

RESOLUTION NUMBER R- 313898DATE OF FINAL PASSAGE FEB 25 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO ADOPTING FISCAL YEAR 2023 PARKS  
AND RECREATION USER FEE REVISIONS, AND ALL  
RELATED MATTERS.

WHEREAS, in January 2021 the Parks and Recreation Department's (Department) Fee Committee completed a review of all fees and provided recommendations for changes to the fee schedule, including a restructuring of the Department's fee schedule to eliminate duplication of information, simplify the fee structure, and implement a new Opportunity Fund fee applied to building and park facility rental/use to fund the Department's equity-based recreation programs focusing on communities of concern; and

WHEREAS, the recommendations include a 10.8% increase for most fees, based on increases to the Consumer Price Index between 2015 – 2019. Sports leagues and sport facilities rental fees have been restructured (not increased), a few fees have been eliminated, and the new Opportunity Fund Fee has been added; and

WHEREAS, California's Proposition 26 (Prop 26), which amended Section 1 of Article XIII C of the California Constitution, defined a local tax as any levy, charge, or exaction of any kind imposed by a local government. Prop 26 requires a local government to obtain a majority approval of the voters if the revenues are to be used for general governmental purposes, or a two-thirds voter approval if the revenues are to be used for a particular purpose. Prop 26 provides seven exceptions for which no voter approval is required; and

WHEREAS, under Prop 26 all Parks and Recreation fees fall under one or two of the seven exceptions: 1) Fees conveying a benefit or privilege as requested by the user and not to the general public provided that the fees are voluntarily paid and do not exceed the cost to provide

the service, or 2) Fees allowing entrance to and/or use of City property as requested by the user for a specific purpose unrelated to general public use which are subject to fair market value; and

WHEREAS, in accordance with the Parks Master Plan, the Department is identifying new ways to provide equitable programs in communities of concern. The Fiscal Year 2023 proposed fee schedule includes a new fund, the Opportunity Fund, which will fund the Department's equity-based recreation programs focusing on communities of concern. The Opportunity Fund fees will also ensure that all rate payers pay similar fees; and

WHEREAS, the new Opportunity Fund fee will apply to permitted events, facilities used by sports leagues, room and pool rentals, and on-going recreation-based business operations by commercial and non-profit entities, which fall within one of the exceptions to Prop 26. The fee is in addition to applicable park use and facility rental fees; and

WHEREAS, if the revised fee schedule is approved by the Council of the City of San Diego (Council), the Department will submit a formal policy for managing the Opportunity Fund for consideration by the Public Services & Livable Neighborhoods Committee with the Annual Recreation Equity Report and for Council approval along with the FY23 Recreation Center Funds Budget Proposal in April/May 2022; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the Parks and Recreation Department's revised Recreation Fee Schedule.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to establish a special interest-bearing fund to receive Opportunity Fund fees, if approved.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to distribute Opportunity Fund fee revenue to eligible Recreation Centers in communities of concern.

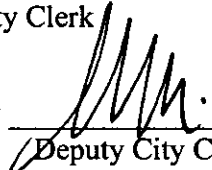
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Jane M. Boardman  
Jane M. Boardman  
Deputy City Attorney

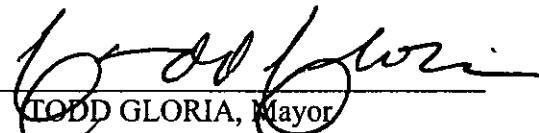
JMB:nja  
01/28/2022  
Or. Dept: Parks & Rec. Dept.  
Doc. No.: 2876203

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of February 14, 2022.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 2/25/22  
(date)

  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on FEB 14 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage FEB 25 2022.

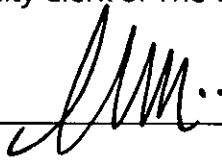
**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

(Seal)

TODD GLORIA  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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