



CITY OF MILPITAS AGENDA REPORT (AR)

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| Item Title: | Consider Request from Greater Love Church to Waive City Special Event Permit fees of \$932.63 (Staff Contact: Mary Lavelle, 408-586-3001) |
| Category: | Consent Calendar-Leadership and Support Services |
| Meeting Date: | 11/5/2019 |
| Staff Contact: | Mary Lavelle, 408-586-3001 |
| Recommendation: | Per request form received by the City Clerk, move to waive \$932.63 for the Special Event Permit fee and automation fee identified by City Planning staff for the Greater Love Church of God in Christ for its car wash fundraising events in October, benefitting those in need in Milpitas with food and clothing. |

Background

On October 1, 2019, the City Clerk received the “Donation or Fee Waiver/Reduction Request Application Form” from Rev. Johnie Q. Jones of the Greater Love Church of God in Christ at 529 S. Main Street in Milpitas. The church applied for a Special Event Permit through the Planning Department, and requested that the City Council waive the City Planning fee of \$909 plus the \$23.63 automation fee for a total of \$932.63 in fees.

The adopted Fiscal Year 2019-20 Budget includes \$25,000 for donations, fee waivers, and events. Allocation of this money for the full Council versus individual Councilmembers was included as a discussion item at past City Council meetings, however, due to time constraints, this topic has been deferred. This fee waiver is brought forward for Council consideration, prior to the policy discussion. On September 3, the City Council approved two donation requests for a total of \$1,000. On September 17, 2019, the City Council approved one fee waiver of \$1,412.63 for American Cancer Society. On October 1, City Council approved one fee waiver for Sunnyhills Neighborhood Association of \$1,112.63. Given the budget allocation of \$25,000 and the approval of previous requests, approximately \$21,475 is remaining to fund donations, fee waivers, and events.

Analysis

Milpitas City Council adopted the “City Council Donation and Fee Waiver/Reduction Policy” on April 16, 2013. A copy is included as part of the fee waiver request. This policy allows Milpitas non-profit organizations to request City fees to be waived up to \$1,500 or a donation amount up to \$500 to be granted upon request. Requesting groups must be local Milpitas non-profits and provide proof of non-profit status from the federal Internal Revenue Service or the state Franchise Tax Board. Groups are requested to file a follow up report with the City Clerk after the event for which the fee waiver or funds were requested.

The group submitted its application form and IRS letter indicating non-profit status, as required. This is the first request the City has received from Greater Love Church. Planning department staff received and processed the Special Event Permit (with conditions) for carwash fundraisers held at the church facility on multiple Sundays in late October and one in November. Proceeds would be used for donation of food and clothing to those in need in Milpitas.

Fiscal Impact

\$25,000 was approved and included in the adopted FY 2019-20 City budget for City Council’s Unallocated Community Promotions. If this request is approved, \$20,542.11 would remain in that line item of the current year’s budget.

Policy Alternatives:

Alternative 1: Do not approve the fee waiver as requested.

Pros: The City's General Fund will not incur the costs of the fees waived and would receive revenue.

Con: Denial of the request would negatively impact the non-profit organization.

Reason not recommended: Denial of this request would negatively impact a local church and its service to the community. Denial would not allow Greater Love Church to maximize its funds raised.

Alternative 2: Defer approval of the fee waiver requested.

Pros: Council would have an opportunity to discuss a comprehensive policy before taking action on this one or any requested donations or fee waivers.

Con: Deferring this request would negatively impact the non-profit organization.

Reason not recommended: Deferring approval of this request would negatively impact the church.

Recommendation

Per request form received by the City Clerk, move to waive \$932.63 for the Special Event Permit fee and automation fee identified by City Planning staff for the Greater Love Church of God in Christ for its car wash fundraising events in October, benefitting those in need in Milpitas with food and clothing.

Attachments

- a) Application Form + IRS letter
- b) List of Donations/Fee Waivers FY 2019-20