



# City of San Leandro

Meeting Date: July 15, 2013

## Staff Report

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**File Number:** 13-372 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.C.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Lianne Marshall  
Assistant City Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** Staff Report for a Resolution Setting a Date and Adopting a Fee for the Performance of Civil Marriage Ceremonies at City Hall

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### RECOMMENDATIONS

Based on the City Council's direction at its July 1, 2013 regular meeting, staff recommends the City Council adopt a resolution to:

- designate Friday, July 26, 2013 as "San Leandro Marriage Equality Day", a one-day event for the performance of civil marriage ceremonies at City Hall
- establish a fee of \$75 per hour (one hour minimum) for the rental of the City Council Chamber or other location within the City Hall complex, and a \$50 processing fee, for each civil marriage ceremony conducted

### BACKGROUND

On June 26, 2013, the U.S. Supreme Court dismissed, for lack of petitioners' standing, an appeal by the proponents of Proposition 8. The effect of the U.S. Supreme Court's decision is that same-sex marriage is legally recognized in California. Following the announcement by the City of Alameda that it would hold a "Marriage Equality Wedding Day" at Alameda City Hall, staff was asked to look into the possibility of conducting weddings at San Leandro City Hall, and the requirements for members of the City Council to be able to officiate marriage ceremonies.

### Analysis

The City Council Chamber has traditionally been reserved for use by the City Council, other elected and appointed officials representing San Leandro, City staff, and educational uses, such as classroom tours. The use of the City Council Chamber has not previously been approved for private uses such as weddings.

To accommodate civil marriage ceremonies in the City Council Chamber or in other areas of the Civic Center Complex open to the public, staff proposes a one-time exception to the City Council Chamber use policy, to allow marriage ceremonies to be performed in the City Council Chamber, or anywhere else on the Civic Center Complex open to the public on Friday, July 26, 2013, during regular business hours. Holding the one-day event on a work day would minimize staff costs and ensure the availability of City facilities staff if needed .

Once the date is confirmed, the City Manager's Office will issue a press release, and promote the event on the City website.

The Alameda County Clerk-Recorder's Office offers a Volunteer Deputy Marriage Commissioner program, and members of the City Council who would like to officiate weddings could be deputized as Deputy Marriage Commissioners. Councilmembers should indicate their interest to the City Manager in participating in the "San Leandro Marriage Equality Day" proceedings, and he will have staff arrange to have the members deputized to perform marriage ceremonies.

Two cities in Alameda County (Alameda and Union City) and the County currently perform civil marriage ceremonies. All charge some type of fee for the service, and Alameda charges a \$120/hour rental fee for use of their historic City Council Chamber.

It is recommended that the City Council establish the following fees for the ceremonies performed at the one-day event:

- \$75 per hour (one hour minimum) for the rental of the Chamber or other location within the Civic Center complex
- \$50 processing fee, which includes the services of a Deputy Marriage Commissioner

#### Current Agency Policies

The current unwritten City policy reserves the use of the City Council Chamber for the City Council, other elected and appointed officials representing San Leandro, City staff, and educational uses, such as classroom tours.

#### Previous Actions

At the July 1, 2013 City Council meeting, the City Council discussed the possibility of designating a day in late July for performance of civil marriage ceremonies in the City Council Chamber, and directed staff to return with a proposal to allow civil marriage ceremonies to be held in the City Council Chamber in late July 2013.

#### Fiscal Impacts

Depending on the number of ceremonies conducted, a modest amount of revenue may be generated through fees collected to cover the costs of the one-day event.

#### **ATTACHMENTS**

None.

**PREPARED BY:** Marian Handa, City Clerk, City Manager's Office



# City of San Leandro

Meeting Date: July 15, 2013

## Resolution - Council

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**File Number:** 13-373

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Lianne Marshall  
Assistant City Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** ADOPT: Resolution Setting a Date and Establishing a Fee for Performing Marriage Ceremonies at City Hall (approves the performance of marriage ceremonies on July 26, 2013, for \$50 processing fee and \$75 per hour facility rental fee)

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WHEREAS, the City Council desires to celebrate marriage equality in San Leandro by designating a day in July 2013 when civil marriage ceremonies will be conducted at City Hall, within the City Council Chamber, or any other public spaces in the Civic Center Complex; and

WHEREAS, the City Council shall set fees reasonable to recover the cost of offering this service.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Leandro designates Friday, July 26, 2013 as "San Leandro Marriage Equality Day", and opens the City Council Chamber, and other areas within City Hall or the Civic Center Complex, for the conduct of civil marriage ceremonies; and

BE IT FURTHER RESOLVED that the fees established for civil marriage ceremonies are a non-refundable \$50 processing fee and a \$75 per hour (minimum of one hour) fee, which includes the services of a Deputy Marriage Commissioner, for use of the City Council Chamber or publicly accessible areas within the Civic Center Complex.