

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO ADOPTING THE 573rd AMENDMENT TO THE MASTER FEE SCHEDULE RESOLUTION NO. 80-420 TO ADD AND REVISE VARIOUS FEES FOR THE TOWER THEATRE AND MOVE ALL TOWER THEATRE FEES FROM THE GENERAL GOVERNMENT SECTION TO THE PARKS, AFTER SCHOOL, RECREATION, AND COMMUNITY SERVICES SECTION

WHEREAS, the City of Fresno (City) purchased the Tower Theatre in July 2022, making the Tower Theatre a City owned building; and

WHEREAS, as part of the purchase of Tower Theatre, the City has reviewed the operating costs for Tower Theatre; and

WHEREAS, the City staff has conducted an analysis to determine the actual costs for use of the Theatre building and all portions thereof; and

WHEREAS, based on the analysis completed by City staff, the charges provided in the 573rd amendment to the Master Fee Schedule for Tower Theatre (Exhibit A) do not exceed the actual costs of providing the service of renting Tower Theatre; and

WHEREAS, additionally the charges provided in the 573rd amendment to the Master Fee Schedule for Tower Theatre (Exhibit A) are exempt from fee nexus and actual cost requirements as a matter of law, including Proposition 26, as a charge for entrance and use of local government property and for rental of the same; and


WHEREAS, the City added to the Master Fee Schedule charges for the Tower Theatre in August 2022 based on the same method of assessing these charges as explained above and the City is now refining those fees further through this action.

THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No. _____

1. The City Council finds that the recitals above are supported by substantial evidence and those recitals are incorporated herein by reference as set forth in full herein.

2. The City Council finds that the Master Fee Schedule Resolution No. 80-420 be and is hereby amended to add and revise various fees for the Tower Theatre and to move all fees for the Tower Theatre from the General Government Section of the Master Fee Schedule to the Parks, After School, Recreation, and Community Services Section. The revised pages of the Master Fee Schedule are attached as Exhibit "A" and are hereby incorporated by reference and made a part of this Resolution.

3. The City Council finds that the fees added by this Resolution shall become effective upon approval, unless otherwise noted on the revised pages of the Master Fee Schedule.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the _____ day of _____, 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2022
Mayor Approval/No Return: _____, 2022
Mayor Veto: _____, 2022
Council Override Veto: _____, 2022

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
RINA M. GONZALES
Interim City Attorney

By: _____
Jennifer Quintanilla Date
Senior Deputy City Attorney

Attachment: Exhibit A