



Legislation Text

File #: 18-0017, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Bruce Moe, City Manager

FROM:

Mark Leyman, Parks and Recreation Director
Linda Robb, Management Analyst

SUBJECT:

Proposed Changes to the Special Event Policy; Consideration of Application Fee Waivers for Events Sponsored by Manhattan Beach Unified School District, Downtown Manhattan Beach Business and Professional Association, North Manhattan Beach Business Improvement District and Historical Society (Parks and Recreation Director Leyman).

- a) **APPROVE**
- b) **CONSIDER APPLICATION FEE WAIVERS**
- c) **PROVIDE DIRECTION**

RECOMMENDATION:

Staff recommends that the City Council approve the proposed changes to the City of Manhattan Beach Special Events Policy, and waive application fee for events relating to, or organized by, the Manhattan Beach Unified School District (MBUSD). Further, staff requests City Council provide direction regarding application fee waivers for Downtown Manhattan Beach Business and Professional Association (DMBBPA), North Manhattan Beach Business Improvement District, and the Manhattan Beach Historical Society events.

FISCAL IMPLICATIONS:

There are no direct fiscal implications associated with this item. The application fee is established by the User Fee and Cost Allocation Study and reflects the fully burdened rates for staff to route and provide input on safety, mapping, traffic and community impacts, such as parking and amplified sound. The current application fee is \$793. If the City Council approves the application fee waiver for events organized by the DMBBPA, North Manhattan Beach BID, events relating to or organized by the Manhattan Beach Unified School District, and the Historical Society, the City will not be reimbursed for the application fees (fees have not been charged in the past).

BACKGROUND:

The City Council adopted the City of Manhattan Beach Policy for Special Events on March 15, 1989 (Attachment 1). The policy has not been updated since its adoption in 1989 and does not accurately reflect the current review and submittal process.

Staff is bringing this item to the City Council to create a clear and efficient process for the applicant

and to provide direction to the Special Events Committee. The Special Events Committee was established in 2016 and meets monthly with event organizers before and after each event occurs. This enables the group to creatively and collaboratively find ways to improve and to make each event safe and successful, with the least impact on the community. Members of the Committee include the Director and Management Analyst from Parks and Recreation, Fire Marshal, City's Risk Manager, GIS Analyst, Traffic Control, Traffic Engineer and representatives from the Police Department, Public Works and Finance. The Executive Director of the DMBBPA is also invited to attend and provide input for all events affecting the Downtown area.

Since the initial adoption of the policy, the number, size and scope of events have changed. Special events in the City of Manhattan Beach have grown and have a much larger impact on the community.

Staff receives 10-15 inquiries per month regarding holding special events in the City. The requests vary from small group events to thousands of people. Due to the variety of special event requests and current impact from existing special events, an updated policy is needed to provide clear guidelines and an improved process for applicants and staff.

This proposed policy (Attachment 2) has been developed over the past six months by the Special Events Committee, which is comprised of representatives from all relevant City Departments. The Committee has also reviewed other cities' policies and best practices; had meetings with representatives from the DMBBPA and surrounding cities; and discussed the policy at three Parks and Recreation Commission meetings.

DISCUSSION:

Staff has proposed a number of updates to the Special Event Policy (Attachment 2). These updates were added to provide a clear process and establish guidelines for applicants wanting to hold a special event in the City of Manhattan Beach.

Special event requests are currently separated into two categories: new special events and Legacy events. Legacy events are events that have been occurring annually since Fiscal Year 1987/1988 or before. Applications for new special events are accepted throughout the year. Legacy events are submitted annually and approved by the Special Events Committee in the spring each year for the following fiscal year (July 1 through June 30). Fee waivers for Legacy events were approved by City Council for a 5-year period of 2016-2020 at the March 17, 2015 meeting (Attachment 3).

Proposed changes to the policy include the following:

Definitions

A definitions section was added and the definition of a Special Event was expanded to add the following factors: use of a public area or facility, potential City exposure to liability and a gathering of over 50 people in a public space not reserve-able through Parks and Recreation.

Impact Level Designation

Special events will be categorized as a Level I, II or III event based on information provided in the special event application and Impact Characteristics Worksheet (Attachment 4). The impact level of an event will determine the application deadline and process for approvals. Events with a higher impact level will need more time for review.

Level I Events

Smaller events that require little to no City services, do not occur at peak times, and have low attendance. Level I events may be approved by the Special Events Committee. If denied, an appeal may be made to the Parks and Recreation Commission.

Examples of Level I events include small community-based fundraisers and pass-through events that do not begin or end in the City.

Level II Events

Considered medium impact events with attendance between 300-1,000, may occur on the weekends, and may occur during Spring or Fall. Staff is proposing that approval be requested from the Parks and Recreation Commission for Level II events. Should the Parks and Recreation Commission recommend denial of a Special Event, applicant may appeal that decision to the City Council.

Examples of Level II events include the Grandview and Robinson Elementary 5K races.

Level III Events

High impact, larger scale events with attendance over 1,000, which may be held in the summer, on the weekend or a holiday, and location may include the Pier or The Strand. Any event requesting to serve alcohol on public property will automatically be considered a Level III event. All new Level III events will require City Council approval.

Examples of Level III events include the Tour de Pier, Manhattan Beach Grand Prix, Hometown Fair and Manhattan Beach 10K.

Proposed Special Events Approval Guidelines and Process

Based on feedback from the Parks and Recreation Commission, with the agreement of staff, the annual limit of 15 events has been removed from the policy, leaving the limit to be governed by available resources and the discretion of City Council. The elimination of the limit would allow the City Council to approve events found to benefit the community without conflicting with any adopted policy.

Staff recommends a tiered approval process based on impact level.

- Level I events will be reviewed and approved by the Special Event Committee with appeals to the Parks and Recreation Commission.
- Level II events will be reviewed and approved by the Parks and Recreation Commission with appeals to the City Council.
- Level III events will first be reviewed by the Parks and Recreation Commission before final consideration by the City Council.

For Impact Level II and III events, a summary of all department comments and costs along with the event application will be presented to the Parks and Recreation Commission.

For Impact Level III events requiring City Council approval, the Commission will provide a recommendation to the City Council for their consideration. Once an event is approved by the City Council, future applications for the same event may be approved by the Special Events Committee

provided that there are no significant changes to the location, format or other aspects or problems associated with the event. Any such changes will require the event to go before the City Council again for approval.

Application Submittal Deadlines

- Applications for Level III events must be submitted at least 180 days prior to the desired event date.
- Applications for Level II events must be submitted at least 90 days prior to the desired event date.
- Level 1 and Pass-through events must be submitted at least 60 days prior to the event date.

Priority will be given to Manhattan Beach resident organizations and businesses. A resident organization is one composed of at least 60% Manhattan Beach residents.

Established events will have priority over first-time events. Events submitted earliest will be given priority for their preferred dates.

A section was added to the policy addressing spontaneous gatherings inspired by current events, designating the Civic Plaza as the place of assembly. This applies to impromptu memorial vigils and rallies such as those that occurred after the Las Vegas mass shooting. The Civic Plaza allows a large number of people to safely gather without danger of spilling out into the streets, reducing the risk of safety hazards.

Fees and Charges

Application fees will continue to follow the City's User Fee and Cost Allocation Study. The current application fee is \$793 (\$397 for a pass-through event such as the Hermosa Beach Triathlon).

Staff recommends waiving the application fees for all Manhattan Beach Unified School District (MBUSD) events. At present, there are three legacy MBUSD events with approved fee waivers: the Grand View Gator 5K, Robinson Family 5K and the MBEF Wine Auction. The application fee waiver is being requested as the result of several event requests from students wanting to raise funds for charity as part of a school club or class assignment.

Additionally, staff requests direction on application fees for events requested by the DMBBPA, Historical Society and the North Manhattan Beach BID, including Farmers Market, Sidewalk Sale, North End Art Walk and Holiday Stroll. In current practice, these organizations do not pay the application fee as they are viewed by staff as City co-sponsored events designed to promote local business. Currently, the DMBBPA holds the Farmers Market every week; Sidewalk Sales three times per year; and the annual Holiday Open House in conjunction with the Pier Lighting. The North Manhattan Beach BID holds the annual Holiday Stroll, as well as their new Art Walk, planned for twice a year. One application may be made for events with multiple dates. While the Historical Society has not held any events to date, they have expressed that they look forward to the day when they can, and would appreciate being added preemptively to the list, as a City partner.

Department cost of service estimates are given prior to each event, and final billing is based upon actual City resources used during the event. All department/staffing costs are based on fully burdened rates set through the User Fee and Cost Allocation Study.

Third-party costs are direct costs for services not provided by City staff. Staff recommends that all third-party costs become the responsibility of the event operator, including Legacy events with approved fee waivers. This recommendation is a result of sustained growth of events requiring additional resources beyond staff capacity. In current practice, the City has absorbed these third-party costs (non-police security, portable sanitary facilities, etc.) for some events, while others have contributed a portion or covered all costs. Requiring event operators to pay all third-party costs will provide consistency and equitability across all events. Projected third party costs for legacy events for fiscal year 2017-2018 total approximately \$60,000 (Attachment 5).

Parking Requests for County Permitted Events on the Beach

Many events throughout the year are permitted by L.A. County, take place completely on the beach and do not require a special event permit from the City of Manhattan Beach under the current policy. Some of these event organizers have requested to prepay and/or reserve parking in the beach (State and County) parking lots. To accommodate these requests, a Special Event Parking permit has been created.

In order for parking permits to be issued, the organizer must complete a modified Special Event application (no application fee) and attach a copy of the L.A. County issued permit. These permits will allow the organizer to park for longer than the posted time and to prepay for unreserved parking, eliminating the need to pay the meter throughout the day. A maximum of 20 parking permits will be issued in non-peak season (September 16 - June 14) and 10 in peak season (June 15-September 15). The parking spaces will continue to be available on a first-come-first-served basis and will not be reserved. Organizers wishing to reserve parking spaces will need to apply for Temporary Reserved Parking through the Community Development department.

PUBLIC OUTREACH/INTEREST:

The Special Events Policy was discussed at three Parks and Recreation Commission meetings and six Special Events Committee meetings. Staff also reached out to the DMBBPA and has been working closely with the organization to focus on collaborative opportunities and solutions for existing events. The DMBBPA has expressed their desire for no additional large-scale events involving road closures. However, they are not opposed to smaller events at non-peak times and are open to considering alternative marketing opportunities during the existing large scale events.

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachments:

1. Special Events Policy 1989
2. Proposed Special Events Policy 2018
3. Approved Special Event Fee Waivers 2016-2020
4. Impact Characteristics Worksheet
5. Estimated Legacy Event Staffing and Third-Party Costs for Fiscal Year 2017-2018