



City of Chula Vista

Staff Report

File#: 14-0375, **Item#:** 3.

- A. RESOLUTION NO. 2014-115 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CITY COUNCIL POLICY 102-06 (SPECIAL EVENTS AND BLOCK PARTIES) RELATING TO SPECIAL EVENT PERMITS
- B. RESOLUTION NO. 2014-116 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 2 (GENERAL GOVERNMENT FEES) OF THE CITY'S MASTER FEE SCHEDULE RELATING TO SPECIAL EVENT PERMITS
- C. RESOLUTION NO. 2014-117 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA REPEALING CITY COUNCIL POLICY 762-02 (ESTABLISHING COUNCIL POLICY RELATIVE TO USE OF SPECIAL OFFICERS FOR POLICING NON-CIVIC SPECIAL EVENTS)

RECOMMENDED ACTION

Council adopt the resolutions.

SUMMARY

A Continuous Improvement team composed of representatives from the Office of Communications, Public Works, Recreation, Police, Fire, and Finance held a three-day process improvement event focused on special events held on property owned, controlled, or maintained by the City. This event built upon the work of a previous Continuous Improvement event held in 2011. Recommendations from the 2014 event include updating the City Council Policy regarding Special Events (Policy Number 102-06), amending the Special Events section of the City's Master Fee Schedule to reflect the proposed changes to Council Policy 102-06, and repealing an outdated City Council Policy regarding Special Officer staffing at special events (Policy Number 762-02).

ENVIRONMENTAL REVIEW

The Environmental Review Coordinator has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378(b)(2) of the State CEQA Guidelines because it involves only adoption of a policy that governs how Special Event and Block party permits are issued and therefore is an organizational or administrative activity of government that will not result in a direct or indirect physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

Although environmental review is not necessary at this time, future special event permits will have environmental review at which time a CEQA determination will be completed prior to commencing with the activities associated with the permit.

BOARD/COMMISSION RECOMMENDATION

Not applicable.

DISCUSSION

The Office of Communications in the City Manager's Office is responsible for permitting special events and block parties. On April 1, 2008, the City Council adopted Council Policy Number 102-06 (Special Events and Block Parties) defining special events and block parties and establishing a permit issuance process, including preconditions for permit approval. In adopting Policy 102-06, the City Council delegated authority to the City Manager to grant Special Event Permits or Block Party Permits to any applicant who has demonstrated that they meet the precondition criteria established in the policy. Policy 102-06 further established the collection of administrative fees for Special Event and Block Party permits, including cost recovery for various City departments required to provide services to the event (e.g., street closures, street sweeping, crowd control, etc.).

At the time of its adoption in 2008, Council Policy 102-06 was the City's first formal definition of events requiring a Special Event Permit. In crafting the proposed Policy, Office of Communications staff considered definitions in neighboring jurisdictions and input from impacted City departments. Since adoption of the policy, Communications Office staff has received feedback that the approval process is too onerous, too expensive, and inconsistently applied. The complexity and cost of Special Event Permits have resulted in a high number of fee waiver requests submitted to the City Manager's office, as well as potential and returning events opting to stage their events elsewhere. Lack of consistency and clarity in the application submittal process has led to confusion and frustration for both customers and City staff. A Continuous Improvement event was convened to focus on this customer feedback, with a secondary goal of improving internal processing efficiency.

A Continuous Improvement team met for approximately 20 hours during the first week of June 2014. The team included representatives from the Administration (City Manager's Office and Office of Communications), Recreation, Public Works, Police, Fire and Finance Departments. The event was facilitated by Ed Chew and Amanda Mills, members of the City's Continuous Improvement team. Project goals, discussed in detail below, included the following:

1. Memorializing what constitutes a Special Event (what requires a Special Event Permit); and
2. Gain consensus on what fees are necessary and appropriate; and
3. Develop a centralized process for communication and fee collection.

Special Event Redefined

The Continuous Improvement team recommends redefining the activities requiring a Special Event Permit. The purpose of a centralized Special Event Permit is to coordinate the permitting process for organized activities on public property which require multiple departmental approvals or services.

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The team reviewed the existing definition and is recommending changes to better align the definition with the original intent of the Special Event Permit.

The current policy requires a Special Event Permit for any event that meets one of four criteria. The first criteria is an event with more than one hundred (100) participants involving the use of, or having impact upon, City-owned, controlled, or maintained property. The team determined that the number of participants alone does not sufficiently correlate to the need for multiple departmental review or services. The team therefore recommends removing the one hundred (100) participant criteria. Additional revisions to the remaining three criteria to improve alignment with the multi-departmental impact framework are also proposed. The final Special Event Permit definition proposed by the team is as follows:

A Special Event Permit is required for any organized activity on public property to which the general public is invited, which results in, or requires:

1. Any modification to traffic flow patterns (e.g., street closures, lane closures, traffic stops, etc.) or parking regulations; and/or
2. Providing or selling alcohol to the public; and/or
3. Any combination of two or more of the following:
 - a. Sales or distribution of merchandise/food; and/or
 - b. Use of City utilities; and/or
 - c. Single tent or connected tents greater than 700 square feet; and/or
 - d. Modification of facility/park hours of operation; and/or
 - e. Permit from Development Services Department for generator(s) (greater than 10kw), staging, or other temporary structure(s).

Activities exempted from the Special Event Permit process include:

1. Events that include a Gazebo/Picnic Shelter/Area rental or are at a City facility secured with a Facility Use Permit.
2. Funeral processions by a licensed mortuary.
3. Activities conducted by a governmental agency, acting within the scope of its authority.
4. Lawful picketing and free speech activities that do not involve the use of vehicles, animals, fireworks, pyrotechnics or equipment (other than sound equipment).
5. Events conducted by local elementary schools, middle schools, high schools or colleges that are conducted on their own grounds and property, and will not significantly impact traffic flow on surrounding public streets or pose a risk to public safety.
6. Any religious activities taking place on premises approved and/or regularly used for religious purposes.
7. Block parties, for which a block party permit has been issued.
8. Standard sporting leagues/tournaments held within a City park or recreation field, and where all necessary facility use permits and approvals have been requested and granted by the Department of Recreation, Public Works, and/or Police.

9. Weddings, parties, or other celebrations or events where all necessary facilities use permits and approvals have been requested and granted by the Department of Recreation, Public Works, and/or Police.
10. Established assembly/entertainment facilities with long-term contracts with the City that define the conditions and requirements for conducting ongoing public events.

Staff recommends updating existing City Council Policy 102-06 (Special Events and Block Parties) and Chapter 2 of the Master Fee Schedule to reflect the new Special Event Permit definition (see Attachments 1 and 2).

Special Event Permit Fees

In light of feedback from special event applicants and the City's strategic plan goals, the Continuous Improvement team discussed opportunities to reduce the fees associated with Special Event Permits. In particular, the team focused on full cost recovery hourly billing for services provided directly to the event. The team identified two means of reducing these fees: (1) reducing the actual costs incurred by the City; and (2) reducing the level of cost recovery pursued.

Opportunities to reduce costs incurred by the City include allowing special events to hire private security and private traffic control, or to bring in portable restrooms. Additional options discussed include assigning hourly staff and consolidating City staff inspections. The Continuous Improvement team will continue to meet and discuss opportunities to reduce the cost of providing Special Event Permit services. This improvement can be implemented administratively.

In addition to reducing the costs incurred by the City, the team also discussed the possibility of setting a cost recovery level for Special Event Permit staffing that is less than full cost recovery. The Citywide Cost Recovery Policy (see Attachment 3) sets a target cost recovery range of 30% - 70% for the Special Events, Block Parties, and Filming Permits programs. Staff recommends amending the Master Fee Schedule to allow for cost recovery consistent with the Cost Recovery Policy range of 30% - 70%.

Additional analysis will be conducted in conjunction with the Recreation Department's pending *Cost Recovery, Resource Allocation and Revenue Enhancement Study*, including updates to the Citywide Cost Recovery Policy.

Staff recommends updating Chapter 2 of the Master Fee Schedule to reflect cost recovery for City staff services provided to Special Event Permits consistent with the Citywide Cost Recovery Policy.

In addition to amending the Master Fee Schedule, staff recommends repealing City Council Policy 762-02 (see Attachment 4), relating to the use of Special Officers for policing special events. This policy refers to the use of Special and Reserve police Officers. The Special Officer classification no longer exists and repeal of the policy is recommended. Repeal will have no impact on future special event staffing; this is an administrative cleanup task identified in a comprehensive review of all City Council policies addressing special events. Additional policy updates are anticipated to be brought forward to the City Council in conjunction with the Recreation Department's pending *Cost Recovery, Resource Allocation and Revenue Enhancement Study*.

Centralized Process

The Continuous Improvement team discussed a number of opportunities to improve the customer's experience. Countermeasures identified include developing a central website that will serve as a "one-stop-shop" for all special events in the City. From this centralized point, the applicant will have access to all necessary information and forms, without having to understand the organizational structure of the City. This countermeasure will be implemented with the pending redesign of the City's website.

In addition to consolidating information at the beginning of the special event process, the team also identified the need to consolidate the event close-out process. Effective immediately, the Finance Department will work with the Office of Communications to consolidate all billings associated with each event, ensuring that each event receives a single post-event invoice reflecting all outstanding charges and fees.

DECISION-MAKER CONFLICT

Staff has determined that the action contemplated by this item is ministerial, secretarial, manual, or clerical in nature and, as such, does not require the City Council members to make or participate in making a governmental decision, pursuant to California Code of Regulations Title 2, section 18702.4 (a). Consequently, this item does not present a conflict under the Political Reform Act (Cal. Gov't Code 87100, et seq.). Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The proposed actions support Citywide Economic Vitality Strategy 2.2: *Promote an environment for residents and businesses to prosper* and Citywide Connected Community Strategy 5.2: *Provide opportunities that enrich the community's quality of life*.

Reducing the bureaucracy and cost associated with producing special events encourages additional and expanded large-scale community events that support the local economy and enrich the community's quality of life.

CURRENT YEAR FISCAL IMPACT

Reducing the administrative effort associated with issuing Special Event Permits will free up existing staff resources to focus on other City priorities. Streamlining the Special Event permitting process and reducing the associated fees is projected to increase the volume and quality of special events held in the City. Actual fiscal impacts, including direct General Fund impacts and indirect economic impacts, will vary based upon future special event activity. No adjustment to the fiscal year 2014-15 operating budget is recommended.

ONGOING FISCAL IMPACT

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Ongoing fiscal impacts will vary based upon future special event activity. Future budgets will be adjusted to reflect actual special event activity.

ATTACHMENTS

1. Redline City Council Policy 102-06 (Special Events and Block Parties)
2. Redline Master Fee Schedule Section 2-200 (Administrative Fees)
3. City Council Policy 159-03 (Citywide Cost Recovery Policy)
4. City Council Policy 762-02 (Establishing Council Policy Relative To Use Of Special Officers For Policing Non-Civic Special Events)

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