



# Council Agenda Report

To: Mayor Riggins and the Honorable Members of the City Council

Prepared by: Kristin Riesgo, Community Services Director

Approved by: Rob DuBoux, Acting City Manager

Date prepared: December 8, 2025 Meeting date: January 12, 2026

Subject: Facility Fee Waiver Policy

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RECOMMENDED ACTION: Adopt City Council Policy #53 Facility Fee Waiver.

FISCAL IMPACT: There is no fiscal impact associated with the recommended action.

STRATEGIC PLAN IMPLEMENTATION: N/A

DISCUSSION: At the November 10, 2025 Regular meeting, Council reviewed and provided feedback on the draft City Council Policy #53 Facility Fee Waiver. Staff have incorporated the recommended revisions, and the policy is now presented for final approval (Attachment 1).

City Council Policy #53 will provide additional guidelines and criteria, streamline the approval process, and allow the City Manager to grant previously approved fee waiver applications. This change will eliminate the need for annual, repetitive Council fee waiver reviews at Regular meetings. The new policy outlines eligibility criteria, procedures, marketing guidelines, and the application process.

## Background

The City receives numerous fee waiver requests from nonprofit organizations that utilize City-owned facilities throughout the year. The City has Fee Waiver Guidelines for Facility Use Permits and Event Permits, established in 2018. The Guidelines provided staff with a pathway to review and allowed the City Manager to approve requests; however, over the years, fee waiver requests exceeded the amounts that Management felt comfortable approving. Thus, the Council's involvement in reviewing and approving fee waivers has become a common practice.

ATTACHMENTS: City Council Policy #53 Facility Fee Waiver Policy



# City of Malibu

## *City Council Policy*

Policy #53

Title Facility Fee Waiver Policy

Purpose The Facility Fee Waiver Policy establishes fiscally responsible guidelines to equitably evaluate and consider fee waiver requests for one-time events or temporary uses of City facilities and parks. These guidelines establish parameters for waiving outdoor park or indoor facility use fees for community events, activities, and programs that have a public benefit. For purposes of this policy, the term “fee waiver” is to grant a reduction or dismissal of a required fee normally charged for the use of a City-owned facility or park.

Policy Statement

The City of Malibu (“City”) recognizes the value of working with and supporting organizations to provide services and programs that benefit the Malibu community. The Community Services Department strives to be an exceptional steward over City facilities, parks, and funding for programs and services. Charging fees is a standard practice when individuals, private groups, government, or non-profit groups wish to reserve and exclusively utilize public facilities. Fees charged for programs and facility/park usage help cover the cost of providing such services and maintaining facilities. This policy is established to determine when applicable City rental fees (e.g., application, facility use, staffing, permit, and other departmental charges) established in the City of Malibu Master Fee Schedule may be waived.

Scheduling and use of facilities are subject to availability. City programs and events, or previous commitments, have priority use. The policy is effective to the extent a fee waiver can be considered without negatively impacting the City’s or Community Services Department’s budget or current operations.

Eligibility Facility fees may be waived when there is a public benefit.

Eligible fees that can be waived include:

- Application fees, specific permit fees, staffing fees related to facility supervision, facility use/rental fees
- Requests for fee waivers can include sports, arts, cultural, and general events or programs

Eligible organizations include:

- 1) Intergovernmental Cooperation
- 2) Non-Profit Organization
- 3) City of Malibu Co-Sponsored Program

### Intergovernmental Cooperation

Fees may be waived for events or temporary uses when the applicant is a government agency, and the use is related to the performance of its normal functions and is a benefit to Malibu residents.

### Non-Profit Organization

A fee waiver may be approved for eligible non-profit organizations, including organizations with a non-profit fiscal agent, which is tax-exempt under section 501(c)(3) of the Internal Revenue Code. The imposition of the fees would create financial hardship for the organization or would have a detrimental effect on the services provided to the public. The program or event is of significant value to the community or to a significant portion of its residents. The event or program is open to the public and is in compliance with the City's non-discrimination policy.

### City of Malibu Sponsored Program

Fees may be waived for events and programs that are sponsored or co-sponsored by the City. The organization/agency requesting sponsorship by the City has a 501(c)(3) status, the program must benefit the Malibu community, and no event fees shall be charged. All resources provided by the City in sponsorship of the event (fee waiver or in-kind service) must be allocated within the current budget without a reduction or increase in services or costs.

### Ineligibility

#### Ineligible Use/Waiver Requests:

- Organizations based outside the City of Malibu, unless the organization has demonstrated that its benefits are primarily for Malibu residents
- Fundraising or charitable events unless the funds have a public benefit
- Programs or events that are not open to the public
- Political or election campaign events or programs
- Religious organizations seeking space or facilities for religious services
- Commercial events
- Corporate events
- Family or social gatherings
- Programs or events that provide little or no community benefit
- Trainings that charge for participation
- Programs or events on Santa Monica-Malibu Unified School District property (example: Malibu Community Pool)
- Programs or events that would conflict with City program or event scheduling (example: Chumash Day or Breakfast with Santa)
- Organizations that failed to fulfill their obligations that previously received a fee waiver

#### Fees that cannot be waived under this Policy:

- Costs for contract personnel, including but not limited to security, maintenance, custodial, and audio-visual technicians
- Costs of rented equipment, including but not limited to barricades, k-rails, portable restrooms, sound systems, etc.
- Deposits for facility use
- Insurance fees

- County, State, or Federal licenses, permit fees, and personnel fees, from Alcoholic Beverage Control, Department of Public Health, Fire Department, Sheriff Department, etc.

### Application Process

1. Organization must
  - a. Review and meet the Policy criteria
  - b. Complete and submit the fee waiver application and required documents
  - c. Complete and submit the facility use application at [MalibuCity.org/Register](http://MalibuCity.org/Register)
    - i. Insurance documents, including an Endorsement of Insurance naming the City of Malibu as additionally insured, which will be required during the facility rental process
  - d. If the program or event involves multiple City Department approvals (example: Planning Department Temporary Use Permit), the request will be forwarded to that Department; however, it is the responsibility of the Organization to ensure that all the required documents are submitted and approved in the various Departments
2. Application Required Documents
  - a. Description of the program or event, including purpose
  - b. How the program or event will provide a community benefit
  - c. Program or event budget listing revenue and expenditures
  - d. How the imposition of fees would create financial hardship or would have a detrimental effect on the organization
  - e. List of partners that will be a part of or sponsor the program or event
  - f. Marketing and outreach plan
  - g. Number of working staff or volunteers and schedule/working shifts
  - h. Community impact(s)
  - i. Experience coordinating programs and events
  - j. Experience working in Malibu
  - k. Non-Profit letter/tax-exempt status from the Internal Revenue Service (IRS)
  - l. Organization's structure, board, and/or bylaws
  - m. An annual financial statement with revenue and expenditures
  - n. Other documents or information required or requested by the Community Services Department

### Criteria

In determining if a facility fee waiver is warranted, the following criteria may be considered:

#### Organization Structure and Experience

- Organization has experience coordinating programs or events
- Organization serves the Malibu community
- Organization has experience working with the Malibu community

#### Application Completeness, Compliance, and Requirements

- Complete all required applications
- Submit the required application documents 60 days prior to the program or event
- The program or event must comply with the City's non-discrimination policy
- Organization is in good financial standing with the City

- Organization must have no previous violations related to the Fee Waiver Policy and/or Code Enforcement violations (organizations that present false information about their event or program may not be eligible for a fee waiver)
- Organization may collaborate with other entities; however, all partnerships and sponsors must be included in the program or event description
- Organization's program or event must align with the City's vision and mission statement
- Organization's proposed program or event is not available through the Community Services Department or other City Departments
- Program or event is open to the public
- Program or event does not have an admission fee, or the organization may propose free admission to Malibu residents
- Leagues with program fees must demonstrate how expenses will benefit athletes and the City (example: field improvements, sod installation, player uniforms, umpire fees, etc.)
- The proposed event or program will have no significant impact on City facilities or department activities, and the organization will provide staffing or volunteers and materials to mitigate any impacts created by the event or program, or ensure that the impacts are adequately offset by the public benefit provided by the program or event
- Organizations that fail to abide by the guidelines and requirements outlined in the Policy may be denied a facility fee waiver for up to twelve (12) months

#### **Acknowledgement and Marketing**

Organizations granted a facility fee waiver shall acknowledge the City in all publicity relating to the event or program. Acknowledgement includes the City of Malibu logo and statements in all advertising and promotional material, press releases, and other promotional contexts.

#### **City Manager Approval**

The City Manager has the authority to approve facility fee waivers to Organizations that previously received a Council-approved fee waiver based on the following criteria,

- Fees do not exceed \$75,000
- The event, program, or league occurs annually
- The Organization meets the Policy criteria
- The Organization has received Council-approved fee waiver in the past 5 years

#### **City Council Approval**

The City Council will review and determine fee waiver approvals for Organizations that have never applied for a facility fee waiver and for Organizations that exceed the \$75,000 facility fee waiver threshold.

- Organizations must submit all required documents
- All facility fee waiver requests will be approved or denied at the sole discretion of the City

#### **Approval and Revision**

This policy will be reviewed periodically and revised as needed to reflect changes in community values, financial conditions, or legal requirements. Revisions must be approved by the City Council.

Date Adopted: *Date*