeLaney, Kennedy, Wainwright, Vice Mayor Ross, and Mayor Schroder

NOES: None

ABSENT: None


RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

Ignacio Plaza

Ignacio Plaza is located at 525 Henrietta Street, between Alhambra and Castro Streets. It is primarily a pedestrian plaza surrounded by a residential neighborhood on two sides and bordered by Martinez City Hall and the Boys and Girls Club. Pathways cross the park and intersect at a central memorial fountain. Pathways are lit and lined with wrought iron benches and shaded by trees. Off street public parking is limited in front of City Hall.

Availability & Priority of Use

Plaza Ignacio Martinez is primarily used as a pedestrian plaza. Generally, it is NOT available for group use or rental. Exceptions to the "no rental use" may be made on a case by case basis by approval of a Special Request Facility Use Permit. No more than one (1) special event per month will be considered during the park rental season (March through October), except for September that may have two (2) events on non-consecutive weekends.

Special event activities will be considered on a case by case basis and scheduled in the following order: a) City sponsored events, (such as Recreation & Parks); and, b) community non-profit or local community organization events.

Special Requests for use should be made to the Parks and Recreation Commission at least 60 days prior to an event on the Special Request Form available from the Recreation and Community Services Division. Applicants shall: 1) complete a Facility Use Agreement Form; 2) indicate the nature of the Special Request use; 3) pay the required deposit and fees; 4) attend the public hearing for recommendation of use permit; and, 4) receive approval for restricted use prior to announcing the use of the Ignacio Martinez Plaza.

Special Facility Use Guidelines

The Ignacio Plaza is subject to the following guidelines in addition to the Standard Provisions to Facility Use Rental Agreement:

1. Event must follow the City's noise ordinance, except as outlined in a permit approved by the Park and Recreation Commission on a case by case basis. (See Martinez Municipal Code, Chapter 8.34 Noise Control and 8.24.150 Hours of Use)
2. Parking that obstructs private driveways is not permitted. (See California Vehicle Code 22500 Sec. a.). Alternative parking may be required for event participants for any event with prospective attendance of over 40 vehicles or 80 persons. Applicant and event organizers may be required to meet with the police department to find a suitable remedy to potential parking and traffic issues in the immediate neighborhood.
3. Events are restricted to less than 500 persons at any one time during the event. Over crowding is not permitted and will result in cancellation of any future event and forfeiture of all fees paid. The event organizers, sponsors, and permit applicant are responsible for the conduct of the event. A responsible adult must supervise the premises for proper facility use during all approved rental hours. Events with more than 250 persons must include coordination with the Martinez Police Department.

EXHIBIT A
Facility Use Policy- Ignacio Plaza

4. Food and beverages must comply with applicable County and State permit requirements. Permits must be displayed on date of event.
5. Rental equipment will not be provided by the City. Storage of event equipment and materials on City property is not permitted either before or after the event. Renter is responsible for all equipment and property.
6. Renter may be required at its own cost to notify neighborhood residents by letter or flyer within a two block radius of the park prior to the Special Request being placed on the agenda of the Park and Recreation Commission. Residents and City must receive notification at least one week prior to the meeting and include the event name, date, time, duration, and name and phone number of the event organizer to contact with questions or concerns.
7. Renter may be required to provide portable toilets for events in compliance with industry standards.

Applicants should thoroughly review the Facility Use Agreement and Standard Provisions to the Rental Agreement. Requests for an exception to the Facility Use Policy must be submitted in writing with the application to enable placement on the proper City agenda for a decision. All provisions and fees apply unless specifically waived, in advance, in writing by the direction of the City Council. Only events with a good track record and whom work with the neighborhood to limit the impacts of their events are eligible for an exemption.

Deposit & Fees

Damage/Security Deposit	RES & Non Profit	NON-Resident
\$150*	\$90	\$115*
*Deposit and fees may be raised based upon the type of event, i.e. for profit, or higher risk events.		

Exhibit B

Facility Use Policy - Ignacio Plaza and Susana Park

BACKGROUND

Ignacio Plaza and Susana Park have their own use policy separate from other public parks and areas to ensure that the organized use of these areas are balanced with their impacts to the neighborhood. This neighborhood is already impacted on a regular basis by the Boys and Girls Club, St. Catherine's School and the general activities of City Hall. Adjacent to the aforementioned facilities are Susana Park and Ignacio Plaza. Due to existing impacts and lack of public parking, events in this area are carefully screened and monitored to ensure further impacts to the neighborhood are kept to a minimum. The following policies have been instituted by the Parks, Recreation, Marina, Cultural Commission (PRMCC) regarding the use of Susana Park and Ignacio Plaza are intended for this purpose.

AVAILABILITY & PRIORITY OF USE

Each request for reserved use of Susana Park and Ignacio Plaza will be considered on a case by case basis by approval of a Special Request Facility Use Permit. Reserved use can only occur during the park rental season (April through October).

Reservations will be accepted for Susana and Ignacio Plaza up to one calendar year in advance. Reservations are first come, first served.

No more than ten events at both parks, per rental season of April through October are allowed. No more than one event per weekend. A weekend is defined as 5 p.m. Friday to 10 p.m. Sunday.

Rentals allowed each month

- **April** – One facility rental allowed at either Ignacio Plaza or Susana Street Park, NOT BOTH.
- **May** – One facility rental allowed at either Ignacio Plaza or Susana Street Park, NOT BOTH.
- **June** – Two facility rentals allowed Either two rentals at a park or one rental at each park
- **July** – Two facility rentals allowed. Either two rentals at a park or one rental at each park
- **August** – Two facility rentals allowed. Either two rentals at a park or one rental at each park.
- **September** – One facility rental allowed at either Ignacio Plaza or Susana Street Park, NOT BOTH.
- **October** – One facility rental allowed at either Ignacio Plaza or Susana Street Park, NOT BOTH.

SPECIAL REQUEST RULES AND PROCEDURES

Special Requests for use should be made to the Parks and Recreation Commission at least 45 days prior to an event, but no less than three weeks prior to the event. The Special Request Use Form is available from the Recreation and Community Services Division. Applicants shall: 1) complete a Facility Use Agreement Form; 2) indicate the nature of the Special Request use; 3) pay the required deposit and fees; 4) Notice the neighborhood two weeks before the PRMCC meeting; 5) attend the PRMCC meeting for consideration of use permit; and, 6) if approved, abide by all instructions and conditions placed on the event. 7) Will not publicize the event or activity until approval for use has been granted by the PRMCC; premature publicizing of event or activity could result in denial of current and/or future use of the facilities.

FACILITY USE RULES

The Ignacio Plaza and Susana Park are subject to the following in addition to the Standard Provisions to Facility Use Rental Agreement:

1. Event must follow the City's noise and hours of use ordinances, except as outlined in a permit approved by the Park and Recreation Commission on a case by case basis. (See Martinez Municipal Code, Chapter 8.34 Noise Control and 8.24.150 Hours of Use). **Hours of Use:** Parks close one hour after sunset and re-open at sunrise
Noise: In general noisy activities cannot begin any earlier than 10:00 am in parks and must end by 10:00pm. If using amplified sounds a Special Use Permit is required.
Alcohol Sales: Alcohol Beverage Container (ABC) Permit is required; which will require Police Department approval
2. Parking that obstructs private driveways is not permitted. (See California Vehicle Code 22500 Sec. a.). Alternative parking may be required for event participants for any event with prospective attendance of over 40 vehicles or 80 persons. Applicant and event organizers may be required to meet with the police department to find a suitable remedy to potential parking and traffic issues in the immediate neighborhood.
3. Events are restricted to less than 500 persons at any one time during the event. Events with more than 250 persons must include coordination with the Martinez Police Department. Overcrowding is not permitted and will result in cancellation of any future event and forfeiture of all fees paid. The event organizers, sponsors, and permit applicant are responsible for the conduct of the event. A responsible adult must supervise the premises for proper facility use during all approved rental hours.
4. Food and beverages must comply with applicable County and State permit requirements. Permits must be displayed on date of event.
5. Rental equipment will not be provided by the City. Storage of event equipment and materials on City property is not permitted either before or after the event. Renter is responsible for all equipment and property.
6. The prospective renter is required at its own cost to notify neighborhood residents by letter or flyer within a two block radius two weeks prior to the PRMCC meeting in which the Special Use Request is being considered. Noticing must include:
 - PRMCC meeting date , time and location
 - The event name, date, time, duration, and event description
 - The Recreation Department contact phone number, 372-3510
7. Renter may be required to provide portable toilets for events in compliance with industry standards.
8. Renter may be required to get an Event Permit if street closures or other intensification of use that could impact City services is associated with the event.

PLEASE NOTE:

Applicants should thoroughly review the Facility Use Agreement and Standard Provisions to the Rental Agreement. Requests for an exception to the Facility Use Policy must be submitted in writing with the application to enable placement on the proper City agenda for a decision. All provisions and fees apply unless specifically waived, in advance, in writing by the direction of the PRMCC. Only events with a good track record and whom work with the neighborhood to limit the impacts of their events are eligible for an exemption.

EXHIBIT C
CITY OF MARTINEZ
FACILITY RENTALS

Use of building facilities is subject to availability of City-authorized times and approval by the Parks and Recreation Commission. Fees are waived for use by local youth groups.

Building Rentals

Facility	Cleaning/ Security Dep. (refundable)	Martinez Resident & Non- profit Org.	Non-Martinez Individual & Non-profit Org.	Corporate (Local & Non-Martinez)
Kiwanis Club Building	\$150	\$39/hr	\$50/hr	\$66/hr
Golden Hills Recreation Room	\$100	\$19/hr	\$28/hr	\$44/hr

Minimum rental: 2 hour minimum; 9 hours maximum charged

Deposits: Due upon application and confirmation of date

Policy regarding sale or consumption of alcoholic beverages: A license from the Alcoholic Beverage Control Board is required. In addition, licensed security personnel must be provided by the facility user. Appropriate permits and verification of security personnel are required upon payment of final fee.

Cancellations: Rental fees will be refunded. A portion of the deposit will be withheld according to the following schedule:

31 days or more prior to scheduled date	10% of deposit
15 to 30 days prior to scheduled date	20% of deposit
1 to 14 days prior to scheduled date	30 % of deposit

Ignacio Plaza and Susana Park Rentals*

Facility	Cleaning/ Security Dep. (refundable)	Martinez Resident & Non- profit Org.	Non-Resident	Corporate
Ignacio Plaza	\$250	\$200	\$240	\$370
Susana Park	\$250	\$200	\$240	\$370

*Recommended fees. Must be done in accordance with the *Facility Use Policy – Ignacio Plaza and Susana Park*