

TO: CITY COUNCIL

DATE: NOVEMBER 1, 2004

FROM: CITY MANAGER

SUBJECT: FALL ARTS FESTIVAL CO-SPONSORSHIP

At the Council meeting of October 25, 2004, Ray Leier from Del Mano Productions expressed concern that his Fall Arts Festival event did not meet the City's co-sponsorship criteria.

The Fall Arts Festival has been an annual event that attracts approximately seventy-five vendors and 5,000 people over a two-day period. Typically held in Central Park, this years event is scheduled to occur from November 20-21st. Based on the vendor list supplied by Mr. Leier, the Fall show will feature one Pasadena based artist.

Over the past six years, Del Mano has requested and received "city sponsorship" in the form of waiving the park usage fees. This sponsorship was granted based on the condition that Del Mano contributed money to local charities in an amount equal to the park fee waiver.

The City's co-sponsorship policy (see Attachment A) requires commercial promoters to donate to a local non-profit in an amount equal or greater than the value of the fees waived. Commercial promoters must also demonstrate that they will produce the amount of proposed revenue to make this donation.

A recent study of City fees determined that Del Mano Productions received a fee waiver of \$14,076 for the 2004 Spring Arts Festival, but local charities received a donation of \$850 for previous events.

Ray Leier informed Council that his event is free to the general public and features local artists and that his event had previously been organized and affiliated with the Pasadena Arts Council, although this is not currently the case.

Based on recent discussions with the Parks and Recreation Commission, Council's Finance Committee, and meetings between city departments, a strong

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Handout by Staff

direction was established related to the commercial use of City parks. Mr. Leier was present during a number of these meetings including October 9, 2003, November 5, 2003, December 2, 2003 and December 12, 2003 where stakeholders or Commissioners were discussing their interest in changes to City policy relating to commercial events, co-sponsorship and preservation of parks from large scale uses. Because Mr. Leier had sat through these meetings when the policy was discussed and the need to adhere to it reaffirmed, staff believed that Mr. Leier understood that his event would be impacted. It was not the intent of staff to surprise him with the letter informing him of City policy.

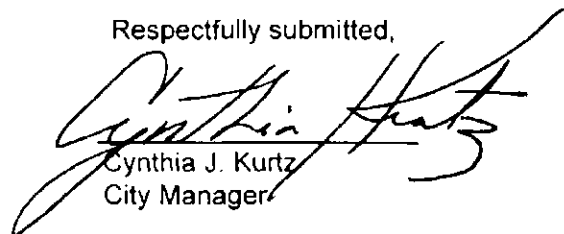
Mr. Leier's special event co-sponsorship request was submitted in August. Upon receiving Mr. Leier's new co-sponsorship request, staff reviewed reports from the local charities on what they received previously from Mr. Leier's events and prepared an analysis on what City fees would have been charged to Del Mano Productions for a similar event, the Spring Arts Festival, had it not been co-sponsored. It was then that the discrepancy emerged.

Since this cost information was so recently reconciled and triggered by Mr. Leier's new co-sponsorship request, Council may wish to consider:

1. Granting a one-time co-sponsorship for the Fall Arts Festival based on the fact that this is a free event open to the general public;
2. Waiving a portion of the City fees for this event (e.g. 50% of the fees);
3. Requesting that Del Mano Productions meet the co-sponsorship requirements and donate to local charities at the same level as the fee waivers received;
4. Requiring Del Mano Productions to pay the commercial promoter fees, without a co-sponsorship, with fees to be rebated if documentation is provided from a local non-profit on donations received. Fees would be rebated to the amount of the donation.

The Park and Recreation Commission is reviewing the fee schedule to ensure the City's fees are commiserate with the actual costs of park usage. In addition, park improvements at Central Park will be completed in time for this November 20th & 21st event. No carnival rides will be allowed on park turf.

Respectfully submitted,



Cynthia J. Kurtz
City Manager

Attachment A

OO CITY CO-SPONSORSHIP OO

Under certain circumstances, the City may choose to co-sponsor special events that benefit the community. In such cases, the event must meet the criteria specified below. In addition, the City agrees to limited participation also outlined below:



Definition

In co-sponsoring an event, the city agrees to:

1. Put the city name on the event;
2. Grant specified fee waivers as listed in the general fee schedule;
3. Assign a staff person to coordinate fee waivers and permits;
4. Provide limited additional support (such as printing flyers or advertising the event in city publications) at the discretion of the City Manager;

The City will not waive insurance requirements under any circumstances. The City's Risk Administrator will determine the amount, terms and conditions and insurance required.

Criteria

The City may co-sponsor special events meeting the following criteria:

1. The event is sponsored by:
 - a. A local non-profit with current 501 C 3 status that provides services that directly impact residents and businesses in Pasadena; or,
 - b. A for-profit organization proposing an event that will return profits to the City in an amount equal or greater than the value of the fees waived.
2. *The event sponsor can demonstrate that the organization has the experience and expertise to undertake the planning and execution of the proposed event.*
3. The event sponsor can demonstrate that the event is consistent with city policy and goals.
4. If sponsored by a for-profit organization, the event sponsor can demonstrate that the event will produce the proposed amount of revenue.

If you are interested in applying for a co-sponsorship, please fill out the information below. Special Events staff will forward your request to the appropriate Department for consideration and then onto the City Manager's Office for final reviews. Decisions of the City Manager may be appealed to the City Council.

Fees associated with the use of City facilities are set by formal City Council action in the form of Ordinances or Resolutions. These fees can only be waived if a provision was made by the City Council when it set the fee in the General Fee Schedule.

Summary

In summary, fees waivable through **co-sponsorship** are limited to: cleaning deposits, facility rental fees for community centers and recreational fields.

In addition, if your organization is a **non-profit**, they are eligible for reduced fees for: rental of City Hall courtyard and rotunda, barricade rental fees, temporary street closure/special event permits.

The City Manager and City staff do not have the authority to waive any fees other than those listed in the General Fee Schedule. Any additional fee waivers would require action by the City Council. The City Council may not waive fees for a particular event, but rather must waive fees for a general category of events through enactment of an Ordinance or adjustment to the Fee Schedule through Resolution.