



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 02/07/2023

ITEM NO: 18

DATE: January 30, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Receive a Report on the Town Resources Utilized to Support 2022 Special Events, Provide Direction for the Allocation of Resources to Support Anticipated 2023 Special Events, and Approve the Attached Modifications to the Town's Facilities Use Policy

RECOMMENDATION:

Receive a report on the Town resources utilized to support 2022 special events, provide direction for the allocation of resources to support anticipated 2023 special events, and approve the attached modifications to the Town's Facilities Use Policy.

BACKGROUND:

The Town of Los Gatos embraces special events as opportunities to gather, celebrate, memorialize, support, vitalize, and honor various facets of the community. Los Gatos special events garner strong community interest from both organizers and attendees. Many of the current annually recurring events have been taking place in Town for decades; and, with a renewed interest of community vitality and connection following the COVID-19 Pandemic, the Town has seen a significant increase in the proposals for new annually reoccurring events, and additional interest in one-time events and celebrations.

The majority of special events tend to be centrally located in downtown, most often occurring in Town Plaza Park, including the adjacent streets of Montebello Way and Broadway Avenue, the Civic Center, and N. Santa Cruz Avenue, both within the confines of the stores and sidewalks, as well as through a road closure.

PREPARED BY: Monica Renn
Economic Vitality Manager

Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

BACKGROUND (continued):

Along with the higher volume, there has also been an increase in the resources needed to evaluate the logistics and layout of each special event, as concerns have risen surrounding the safety and security of special events. Town staff recognizes that the environment in which events are being implemented has changed significantly in recent times due to the unfortunate rise of threats and attacks on community events nationwide, and this must be carefully considered by the event organizers and Town staff throughout each step of the event planning and implementation process.

With this report, staff intends to share the trends of special events in Los Gatos, Town resources required to support the most recent events of 2022, and gain guidance from the Town Council on resource allocation to support future events.

In 2017, staff worked to rebuild the special event permit program to provide a more streamlined process that invited stakeholder groups to create community vitality through special events and become more responsible for the resources required to support the event. The notion of the special event process moving in the direction of being full-cost recovery was not supported by many community stakeholders at the time, as they had come to rely on the Town to provide certain services and resources at no cost, thus their established budgets factored this in. The Town Council agreed that events provided a community benefit and adopted the fee schedule in fall of 2018 in which some of the fees for non-profit organizations coordinating events were reduced to continue to support the non-profit events and fundraisers, while setting expectations up front for the organizer's that there are costs related to events that the organizers are responsible for covering.

Over the last five years, staff has partnered with community event organizers to move in the direction of events becoming more self-sustaining and limiting the need for staff resources outside of those required by the permit. The community stakeholders have generally been on board with this transition and new events are met with the expectations from the start.

Also, as a part of the work in 2017, the Town Council adopted modifications to the Town Code Chapter 14, Article X, "Special Events" that provided greater clarity on the event provisions and shortened the minimum timeframe necessary to apply for events. Then, in early 2018 (January 16, 2018, and continued to February 20, 2018), staff brought forward a list of specific items related to events for the Town Council to consider. From these discussions and the direction provided by the Council, the staff has been working with the community stakeholders to support the special events program.

One of the issues discussed in 2018, that remains a topic of conversation today is the amount of required staff resources and the community impact caused by road closures on N. Santa Cruz Avenue. Road closures in general take a large amount of staff resources and is amplified when

BACKGROUND (continued):

located on the main throughfare in downtown. To properly support a closure of N. Santa Cruz Avenue, the Police Department (PD) will generally need to deploy one patrol team to assist during the closure and remain in the vicinity through the duration of the event due to the elevated concerns of creating a secure environment around the event closure. With this in place, the patrol team is less available as a resource in other parts of Town during this time.

Due to the COVID-19 Pandemic and the health and safety shutdowns and mandates that occurred, the ability for special events to take place in public became very limited in 2020 and 2021. Recognizing this, and the community's desire to reconnect in the summer of 2021, the Town Council provided American Recovery Plan Act (ARPA) funding to the Chamber of Commerce and approval for N. Santa Cruz Avenue to be closed several times throughout the summer to support a pilot special event series that allowed for an outdoor gathering with space to socially distance for those that preferred it. The 2021 Promenade series successfully reengaged the community and created one of the first Bay Area event series after the original COVID shutdown in 2020. The Chamber of Commerce, and many members of the business community and community at large specifically requested that this event return in 2022, and thus the Town Council provided additional ARPA funding to support a second Promenade event series in the summer of 2022.

Building off of the momentum of the Promenades, the Town began to see the interest and volume of special event permit application rise, with 2022 becoming the busiest special event year within recent times, in terms of number and scope of events.

For the purposes of this report, the difference between Town events and special events are as follows:

- Town Events are those coordinated and implemented by Town staff, using resources allocated by the Council through the annual Town Budget process. These events currently include:
 - Spring Into Green, typically celebrated the Sunday after Earth Day, in conjunction with Farmer's Market at Plaza Park and on adjoining streets
 - 4th of July, celebrated on the 4th of July in Oak Meadow Park
 - Screen on the Green, typically the 3rd or 4th Friday in September in Oak Meadow Park
 - Holiday Tree Lighting, the first Friday in December at Plaza Park
- Special Events in general are those organized by community stakeholders, both non-profit and for-profit, that complete the special event permit process to achieve approval for the event. These include events such as:
 - Races, runs, etc. (Girls on the Run)
 - Concert series events (Jazz on the Plazz and Music in the Park)

BACKGROUND (continued):

- Festivals (Fiesta de Artes and Oktoberfest)
 - Shopping and Downtown Vitality (Wine Walk, Girls Night Out, Running of the Roses)
 - Community Events and Cultural Celebrations (9/11 Veteran's Memorial, Drum in the Park, Hanukkah on the Town)
 - Large Road Closure events (Promenades, Children's Holiday Parade)
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- "Organic" events are those that do not obtain or require an event permit yet must be managed with Town resources. Currently, this would include the evening of Halloween in two specific Los Gatos neighborhoods.

The table below provides an overview of the number of approved special event permits issued since 2017:

Year	Special Event Permits
2022	25
2021	10
2020	2
2019	19
2018	20
2017	15

Some of these special events require a tremendous amount of support from Town resources, while others are mostly self-sufficient after the issuance of the special event permit. The special event management needs have significantly increased in recent years related to oversight from Town staff to assure a safe and successful event. The Town resources required to support events are not always fully captured or recovered through fees; and, even when they are, the wear and tear on the Town staff teams can become overwhelming.

In terms of staff resources to support special events, the core services of the special event permit process include a multi-Departmental team that meets to coordinate logistics, identify event resource needs, and draft conditional letter of approval.

The following list provides a high-level snapshot of additional tasks that may be required of Town resources to support special events:

- Police Officers to patrol the event specifically, outside of the normal patrol teams, often requiring overtime.
- Parking and Community Service Officers to assist with road closures and ensuring compliance of cars left parked in the closure areas.

BACKGROUND (continued):

- PD and Parks and Public Works (PPW) staff to assist with road closures either due to the absence of a traffic vendor, or traffic vendors who are unfamiliar with the Town and require assistance.
- PPW staff to deploy anti-vehicle barriers. These must also be staffed for the full duration of the event.
- PD to clear the crowds and roadways to allow for a safe re-opening of the streets.
- PD and PPW staff and volunteers to assist with the reroute of traffic.
- PPW staff to manage changes in irrigation and fountain operation times to accommodate event.

DISCUSSION:

2022 Special Events

As community special events had a strong presence in Los Gatos in 2022, staff was faced with the realization of its capacity to support the events with onsite, while balancing core services.

As noted in the table above, 25 special event permits were issued in 2022; however, the total number of days in which a special event took place in Los Gatos is much higher. Multi-day or series events put on by the same organizer in a consecutive daily or weekly pattern are only required to obtain one special event permit and such are counted as one event on the chart in the Background section of this report.

In 2022, of the 25 approved special event permits, six were for multi-day events including the Promenades, Music in the Park, Jazz on the Plazz, Fiesta de Artes, St. Mary's Country Fair, and the Holiday Carriage Rides. Considering the number of days within each multi-day event, plus the single day events, the total number of days in 2022 in which there was an approved special event was 58. This total increases to 62 days with the inclusion of the annual Town events.

Additionally, the Town has a contract with the Farmer's Market to operate a weekly street closure and Farmer's Market event on Sundays, around Town Plaza Park, closing on Montebello Way and Broadway Avenue between E. Main Street and S. Santa Cruz Avenue. For this street closure, an approved traffic plan has been prepared, and the Farmer's Market implements their own road closure and road reopening weekly.

Town Resources for Special Events

The majority of special events require little staff support outside of what is standard practice to process and approve the special event permit. The addition of two event elements, alcohol and road closures, are often what tip the scale to requiring a significantly greater resource commitment from Town staff. Even when events are being implemented with an approved special event permit and by a community stakeholder group, once alcohol or street closures are

DISCUSSION (continued):

added, Town staff are needed to ensure that the event is set up for success. The location and scope of the event also play a role in the resources required.

When events involve the sales and service of alcohol, the applicant must gain approval from the State Alcohol Beverage Control (ABC) and the Chief of Police for the sale and service, as well as act as the responsible party throughout the event. The Town typically requires Police Officers to be onsite for events with the sales and service of alcohol, primarily towards the latter half, to monitor and mitigate life safety issues and encourage responsible behavior. This requirement includes two Officers with the cost being incurred by the event organizers at the fee listed in the Town adopted fee schedule. At times it can be difficult to secure Officers to work at events due to staffing constraints. The shifts at events are in addition to regular staff shifts, often requiring the Officers to work overtime and the hours to be absorbed by the Department's budget.

To date, staff has been hesitant to rely on the event organizers to hire security guards in lieu of the Officers as there are several unknowns with unvetted security firms, and there have been some unsafe situations in the past when security was hired in lieu of Officers at past events in Los Gatos.

During 2022, Town staff connected with the ABC to gain clarity on the current regulations and expectations associated with a temporary alcohol license granted for special events and has incorporated these specifics into the conditional letter of approval for events. Staff makes it a priority to talk through the specifics with the event organizers prior to the event to ensure that correct parameters are in place for responsible sales and service of alcohol. Event organizers have been receptive to this guidance and for the most part have risen to the occasion of implementing the necessary components to align with the ABC and Town provisions. In addition, beginning July 1, 2022, special events with an ABC license must have always at least one person onsite that holds a certification with the ABC for the Responsible Beverage Service (RBS) training.

Road closures, especially those on N. Santa Cruz Avenue, require a large resource investment from the Police and Parks and Public Works Departments, much of which takes place immediately before, during, and after the events. Again, this entails requiring staff to work outside of normal staff hours. Some of these hours are captured and the financial cost is shared with event organizers. It has been the experience of staff that even when a third-party traffic vendor is hired, there is lack of communication between the permittee and the vendor, ultimately falling back on Town staff to work with the traffic vendor to secure a proper closure. To mitigate this, staff must spend the resources to work directly with the traffic vendor before the event and/or onsite, day of the event.

DISCUSSION (continued):

The table below provides an overview of the number of staff hours that were provided to support the 2022 Town events, and those 2022 special events that required significant staff resources.

2022 Event	Event Type	PD Officer Hours	PD Non-Officer Hours	PPW Hours	Total staff hours
Spring into Green	Town Event	0	64	20	84
Music in the Park (MIP)	Special Event	80	0	20	100
Promenade	Special Event	100	20	135	255
4th of July	Town Event	0	18	18	36
Screen on the Green	Town Event	0	0	5	5
Halloween	Organic, Unpermitted	30	30	0	60
Holiday Light Display	Town Event/Unbudgeted	0	0	135*	135+
Holiday Tree Lighting	Town Event	58	32	23	113
Children's Holiday Parade	Special Event	290	220	400	910

* This work item is not yet complete. The 135 hours accounts for the repair, delivery, and installation the holiday light fixtures. Deinstallation has not taken place yet due to the workload of the January storms. Town staff delivers and picks up the light fixtures placed on private property, and the Chamber of Commerce pays their vendor to install in these locations.

Town Events are included in the Town's adopted annual budget each year. The budgeted line item pays for the materials of the event, and the staff time is absorbed within each Department as a part of the Department's core services.

For special events, limited hours have been charged back to the special event organizer and thus have been absorbed by the Town. The Promenade received a grant from the Town for the event series and the cost of the Officers and PPW staff onsite during the event was captured and included in the grant; however, there were many additional hours that went into managing the road closure and logistics of the alcohol sales and service that were not. The Chamber of Commerce was a great partner in working with Town staff to achieve a streamlined process for the weekly needs and communication of the event.

Likewise, for the 2022 Children's Holiday Parade, the staff resources for the event were tremendous. Town staff values this longstanding holiday tradition and takes an active partnership role with the Los Gatos-Saratoga Recreation (LGS) and the Los Gatos Lions Club in its planning and implementation. LGS and the Lions provide a large volunteer contingency and work diligently to remain in open communication with Town staff throughout the planning process to ensure event logistics are considered and managed.

DISCUSSION (continued):

Multiple Town staff attend the preplanning meetings and meet one-on-one with the event organizers to ensure a proper road closure and traffic management. The planning for these event elements is quite involved. For the first time in 2022, the Town engineering staff took on the work to develop a traffic control plan that can be implemented to meet current traffic safety standards. With this plan, the need for engagement with a traffic management company increased significantly, a cost and effort the event organizers were not expecting. Thus, the Town also took on this additional work and cost to keep the event moving forward.

When it comes to the day of the Parade, this is considered an “all hands-on deck” day for the Police Department and Parks and Public Works Team, with most, if not all field staff, working at the event, as well as the Police Department’s volunteer teams of the Disaster Assistance Response Team (DART) and Community Emergency Response Team (CERT). These staff resources were offered in kind, as they have been in the past, at the direction of the Town Council through the adopted annual budget. The amount noted in the budget is in-kind for staff resources and does not account for the hard costs required to hire a traffic management company for proper implementation of the event scope. In addition, with the lean staffing levels at the Town, absorbing this staff work in each Department’s budget is challenging, and does not account for the impacts on the individuals doing the work in addition to the core services that must be completed. If it is the desire of the Town Council to continue to provide this support, Town staff is asking the Council to consider allocating additional funding to support the Parade. With the allocation of additional dollars, Town staff could hire a traffic management company to oversee more of the traffic closures and closure attendant roles.

Halloween

Some events take place without a permit as either a free speech event or as an organic gathering of the public without a single entity that will take on the role as the organizer. The latter is unique to holidays such as Halloween where the greater community tradition is for children and families to gather in the local neighborhoods for trick or treating. This is welcomed by many and particularly embraced by a couple of neighborhoods in Los Gatos, the Almond Grove and Johnson Avenue. For years, thousands of people will gather in these locations of Los Gatos to trick or treat and enjoy the Halloween festivities. With the absence of a special event permit, or adopted Town event, road closures have not been planned; however, are repeatedly necessary given the grand size of the crowd that is unable to remain on sidewalks.

Moving forward, Town staff recommends that the Town Council acknowledge the need for road closures in these locations and allocate resources for a traffic control company to be hired by the Town to close these neighborhoods and staff the closure points. With this resource in place, Town staff will be able to be most effective working within their roles to support the core Town services including public safety.

DISCUSSION (continued):

Facilities Use Policy

When providing guidance for event stakeholders, Town staff uses the Town Code to set the high-level framework and rules for governing events, then refers to the Town Facilities Use Policy (Policy) to provide more detailed and specific guidance for specific Town facilities. There is a balance that is necessary to maintain when keeping public facilities open, welcoming, and available for the public and business of the Town, while also supporting and welcoming special events.

Attachment 1 contains a redline version of the Policy. Staff is recommending the changes noted to provide better clarity on use of public facilities for events and limit the number of street closures for events to ensure there is a balance of the impacts associated with the road closures. The most notable changes to the Policy are outlined below:

Insurance Requirements - The Towns has recently updated the Certificate of Insurance requirements and staff believes that keeping this language more general will allow for this Policy to remain up to date as the requirements may change based on activities or general Town updates.

Civic Center and Town Meeting Room Facilities - Modification to these sections of the Town's Facility Use Policy are minimal and recommended with the intent to clean up and clarify the language for the end user.

Town Plaza Park - In the previous iterations of the Policy, Oak Meadow Park and Town Plaza Park were grouped together with the same provisions in place. We now know these two Town facilities are quite different and serve the community as such. Thus, they have been separated in the attached draft of the Policy. The intent remains that Plaza Park shall be a facility that supports special events while always have some portion that remains open to the public.

Road Closures in General - Sections have been added to the Policy to provide guidance and structure to using the Town's public roadways for events. Notably, Town staff recommends that the Policy require that special event organizers involved a professional traffic control company that is in contact with the Town staff, with sufficient lead time to ensure that all stakeholders are moving in the same direction and operating under the same understanding.

Road Closure and use of Montebello Way and Broadway for Special Events - There has been an increase in the public's interest to use the roadways adjacent to Plaza Park to support special events. This section has been added to provide framework for such events.

The staff is recommending that outside of the weekly Farmers Market closures, that this roadway may not be closed and used for special events more than eight times per year. This

DISCUSSION (continued):

would allow for community vitality events periodically throughout the year, averaging less than once a month. Staff believes this is a manageable number to support through the events process.

There is one application currently in the process for March 17, 2023 that is proposing use of Plaza Park and Montebello Way. Town staff is working with the applicant to firm up the details and provide a conditional letter of approval. The outcome of the Town Council discussion and any changes to the Policy will be included in the special event permit.

Road Closure and use of N. Santa Cruz Avenue and Main Street for Special Events - The closure of these two major streets in the downtown is quite impactful to the surrounding stakeholders. Staff is recommending that these be limited to no more than three times per year, with an increased application timeline of 90 days to allow for more sufficient review time. Currently, the 2023 Children's Holiday Parade is the only application in process for a N. Santa Cruz Ave. closure.

Oak Meadow Park - As noted above, this facility has been separated out and remains in the Policy with the same intent and similar provisions as previous drafts. Language was modified to increase clarity and come into alignment with how the special event permits and special park use permits are applied here.

CONCLUSION:

This report provides an overview of the events that took place in Los Gatos during 2022. With this context, staff is seeking specific direction on resource allocation and a modification of the Town's Facilities Use Policy 1-04.

To help guide the conversation, staff has outlined the specific points in which direction is sought:

- Allocation of Town resources to support the Children's Holiday Parade, including the possibility of funding to support the expanded use of a professional traffic management vendor for the street closure and traffic management of the event.
- Allocation of funding to support the use of a professional traffic management vendor to implement road closures on Halloween in the Almond Grove and Johnson neighborhoods.
- Adoption of the modified, redline draft of the Facilities Use Policy (Attachment 1), including any direction on the proposed parameters for road closures for events.

CONCLUSION (continued):

Should the Town Council wish to allocate resources, including funding, to support special events, including Halloween road closures and/or the Children's Holiday Parade, staff can come back with the specific budget recommendations through the budget process.

COORDINATION:

This report has been a collaboration between the Town Manager's Office, and the Police and Parks and Public Works Departments.

FISCAL IMPACT:

The fiscal impacts are dependent upon the actions of the Council as described in this report.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Redlined Draft of 1-04 Town Facilities Use Policy