



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of City Council

FROM: Daniel Gho, Public Works Director

MEETING DATE: October 17, 2018

SUBJECT: Resolution Amending Special Events Policy 900-1

CEQA: Does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines Section 15378

RECOMMENDATION

Approve a resolution amending Council Policy 900-1, Special Events.

DISCUSSION

The City of Pacific Grove has the exclusive authority to approve or deny Special Events within its boundaries, and to set the conditions under which these events are held. The City Council annually adopts the Special Events Calendar, and City Council policy 900-1 exist related to Special Events.

Special events have traditionally been classified as a Class I or Class II event.

Class I Events:

Class I events are those that require exclusive use of City property or streets and require major support from Police, Fire and/or Public Works. Class I events are broken down into two categories, traditional and fundraising.

Class I Traditional Events

Class I traditional events are events that require City support, with an emphasis on utilizing volunteers whenever possible, and include waivers of all event fees.

Class I Fundraising Events

Class I fundraising events are events that aim to raise funding for a specific cause. This classification of events are charged a usage fee and recover all costs, including associated staff time.

Class II Events

Class II "Minimal-Impact" events are events that require limited City staff support. Usage fees and staffing costs are charged, but there are minimal staffing needs.

Using the current classifications, as noted in Policy 900-1, has raised questions in the past about what events get subsidized and what events are full cost recovery. In January of 2018 City Staff presented Council with the events Calendar for Fiscal Year 2018/19 with a proposition to revise the Special

Events Policy 900-1 to simplify the events and how each individual event will be classified. It was the recommendation of Council to consolidate the special events into two categories:

1. Special Events: These are special events that require exclusive use of City property and require support from Police, Fire, and /or Public Works. Special Events will be deemed full cost recovery.
2. City Sponsored Events: These events are traditional events that are primarily hosted by the Chamber of Commerce, the School District, or the City and shall receive full City Support. These events will be noted annually on the special events calendar for approval by the City Council

In addition to the noted changes regarding classification for special events within Policy 900-1, it is also the recommendation that deposits for amplification shall be received and if it is deemed that there is an issue with the amplification or the locations are not correct then the deposit may be kept.

City staff anticipates bringing forward the events calendar for the Fiscal Year 2019/20 to the City Council at a near future meeting to approve the proposed events.

OPTIONS

1. Do not approve changes to the Special Events Policy 900-1

FISCAL IMPACT

There is no fiscal impact

GOAL ALIGNMENT

Recreation

ATTACHMENTS

1. Draft City Council Policy No. 900 – 1
2. Resolution No. 18-xxx

RESPECTFULLY SUBMITTED,



Daniel Gho
Public Works Director

REVIEWED BY,



Ben Harvey
City Manager

CITY OF PACIFIC GROVE CITY COUNCIL POLICY

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE NO.
Special Events	900-1	February 16, 2011	1 of 3

PURPOSE

The intent of this policy is to provide guidance for the conduct of special events in the City and ensure an appropriate balance between the number and scope of special events with the ability of City neighborhoods and facilities to adequately handle such events.

POLICY

I. General

The City shall have the discretion to limit the number of special events in any calendar year.

All special events will be limited to those activities that benefit Pacific Grove residents or businesses.

Most special events are either one-time or annual. Certain special events, such as the Farmers' Market, are periodic and ongoing.

The Council reserves the right to take actions creating exceptions to this policy in the event of special circumstances.

II. Types of Special Events

The City will create an annual calendar of special events. Events included in the annual calendar shall have first priority for the scheduled locations and times. ~~and for City support. These events will be highlighted in the City's seasonal Activity Guide.~~ Requests for inclusion in the annual calendar shall be submitted to the City by September 31 for any event to be held during the following fiscal year.

The City will also consider the approval of events on an as-proposed basis. Such events will not be approved if they conflict with already approved events. Events requiring City Council approval are those that:

- Require City sponsorship or other City support;
- Preclude others from using an entire outdoor public facility (e.g., Caledonia Park);
- Are likely to have a significant impact on substantial numbers of residents or businesses (e.g., closure of multiple or high-traffic streets for a significant amount of time, as determined by the City Manager; or
- Have other characteristics that warrant public consideration by the Council.

More limited events may be approved by staff. A neighborhood event, requiring closure only of a neighborhood street, for example, would not require Council approval. In these cases, those persons incurring the costs of the street closure are the same persons benefiting from the event.

Council Policy 900-1- Special Events

III. Information Required

Each application for special events shall contain the following information:

- A. A description of the proposed event.
- B. A statement of the purpose of the event and its benefits to the City.
- C. The name of the sponsoring organization.
- D. The date, location, and time (to include preparation and clean up) of the event. In the case of a race or parade, a map of the proposed route shall be submitted.
- E. An estimate of the number of participants and/or spectators.
- F. A description of City facilities, support, and personnel required.
- G. A list of personnel to be provided by the sponsor.
- H. A description of parking arrangements for the event.
- I. If electronic sound amplification equipment will be used, an application for the necessary permit shall be made as required by Chapter 11.94 of the Pacific Grove Municipal Code.
- J. A description of the proposed recycling program for plastics, glass, paper, and aluminum during the event.
- K. A listing of accommodations provided by the sponsor pursuant to the Americans with Disabilities Act.
- L. A listing of fees proposed to be charged, commercial sales, commercial filming, and the service or sale of food and/or alcohol.

III. Conditions of Permit

Once the Council approves an application, the sponsoring organization shall comply with the following conditions:

A. At least 30 days prior to the event, furnish the City with a certificate of insurance in an amount not less than \$2 million naming the City of Pacific Grove as an additional insured. Such insurance shall be primary to any City insurance, and the City must have at least ten days notice of cancellation.

~~B. The sponsoring organization shall reimburse the City for all direct and incidental expenses for the use of the City personnel and facilities. The sponsor has the option of using volunteers or other non-City personnel for some functions (e.g., placing barricades, emptying public trash cans, etc.) Other functions (e.g., Police security) require City personnel. The City has the absolute discretion to determine the number of personnel who will be provided for a particular event. The Council may waive or reduce the requirement for reimbursement if Pacific Grove Chamber of Commerce, the Pacific Grove Unified School District, or the City sponsors the event.~~

C. The sponsor is responsible for all sign removal, litter control, clean-up activities, and for providing necessary containers and personnel for recycling activities, as determined by the City.

D. The sponsor shall provide portable restroom facilities if deemed necessary by the City.

E. The sponsor shall be advised that the sponsor is responsible for determining what, if any, accommodations are required of sponsor pursuant to the American with Disabilities Act.

Council Policy 900-1- Special Events

- F. An approved Special Event Application is required for all groups and shall be in the possession of the sponsor or representative at the event.
- G. The City will review applications and additional approvals may be deemed necessary.
- H. *If amplification is to be used a deposit of \$500 will need to be paid along with the application fee. If it is determined that amplification exceeds allowable levels or has locations have not been preapproved by City Staff then the deposit may not be returned*

The City of Pacific Grove reserves the right to revoke permissions for an event at any time.

IV. Permitted Events

The Council established the following classification of events to be used in determining the events scheduled for each calendar year: *Special Events and City Sponsored Events.*

Special Events: These are Special Events that require exclusive use of City property and require support from Police, Fire and / or Public Works. Special Events will be deemed full cost recovery. ~~Class I.~~ These are special events that require exclusive use of City property and streets and require major support of City police, fire, or public works personnel. Activities scheduled by the Chamber of Commerce, School District, and Feast of Lanterns shall be considered as traditional events and shall receive first priority on any scheduling.

City Sponsored Events: These events include traditional events that are primarily hosted by the Chamber of Commerce, the School District, or the City and shall receive full City Support. These events will be noted annually on the Special Events Calendar for approval by the City Council. ~~Class II.~~ These are events that require some limited use of City property and streets, but require minimum support by City personnel.

~~The number of Class I events that the City can support each year is limited. The current target is to have at least one Class I event each month. We have much greater flexibility in the number of Class II events being offered. The Council will make a determination of the number of Class I and Class II events to be held each year based on the impact to the community.~~

V. Scheduling of Events

All activities approved are authorized for the subsequent year only and, ~~with the exception of the traditional activities,~~ continued Council approval should not be assumed. Activities may be discontinued if they become too large or if they create problems that would substantially disrupt the peace and quiet of a neighborhood.

Should the City receive requests for more activities than may be accommodated, the City will establish an appropriate random drawing type of system or other suitable method for determining those activities to be approved.

Council Policy 900-1- Special Events

Adopted: April 16, 1986-Resolution No. 5705
Amended: January 7, 1987-Resolution No. 5787
Amended: February 5, 1992-Resolution No. 6238
Amended: March 3, 1993-Resolution No. 6331
Amended: November 15, 1995-Resolution No. 6489
Amended: November 5, 1997-Resolution No. 7-057
Amended: June 2, 2010-Resolution No. 10-044
Amended: February 16, 2011-Resolution No. 11-012
Amended: October 18, 2018 – Resolution XXX

RESOLUTION NO. 18-xxx

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF PACIFIC GROVE AMMENDING COUNCIL POLICY NO. 900-1 REGARDING
SPECIAL EVENTS**

FINDINGS

1. Existing Council Policy No. 900-1 addresses City responsibilities and requirements for special events; and
2. Council Policy No. 900-1 was originally adopted on April 19, 1986 and most recently updated on February 16, 2011; and
3. Council Policy No. 900-1 would benefit from revision to reclassify the designation of events into two categories, Special Events and City Sponsored Events; and
4. This does not constitute a “Project” under California Environmental Quality Act (CEQA) Guidelines Section 15378.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF PACIFIC GROVE:**

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.
2. The Council authorizes amendments to Policy 900-1 as considered at the October 17, 2018 meeting
3. Council Policy 900-1 is hereby approved as amended and incorporated herein by reference.
4. This Resolution shall take immediate effect following its passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE
this ____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL KAMPE, Mayor

ATTEST:

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney