

RESOLUTION NO. 97-2024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA
REPEALING, REPLACING, AND RENAMING ADMINISTRATIVE POLICY NO. 3,
“REGULATIONS FOR USE OF CITY COUNCIL CHAMBERS” TO “PUBLIC USE OF THE
COMMUNITY CENTER, CIVIC CENTER AND CITY COUNCIL CHAMBERS”**

WHEREAS, on June 27, 2024, the Pacifica Civic Center was officially opened to the public, with multiple community conference rooms added to provide dedicated spaces for public use; and

WHEREAS, the former administrative policy governing City Council Chambers use, established in 1981, did not include provisions for other public facilities, and the regulations within this policy no longer address the broader needs for public facility use; and

WHEREAS, the new policy will allow the public to rent or obtain permits for the City Council Chambers, Civic Center, and Community Center for a variety of public and private events; and

WHEREAS, offering additional public spaces to Pacifica residents, businesses, and community groups supports community building, providing venues for meetings, gatherings, and celebrations; and

WHEREAS, this policy establishes applicant categories to determine rental fees and reservation priorities, with municipal use as the top priority, followed by Pacifica residents and businesses, local nonprofit organizations, and finally, nonresidents and non-local organizations; and

WHEREAS, adoption and implementation of this policy will enable the Parks, Beaches, and Recreation Department to oversee all rentals, including eligibility determinations, scheduling, and fee processing; and

WHEREAS, this Policy seeks to balance accessibility, structure, and flexibility to meet the diverse needs of the Pacifica community effectively;

NOW, THEREFORE, be it resolved by the City Council of the City of Pacifica hereby repeals Administrative Policy No. 3, “Regulations For Use Of City Council Chambers” and replaces it with the amended Administrative Policy No. 3, “Public Use of the Community Center, Civic Center and City Council Chambers” attached hereto as Exhibit A.

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PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on the 12th day of November, 2024, by the following vote:

AYES, Councilmembers: Beckmeyer, Bier, Bigstuck, Bales, Vaterlaus

NOES, Councilmembers: n/a

ABSENT, Councilmembers: n/a

ABSTAIN, Councilmembers: n/a



Sue Vaterlaus, Mayor

ATTEST:




Sarah Coffey, City Clerk

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney

EXHIBIT A

 <p style="text-align: center;">CITY OF PACIFICA ADMINISTRATIVE POLICY</p>	<p>No.</p> <p style="text-align: center;">3</p>
<p style="text-align: center;">PUBLIC USE OF THE COMMUNITY CENTER, CIVIC CENTER AND CITY COUNCIL CHAMBERS</p>	<p>DATE ISSUED: NOVEMBER 12, 2024</p>

I. PURPOSE

To establish a policy governing the public use of the City’s Community Center, Civic Center, and City Council Chambers (collectively referred to herein as the “City Facilities”).

This policy does not apply to public use of the City's parks, playing fields, picnic areas, beaches, and City buildings not designated above.

II. POLICY

The principal use of the City Facilities is primarily used for legislative and other governmental functions, which can include but is not limited to, business: operations, meetings of City Council, Commissions, Committees, staff; events sponsored by the City; and other City purposes (“Municipal Use”). However, when not necessary for City purposes, the City Facilities may be used by members of the public, including residents, civic and nonprofit groups, local businesses, non-residents, and non-city businesses for non-commercial purposes. Use of the City Facilities for commercial purposes is prohibited.

Requests for use will be reviewed and handled in accordance with this Policy and the procedures set forth below.

III. PROCEDURE

1. The Parks, Beaches, and Recreation Department (“Department”) shall be responsible for determining eligibility and scheduling the use of the City Facilities by interested groups or individuals, in accordance with this Policy. The Department will administer and coordinate the use of assigned City Facilities. The administration of the use of City Facilities includes: establishing Rules and Regulations in accordance with Section 17 of this Policy and updating those Rules

and Regulations for use of the City Facilities when necessary; completing necessary forms; calculating fees and accepting payments; maintaining and updating the City Facilities calendars and the reservation system; and ensuring the use of the City Facilities is consistent with this Policy.

2. All applications for public use of the City Facilities will be processed by the Department, but final approval will be given by the City Manager and/or City Clerk's office to assure that all use does not conflict with the official City meeting calendar.
3. Use of City Facilities by the public is subject to and contingent upon there not being any need of the City Facilities for Municipal Use. If public use of any of the City Facilities conflicts with a scheduled or unscheduled meeting of the City Council or one of its commissions, committees, staff use of the City Facilities for Municipal Use, the Municipal Use shall take priority. If any of the City Facilities are reserved for public use and a Municipal Use becomes necessary, the Department will relocate, reschedule, or fully refund the person or entity that held the reservation, in the Department's sole discretion depending upon the circumstances of the instance.
4. The availability of City Facilities is determined by the City's weekly and annual calendar. Due to regular City operations, the following limitations apply:
 - a. The City Council Chambers are only available for public use from Thursdays through Sundays.
 - b. No reservations will be accepted on any State or National holidays that are observed by the City, since the City Facilities will be closed.
5. Reservation requests for any of the City Facilities submitted less than three weeks before the desired date cannot be guaranteed and are subject to the discretion and approval of the City Manager or their designee.
6. The category of each applicant for use of the City Facilities will determine the applicable use fee and the reservation timeline according to the following priorities:

City priority group designations and definitions:

Group 1 - Municipal Use: Group 1 is the category assigned to Municipal Use of City Facilities, including but not limited to, meetings of the City Council, City Commissions, City Committees, City staff trainings, City-sponsored classes and programs, public meetings, and educational or community events sponsored or co-sponsored by the City of Pacifica.

Group 2 - Pacifica Residents and Businesses: Group 2 is the category assigned to any individual, business, or organization with a physical address in the geographic boundaries of the City of Pacifica (i.e., a 94044 zip code). A Post Office Box in the City of Pacifica is not sufficient to qualify as a valid physical address. Businesses must possess a current business license.

Group 3 - Local Nonprofit Organizations: Group 3 is the category assigned to non-profit groups with a physical address in the geographic boundaries of the City of Pacifica (i.e., a 94044 zip code) with IRS Section 501c (3) tax exempt status.

Group 4 - Nonresidents, non-local non-profits, and businesses not located within the City of Pacifica: Group 4 is the category assigned to any non-resident individual, business, non-profit, or organization based outside of the geographic boundaries of the City of Pacifica.

Scheduling of use of the City Facilities shall be on a “first come, first served” basis with the following reservation timelines:

- a. **Group 1:** has the priority of reserving space as needed with no restrictions. Any use of the City Facilities by **Groups 2 - 4** is subject to the provisions of Section 3 of the Procedures identified in this Policy.
 - b. **Group 2 & Group 3:** may submit an application for a reservation no earlier than nine (9) months in advance of the requested reservation date.
 - c. **Group 4:** may submit an application for a reservation no earlier than three (3) months in advance of the requested reservation date.
 - d. **Groups 2 – 4:** Reservation requests submitted less than three weeks before the desired date cannot be guaranteed and are subject to the discretion and approval of the City Manager or their designee.
7. Certain fees are applicable to the use of the City Facilities for Groups 1 - 4. Fees for the use of the City Facilities shall be set forth by City Council Resolution and shall be reflected in the City’s Master Fee Schedule. The Rules and Regulations developed by the Department shall also specify the applicable fees and deposit for use of City Facilities.
 8. The use of all City Facilities is not exclusive during normal public operating hours and must remain accessible to the public at all times during these hours. Admission fees may not be charged, and no fundraising activities are allowed. Commercial use and commercial activities are strictly prohibited.
 9. Political campaigning and activities supporting political campaigns may not be held at City Facilities. The City Manager, however, may grant permission for non-partisan organizations to conduct events held for voter information and education, such as candidate debates at City Facilities and may authorize use of City

Facilities as voting locations.

10. Religious services may not be held in the City Council Chamber or at the Civic Center. "Religious services," for purposes of this Policy, include all forms of worship. This restriction is not, and should not be construed to be, a limitation on the ability of religious organizations to use City Facilities for purposes generally available to other nonprofit organizations.
11. The interiors of the Civic Center facilities may be reserved with or without the adjacent Civic Center Plaza Park. Specific rental fees will apply for the interior use of the Civic Center, with an additional fee for groups or individuals wishing to utilize both the interior space and the adjacent park for their event.
12. Use by Groups 1 - 4 must provide a monetary deposit for their use, the amount of which is determined by the size of the facility and included in the City's Master Fee Schedule. This deposit will be fully refunded provided there are no issues requiring additional charges. Such issues may include events or meetings exceeding the agreed-upon timeframe, failure to properly clean the space, or damage to property.
13. Applicants may be required to submit proof of insurance depending on the type of rental, which shall be specified in the Rules and Regulations developed by the Department in accordance with Section 17.
14. City Facilities Alcohol Usage Rules:
 - a. Alcohol is strictly prohibited in the City Council Chambers but may be served at the Civic Center and Community Center.
 - b. Alcoholic beverages may only be served at the Civic Center and Community Center in compliance with all applicable State and City laws.
 - c. Alcohol consumption and service must be confined to the designated areas of the Civic Center and Community Center specified in the Rules and Regulations developed by the Department in accordance with Section 17.
15. No smoking is permitted within any and all City of Pacifica facilities, including the City Facilities. Smokers must be twenty (20) feet away from any entrance to the facilities. This includes any form of tobacco, vaping, or any and all marijuana products.
16. In case of a dispute regarding the use of the City Facilities or the interpretation of this Policy, the City Manager, or their designee, will have the authority to make the final determination on the applicant's user group status, type of event, or other facility reservation details. There shall not be any appeal to the City Council for the City Manager's or their designee's determination.

17. The City Manager, the City Attorney, the City Clerk, and the Parks Beaches, and Recreation Director are hereby authorized to promulgate rules and regulations consistent with this policy, supplementing the above requirements as he or she determines necessary.