



# PARKS & RECREATION COMMISSION STAFF REPORT

Item 3  
February 3, 2022  
Regular Business

## AGENDA ITEM INFORMATION

<b>TITLE:</b>	Special Events Policy Considerations, part 2	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
<b>RECOMMENDED ACTION:</b>	Discuss policy elements and provide consensus to inform development of a draft Special Event Policy for the Commission’s future review and endorsement.	

<b>STAFF:</b>	Katie Herzog/Emily Moon, consultant
<b>COUNCIL LIAISON:</b>	Craig Reynolds
<b>EXHIBITS:</b>	1. N/A

## SUMMARY

(NB: This report was updated: 2/1/2022 to revise the recommended action and next steps of the policy development.)

During the [January 6, 2022](#) Parks and Recreation Commission meeting, the Commission received an overview of the Recreation Division’s current practices for supporting and permitting special events in the community. Staff sought Commission members’ input on developing a new policy and set of practices that would:

- Ensure special event opportunities are facilitated and available to residents.
- Be clear and consistent regarding the level of support the City will give to special events.
- Provide certainty regarding which events tax dollars will be spent on (beyond that which is cost recovered through permitting and invoicing).

Staff’s recommendations for a new policy would also keep these considerations in mind:

1. Promote the equitable and consistent treatment of public special events applicants.
2. Utilize City resources in a manner consistent with City goals (which may be described in the City or Division’s vision, mission, long-range plans, or strategies; or which may be created specifically for special events).
3. Understand what effects any changes to policies and practices might have on existing events and partners.
4. Apply the Division’s cost recovery and resource allocation philosophy to its administration of special events and special events permitting.

Please see the packet from [January 6](#) for additional background.

Commission members discussed whether it would be acceptable for the City to assist (through direct allocation or other use of City resources; without full cost recovery) any individual or group in planning and

delivering a public event, beyond processing and issuing a permit and providing fee-compensated City services.

The general consensus of the Commission was that there are community groups that provide desired public special events, acting as partners to the City in delivering a range of special event opportunities that add to the vitality and well-being of the community. In addition, the Commission discussed the important role some of these events play in the life of the host organizations and those organizations' future abilities to provide services to the community. Therefore, Staff agreed to return with proposed recommendations for how the City could act as a sponsor for some number of public events, while keeping in mind all of the goals and considerations listed above.

### **Staff's Special Events Recommendations**

*Continue to encourage Neighborhood Block Parties by limiting permitting requirements:*

- Waive any application, special events and ROW fees. (This is current practice).
- Limit two per neighborhood and two per road per year.
- Require that neighborhood block party applicants complete a simple form so that City Staff have knowledge of the event and can provide required resources (such as barricades).

*Establish First Amendment or Free Speech event notification form:*

- Treat First Amendment-type events in a distinct fashion, separate from other types of special events.
- While the City cannot require that a permit be applied for and issued, the City can request that organizers of planned events provide the City with notice of the event.
- First Amendment events are solely expressive events and do not include non-expressive activity such as commercial food or sales, recreation or competition. Solely expressive First Amendment events do not require permits or payment of fees.
- If non-expressive activities are intended to occur in conjunction with the First Amendment event, a Special Events (and any other applicable) permit and fee will be required.

*Create three categories of special events (apart from neighborhood block parties and First Amendment events):*

1. City-organized and run public events
2. Public special events for which the City provides some sponsorship
3. All other special events (whether public or private)

*Establish a Special Events City Sponsorship program:*

- Provide fee waivers or fee reductions for public events where the applicant/event organizing/hosting entity is a non-profit agency serving Mercer Island residents (using the same definition that is in the Facility Use and Allocation Policy), upon request, and as consistent with program rules.
- Requests for City sponsorship can be made at any time but must be made concurrent with applying for a special event permit (and any other required permits) and in accordance with the City's special event application review deadlines.
- No fee waivers, reductions or City contributions shall be granted for events that have not submitted complete permit applications by the review deadlines.
- Eligible events must be open to the public (not private) and inclusive in nature.
- Political parties or politically-based organizations, lobbying groups are not eligible for sponsorship.

- While religious organizations are eligible for event sponsorship, events which include worship, religious instruction, proselytization, or inherently religious activities would not be eligible for sponsorship. Cultural celebrations, historical event commemorations and other non-religious public events organized by faith-based organizations may be eligible for sponsorship.
- Sponsorship will be denied for any event that does not seek to advance the sense of community, health, wellness or safety of the public, or that is inconsistent with the Recreation Division’s mission to enhance livability for all Mercer Island residents.
- Events may or may not be used as fund raisers; and may or may not require a registration or participation fee.
- Sports tournaments are not eligible for the special events sponsorship program.
- Each entity may only receive sponsorship two times per year.
- City staff will review the special event application and request for sponsorship and will determine permit and sponsorship eligibility and award.
- Each sponsored entity must enter into a contract with the City. This contract will stipulate additional conditions and describe the public benefit received by the City in sponsoring the event.
- As applicable, sponsorship will consist of: The City waiving the Event Fee for a Level 1 event; the City providing a 60% discount on the Event Fee for a Level 2 event, the City providing a 40% discount on the Event Fee for a Level 3 event, or the City providing a 20% discount on the Event Fee for a Level 4 event.

*Codify the sponsorship program, and establish that there are a finite number of City-organized and City-run special events (as delineated in the budget each year).*

- Gaining formal approval of the program and the City’s intent to conduct its own special events demonstrates the City’s adherence to the State of Washington’s regulations concerning the gift of public funds.
- Gaining formal approval of the program will help ensure that policy makers and permit administrators have knowledge of rules and practices that will govern the City’s approach to special events.

**Fees and Proposed Reductions**

Per City Code, the Department Director establishes a fee schedule for the programs and services offered by the Division. That fee schedule is periodically updated, is published on the Division’s webpages, and is distributed annually to the Commission.

The special event fees and proposed sponsorship program reductions are shown in the table below. The “level of event” corresponds to the type, size, scope and anticipated/historic impact of an event. The “event fee” is a product of the fee used to recover the costs associated with reviewing the application and other administrative tasks, plus the fee that represents reserved use of the public space. Level 2 and Level 3 events have a two-tiered event fee structure; the lower figure corresponds to events that involve a less-involved permit application review and the higher figure will be assessed for events that require more staff to be involved with the permit application’s review.

<b>Level of Event</b>	<b>Application Fee (no sponsorship reduction)</b>	<b>Total “Event Fee”*</b>	<b>Total Fees*</b>	<b>Proposed Sponsorship Discount</b>	<b>Value of Discount</b>	<b>Total Fees* After Sponsorship</b>
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1	\$50	\$125 for one-day	\$175	100%	\$125	\$50
2	\$50	\$380 or \$620 for one-day	\$430 or \$670	60%	\$258 or \$402 (depending on level of review required and anticipated impact of event)	\$172 or \$268
3	\$50	\$820 or \$1,240 for one-day	\$870 or \$1,290	40%	\$328 or \$496 (depending on level of review required and anticipated impact of event)	\$542 or \$794
4	\$50	\$1,540 for one-day	\$1,590	20%	\$308	\$1,282

**Future administration of special events**

As Parks and Recreation Commission members are aware, Staff endeavors to improve the operational efficiency of special events permitting. In addition to creating and implementing this sponsorship program, Staff is reviewing the special events guidelines that all permit holders must adhere to, establishing online methods to apply for and pay for permits, and defining parameters for the staff’s level of service that will be put toward each level of special event.

**Proposed Next Steps:**

- Staff will develop a draft Special Events Policy for review at the March Commission meeting.
- If desired, the Commission will endorse and recommend the policy for City Council approval.
- Staff will present the Commission’s recommendation and draft policy for approval at a future City Council meeting.

**RECOMMENDATION**

Discuss policy elements and provide consensus to inform development of a draft Special Event Policy for the Commission’s future review and endorsement.