



SUBJECT: Update of Parks and Recreation Special Event Process, Consideration of Future New Fees for Special Events, and provide direction to staff

DEPARTMENT: Parks and Recreation

STAFF: Bruce Mulder, Director of Parks and Recreation
Thien Nguyen, Recreation Manager
Amanda Chaney, Recreation Supervisor

TITLE/RECOMMENDATION

Receive a staff report as a further update to the City Council's request for more changes to the Parks and Recreation Special Event permitting process. This report includes staff recommendations for new fees for hosting Special Events and references City Council direction provided at previous City Council meetings held on June 27, 2023, and January 9, 2024. Staff recommends that Council receive this report authorizing the proposed fees to be included for approval in the forthcoming Cost Allocation Plan in FY 24/25.

FISCAL IMPACT

If the staff recommendations in the report for new Special Event fees are authorized to proceed into the Cost Allocation Plan later this summer, the following would occur:

- 1) The General Fund would continue to absorb the cost of City staff time for review and administration of Special Events estimated to be \$61,385.02 (see Attachment 3)
- 2) General Fund revenues would increase by approximately \$6,800 from a new Special Event Street Closure 1-3 Blocks Fee.
- 3) General Fund revenues would increase by approximately \$1,200 from a new Special Event Street Closure 4+ Blocks Fee.
- 4) Currently, the City absorbs the costs of any cleaning or damage from Special Event permit holders and/or attendees. Depending on the type of cleaning or damage that is needed at the end of a Special Event, the costs are borne by the General Fund and/or Enterprise Funds. Application of a new Refundable Damage and Cleaning Deposit for Special Events would offset some or all of these costs.



**CITY COUNCIL AGENDA ITEM NO. H.1
04/23/2024**

- 5) Historically, the General Fund cost of staff involved in Special Events has not been realized or borne by the event holders, although the Cost Allocation Plan provides for reimbursement. Staff is recommending starting the process of requiring part-time staff to facilitate all events and the hourly cost of the staff charged to the Special Event hosts.

With the addition of these new fees to the Special Event Process, staff anticipates an increase in fee waiver/reduction applications received. Per City Council/Administrative Policy 10-12, eligible organizations could receive up to \$5,000 per fiscal year, with requests being considered on a case-by-case basis. For reference, in FY 23/24 year to date, \$119,996.63 has been waived for Parks and Recreation-related fees. This includes several larger waivers that Council approved such as Meals on Wheels Diablo Region (\$62,787). In FY 23/24, approximately \$4,137 was waived specifically for special events (not including indoor facility rentals or Brentwood Police Department fees).

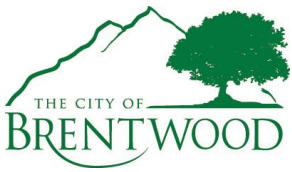
BACKGROUND

The Brentwood Municipal Code (“BMC”) provides definitions and policy for the regulation and use of parks and recreation facilities to “provide maximum enjoyment in the use of such parks and facilities and reduce disturbance or interference with the use of surrounding areas” (BMC 7.02.080). The BMC, available online at [Brentwood, California Municipal Code \(qcode.us\)](https://www.brentwoodca.gov/qcode), also outlines policies on how to obtain a permit, meaning “a written permit for the permitted use or exclusive use of a park, facility, or other city property.” From these policies, the Parks and Recreation Department creates procedures to execute this direction. Special Event applications, requirements, and more information are available online ([Special Event Permits | Brentwood, CA \(brentwoodca.gov\)](https://www.brentwoodca.gov/special-event-permits)) and/or by contacting the Parks and Recreation Department.

City Council has had multiple discussions and has provided direction to City staff to update the Special Event permitting process (previous actions can be found in Attachment 2).

At the January 9, 2024, City Council meeting, the City Council received an update about Special Events from City Staff and City Council asked staff to return with additional information, which is included in the chart below.

City staff is requesting that the City Council receive this update about Special Events, to provide feedback to City Staff about the new fees that are based on benchmarking with like cities and adopting current damage/cleaning deposit structures for existing



facility rentals and would be included in the upcoming Parks and Recreation Cost Allocation Plan report in 2024.

New fees proposed for Council consideration:

More information about the staff-recommended effective dates are below in the section "Recommended Effective Dates and Stakeholder Updates."

1. Street Closure Fees (Staff recommends effective date of January 1, 2025)

Staff suggests implementing fees for Special Event street closures to hold event hosts more accountable when choosing to close a street in Brentwood for their event and recoup some of the costs that the City is incurring on a regular basis for non-City run events. The proposed rates for street closures are based on a tiered structure in line with Council/Administrative Policy 10-5 5.8.2 referencing City of Brentwood facility rental rates. The suggested fee schedule for these closures would be considered new fees that will need to be added to the Cost Allocation Plan. For context, the chart below shows the full cost of small and large street closures, but the recommendation from staff is to charge 29.29% to 31.81% cost recover based on benchmarking and City Council approval of fee ranges from the January 9, 2024 meeting.

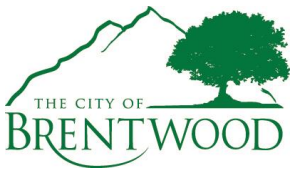
Table 1: Street Closure Fees

| Extent of Street Closures | Cost Recovery Rate at 100% | Resident | Non-Resident (Resident +10%) | Commercial (Resident +30%) | Non-Profit (Resident-30%) |
|--------------------------------------|-----------------------------------|-----------------|-------------------------------------|-----------------------------------|----------------------------------|
| Small (1-3 Blocks) NTE 1,300 Feet | \$628.80 | \$200.00 | \$220.00 | \$260.00 | \$140.00 |
| Large (4+ Blocks) NTE 2,500 Feet | \$1365.60 | \$400.00 | \$440.00 | \$520.00 | \$280.00 |

*Cost recovery at 100% does not include staff time for administrative review or Special Event Review Team (SERT) time.

2. Refundable Damage and Cleaning Deposit (Staff recommends effective date of July 1, 2024)

To remain consistent with Parks and Recreation facility rentals and to encourage event hosts to return event spaces and surrounding areas clean and damage-free post-event, staff recommends instituting a refundable damage and cleaning deposit for all Special Events. The refundable deposit will be due with the application and application fee in order to secure the desired event space, date, and time, as is consistent with the City's existing facility rental deposits. The City will retain the deposit until after the event when the money



will either be returned to the event host (within 30 days post-event) or retained for damages and cleaning charges the City incurs. Existing facility rental deposits vary with a range of \$250 - \$500 for events 330 attendees or less. The suggested deposits for damage and cleaning are new fees that would be added to the City Cost Allocation Plan later for approval. Proposed fees are based on event size and are as follows:

Table 2: Refundable Cleaning/Damage Deposits

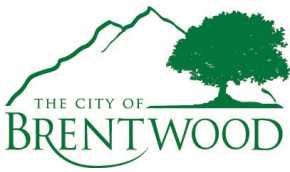
| Number of Attendees | Deposit |
|----------------------------|----------------|
| 500 or Less | \$500.00 |
| 501+ | \$1000.00 |

3. Part-Time Staff Costs (Staff recommends effective date of January 1, 2025)

In addition, the staff recommends requiring part-time staff to facilitate all Special Events to assist in oversight on behalf of the City and to ensure proper documentation is kept in order to return or retain refundable damage and cleaning deposits. In 2023, the Parks and Recreation Department piloted assigning part-time staff to special events, but due to a shortage in staffing, was not able to staff all events. Overall, there were many benefits in having staff onsite as a City liaison to the event. Staff also had the ability to oversee the parking garage and parking capacity (closing the garage when appropriate to alleviate more cars entering the lot and reducing frustration and risk when the garage was at full capacity). The number of part-time staff per event will be assigned by the Recreation Supervisor overseeing special events based on size, type of event, footprint, number of attendees, and so forth, in consultation with the City SERT Team. One of the goals in implementing this fee is to provide coverage service for the parking garage and at least one City staff member to be available for event assistance. Staff will need to do a recruitment of part-time staff in order to staff these events. Staff is proposing that part-time staff costs be passed through to the special event hosts. The part-time staff wages are in the approved Cost Allocation Plan (Step E + Overhead).

Table 3: Part-Time Staff Costs

| Employee Type | Hourly Rate + Benefits |
|----------------------|-------------------------------|
| Part-Time Staff | Currently \$29.37/hr. |



**CITY COUNCIL AGENDA ITEM NO. H.1
04/23/2024**

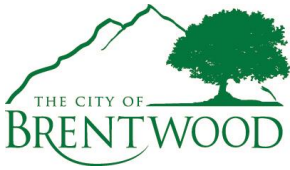
Recommended Effective Dates and Stakeholder Updates

Staff is recommending delayed effective dates of instituting new fees to allow for special event hosts to plan and adjust their budgets with proper notice. In addition, approximately 75% of the City’s “normal” recurring external special events have already been booked for 2024. Events that have already been booked for 2024 will not incur the newly proposed fees, and only events booked after July 1, 2024, will incur the refundable damage and cleaning deposit. All events would be subject to all new fees January 1, 2025.

Prior to this staff report, City staff sent an email to the special event stakeholders with the proposed fees. They were asked for feedback and provided information on the April 23, 2024, City Council meeting and public comment opportunities. Upon adoption of the proposed fees, staff will host an in-person meeting for those stakeholders who hosted a special event in the past two years and provide an update on our new approved fees and any process updates. Information will also be posted on the City’s website and included in the Special Event Application.

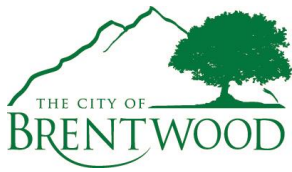
In addition to fees, Council advised staff to return to address the following:

| Motion | Existing Process | Staff Recommendation | Notes |
|------------------------------|--|---|---|
| Street Closure Fees | No Street Closure fees exist currently for event host. Trash related fees are charged through Solid Waste. | 1-3 blocks (Not To Exceed ["NTE"] 1300 FT) includes setup & takedown Resident -\$200.00 Non-Resident - \$220.00 Commercial - \$260.00 Non Profit - \$140.00 4+ blocks (NTE 2500 FT) include setup & takedown Resident-\$400.00 Non-Resident - \$440.00 Commercial - \$520.00 Non Profit - \$280.00 | Street Closure fees are based on length of closure. Fees are tiered per Finance and Council Administrative Policy 10-5, Section 5.8.2. |
| Part-Time Staff Costs | No staff fees are currently incurred by event host. | Schedule part-time staff to be the City contact for the day of the event. Fees assessed is currently the hourly rate in the Cost Allocation Plan of Part Time Staff, Step E + overhead (\$29.37/hr per person, effective Jan 1, 2024) | Part-time staff will be City day of event contact for Special Events. The staff will assist with access to utilities and solid waste bins and also in the event of an emergency. In addition, staff will provide parking garage support and place 'parking garage full' signs when applicable. Staff will be present post-event to monitor whether the park and |



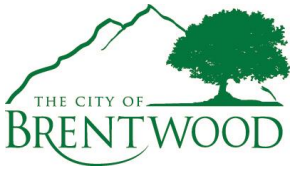
CITY COUNCIL AGENDA ITEM NO. H.1
04/23/2024

| | | | |
|--|-----|--|---|
| | | | surrounding areas are returned to its original condition. The amount and duration of staff scheduled will be determined by the size and scale of the event with the recommendation from the SERT team. |
| Create Exemption for Street Closures | N/A | <p>1st option - apply for a fee waiver if applicable as outlined in Council Administrative Policy 10-12 ('Use of City Funds').</p> <p>2nd option - the Council to consider "grandfathering" existing recurring special events that handle their own street closures (i.e. Farmers Market).</p> | Staff can create criteria for an additional exemption process at the direction of the Council (i.e. based on measurements such as for food event or non-food events, if events are accepting EBT or other fund sources, if events meet a certain percentage of local business, etc.) If staff is directed to create this criteria, it will add another step in the review and approval process for Special Event permits. For those eligible for a fee waiver, staff will continue to process these requests as they are submitted in accordance with current policy. If Council chooses to "grandfather" existing re-occurring permits that handle their own street closures, this would be consistent with the implemented street closure fee suggested, as no additional cost would be incurred from the City, given that the applicant has an approved street closure plan from the City. |
| Incentive for Non-City Park locations | N/A | No fee at this time | There is limited ability to host large-scale events at parks other than City Park and Veteran's Park. Infrastructure needed such as restrooms, parking, and general layout and capacity are the main concerns. There has been a natural increase in events at Veteran's Park with the monthly black-out dates instituted for City Park. In addition, the only Special Event fee for Veteran's Park incurred currently is the picnic areas, so if event hosts are not renting those, there are no fees to discount making this venue an attractive location as is. Even with implementation of Street Closure fees in Downtown Brentwood, |



CITY COUNCIL AGENDA ITEM NO. H.1
04/23/2024

| | | | |
|---|---|---|--|
| | | | events that can be help in Veteran’s Park would be better served as the park is available without the need to close City Streets. |
| Work with LUHSD on Homecoming Dates | Conflicted dates in the past have been moved. | Staff is working with Special Event hosts for this September. For future years, a hold could be put on dates in September and October until the school district publishes their Homecoming schedules, but this could negatively impact the scheduling of recurring community events, and is not a request of LUHSD. | Staff has been in communication with LUHSD for homecoming dates. Typically special event hosts book their dates out 12-18 months in advance. The Homecoming dates for the local high schools are not typically available until after the first of the year. A consideration is that should the City block off City Park for all of September/October, the three weekends that homecoming falls on could interfere with a recurring community events (La Gran Fiesta, Brewfest, Oktoberfest, etc.) depending on the dates. City Staff received a statement from LUHSD “As far as limiting access to the park, though we greatly appreciate it, we also acknowledge that this picture tradition was never intended to be a district-sponsored event. We acknowledge that the students may have to plan around events like the Brewfest and other events.” |
| Create a complaint process with potential LUD referral | Individuals will issue all complaints to the Recreation Supervisor in charge of Special Events. | Individuals will issue all complaints to the Recreation Supervisor in charge of Special Events. All complaints will be provided to the Parks and Recreation Director for their consideration in addressing the complaint. For event hosts that received an Economic Development Grant, Economic Development will be included in the conversation and this information will be provided to the Land Use Development Committee (LUD) for consideration. | Staff is in the process of creating a post-event survey for special event hosts to complete. This will allow staff to keep a record of stakeholder feedback. |
| Stakeholder Updates | Stakeholder meeting | Staff emailed proposed fees to stakeholders on March 25, 2024, including information on | Post Council consideration, staff will host a meeting for stakeholders to review any new |



**CITY COUNCIL AGENDA ITEM NO. H.1
04/23/2024**

| | | | |
|---|-----------------------|---|---|
| | November 8, 2023. | the April 23rd City Council meeting and opportunities for public comment. | processes and fees. Information will be posted on the City of Brentwood website and be included in the Special Event Application. |
| Unpermitted event enforcement changes in BMC | Existing BMC 7.02.020 | Return to Council later with suggestions for a BMC 7.02.020 update. | The staff has begun redlining BMC Section 7.02.020 ('Special Event Permits'). Staff will return at a later date with a fully redlined ordinance, once updated Special Event Fees have been implemented and evaluated. |

CITY COUNCIL STRATEGIC INITIATIVE

Not applicable.

PREVIOUS ACTION

Previous Action by the City Council is included in Attachment 1.

ENVIRONMENTAL DETERMINATION

Not applicable.

ALTERNATIVE OPTION(S)

Council may adopt staff recommendations or request additional information to return to a future City Council meeting.

ATTACHMENT(S)

1. Attachment 1: Previous Action- Special Events
2. Attachment 2: City Council Direction from January 9, 2024
3. Attachment 3: Special Event Staff Cost