

## RESOLUTION NO. 2016-95

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, ESTABLISHING SPECIAL EVENT HOURLY RATES AND WAIVING CERTAIN SPECIAL EVENT FEES AND CHARGES FOR THE LIBRARY FOUNDATION AND ART FOUNDATION

**WHEREAS**, on March 2011, in an effort to continue supporting community Special Events while also containing costs, Council approved an administrative policy which charged Special Event permittees for hourly staff costs at time and a half, but without benefits or overhead;

**WHEREAS**, the Special Event hourly rates have not changed since 2011 and Council desires to establish a process to update the staff hourly rates for Special Events on an annual basis pursuant to the staff hourly rates included in the Council approved budget;

**WHEREAS**, Newport Beach Municipal Code Section 3.36.030(E) allows Council to waive fees for service established in the fee resolution.

**NOW, THEREFORE**, the City Council of the City of Newport Beach resolves as follows:

**Section 1:** Special Event hourly rates will be updated annually for all City staff by using the budgeted hourly rates approved by Council each June (without benefits or overhead) at time and a half and putting these rates into effect July 1 of each year.

**Section 2:** Special event permit fees, facility rentals, and business license charges will be waived for the Library Foundation and Arts Foundation, up to two times per calendar year.

**Section 3:** If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, clause or phrase hereof, irrespective of the fact that any one (1) or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 4:** The recitals provided in this resolution are true and correct and are incorporated into the substantive portion of this resolution.

**Section 5:** The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.


**Section 6:** The Mayor shall sign and the City Clerk shall certify the vote adopting the passage of this resolution.

**ADOPTED** this 26<sup>th</sup> day of July, 2016.



Diane B. Dixon  
Mayor

ATTEST:



Leilani I. Brown  
City Clerk

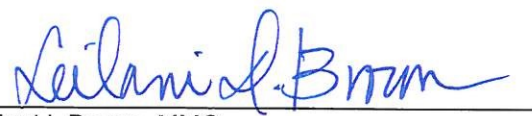


STATE OF CALIFORNIA            }  
COUNTY OF ORANGE            }  
CITY OF NEWPORT BEACH        }        ss.

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; that the foregoing resolution, being Resolution No. 2016-95 was duly and regularly introduced before and adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 26<sup>th</sup> day of July, 2016, and that the same was so passed and adopted by the following vote, to wit:

- AYES: Council Member Peotter, Council Member Duffield, Council Member Selich,  
Council Member Curry, Council Member Petros, Mayor Dixon
- NAYS: Mayor Pro Tem Muldoon

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 27<sup>th</sup> day of July, 2016.



Leilani I. Brown, MMC  
City Clerk  
Newport Beach, California

(Seal)

