

CITY OF BELLEVUE
SPECIAL EVENTS COMMITTEE
MEETING MINUTES

July 8, 2021
8:30 a.m.

Bellevue City Hall
Virtual Meeting

MEMBERS PRESENT: Susan Freeburg – Parks
Andy Heider – Parks
Mark Anderson – Fire
Dane Waisanen – Fire
Mike Shovlin – Police
Rick Logwood – Transportation
Erin Hislap - Utilities
Neal Christiansen – Community Representative East
Mike Ogliore – Business Representative Downtown
Chris Dunham – Business Representative West
Laurie Scott – Downtown Resident Representative

OTHERS PRESENT: Brad Bennett, Imane Elmesbahi, Parks; Councilmember Barksdale

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 8:34 a.m. by Chair Freeburg who presided.

2. COMMUNICATIONS: Written and Oral

3. APPROVAL OF AGENDA

A motion to approve the agenda was made by Mr. Waisanen. The motion was seconded by Mr. Anderson and the motion carried unanimously.

4. APPROVAL OF MEETING MINUTES

A motion to approve the June 10, 2021, meeting minutes as submitted was made by Mr. Waisanen. The motion was seconded by Ms. Scott and the motion carried unanimously.

5. COMMITTEE REPORTS

❖ Routing and Location Subcommittee Report

Ms. Wright noted that the Bellevue Family 4th event had an unexpectedly high attendance, but it was largely successful.

6. OLD BUSINESS

❖ Tabled Events – None

6. NEW BUSINESS

❖ Applications of Intent:

1. Crossroads in the Park
2. Downtown Movies in the Park

Chair Freeburg noted both events were put on by the city.

Sgt. Shovlin said he assumed officers would need to be assigned to showings. Chair Freeburg said she had not heard otherwise. Sgt. Shovlin said he would work to get officers lined up.

Mr. Wright asked the parking situation will be for the events. Mr. Bennett said in the past approval was sought from Kemper Development Company for use of the mall parking lot. He said he did not know if that step had been taken for the current year. He said he would reach out to the event organizer about that. He added that attendees of the Crossroads movies tend to walk from their homes. He said he did not believe there has ever been a parking issue at Crossroads Mall associated with the movies event.

Mr. Waisanen asked if the movies in the park events have traditionally had food service vendors, live music and inflatables. Mr. Bennett said there has always been two popcorn machines, and on occasion there have been tables with individually wrapped food samples. He said there have never been any inflatables. Mr. Waisanen noted the inflatables, food service and live music boxes were all ticked for both Crossroads and Downtown. Chair Freeburg suggested the inflatables boxes were ticked because the screens themselves are inflatable.

Mr. Wright noted that the submitted applications were not on the same forms. Chair Freeburg said some of the old ones are coming from employees who have not updated their yet, though they have been asked to submit new applications using the updated form.

A motion to approve the date, time and location for both movies in the park events was made by Ms. Scott. The motion was seconded by Mr. Wright and the motion carried unanimously.

Chair Freeburg noted that both events would require a special event permit and she asked if a separate motion was required. Mr. Wright said approval of date, time and location for an event is the approval needed for an event to obtain a permit.

3. Garden d'Lights

Ms. Scott asked if anything about the event would be different from the way it has been carried out in the past. Mr. Heider said he saw nothing new in his review of the application.

Mr. Christiansen asked if the event would have a police officer at the crossing from the parking lot to the event. Sgt. Shovlin said it was his understanding that there would be an officer posted to the event every night.

A motion to approve the date, time and location for Garden d'Lights was made by Ms. Scott. The motion was seconded by Mr. Anderson and the motion carried unanimously.

4. Pakistan Independence Day Celebration

Mr. Wright said he recalled the Committee previously approving an application for the event. Chair Freeburg confirmed that but pointed out the new application includes a date change to August 7.

Mr. Heider said he had no concerns about the date change but noted he had yet to receive a map or a plan, making it impossible for him to schedule a pre-event meeting. Chair Freeburg said she would reach out to the event coordinator.

Chair Freeburg clarified for Mr. Christiansen that the event is planned to occur in Downtown Park.

A motion to approve the date change from August 14 to August 7 was made by Mr. Christiansen. The motion was seconded by Ms. Scott and the motion carried unanimously.

Chair Freeburg stressed that the event will not be issued a permit until all the required paperwork, including a map, is submitted.

5. Flavors of India

Chair Freeburg said the decision by the coordinator to move forward with the event this year was made following the Governor's announcement, though the event will not include the parade. Everything else about the event will be the same. The location is Crossroads Park.

Mr. Wright observed that the parade route had been included in the application. Chair Freeburg said she would reach out to the coordinator and ask for an updated application. She said her conversations with the event coordinator were clear about not including the parade.

A motion to approve the date, time and location for the event was made by Mr. Waisanen. The motion was seconded by Ms. Scott and the motion carried unanimously.

6. Chinese Midyear Festival

Chair Freeburg said the event organizer submitted an application only a week ago. The application seeks the use of Downtown Park and lists an anticipated attendance of a thousand.

Mr. Wright said he found it difficult to compare one event to another in terms of when they are slated to occur without having some kind of calendar. Ms. Scott agreed.

Chair Freeburg said she was always cautious to avoid back-to-back or overlapping events. She said for the proposed event there were no conflicts. She said Ms. Elmesbahi keeps a calendar would be happy to send it out to the Committee members.

Ms. Scott suggested including the calendar in the meeting packets.

Mr. Heider pointed out the event timeline in the application includes a lot of "to be determined." He said it looks like setup and tear down will occur on the same day, and the map provided is not clear. He said he would be setting up a pre-event meeting with the organizer.

Chair Freeburg said the group is new and has several times given new estimates for the number

of projected attendees. She said they want the event to occur on the plaza and appear willing to do whatever the Committee wants done.

Mr. Heider said he was glad to see the delivery of the portable toilets listed on their timeline, though he noted it was not included in their application. Chair Freeburg said they were not aware they would need them until she told them.

Chair Freeburg said the organization is looking to have about ten to fifteen vendors of cultural type things such as crafts and pre-made baked goods. They also want to have some cultural music and events to showcase the Chinese culture. There will be no cooking done on site.

Mr. Waisanen said fire will want a pre-event inspection given that the event is new. He agreed that there are details that need to be filled in.

With regard to parking, Mr. Wright said he wanted to be sure the applicant knows about the requirement to submit a parking and transportation plan prior to getting approval from the transportation department. He said it would be helpful for the event to be reviewed by the routing subcommittee.

Ms. Scott asked if the items left unchecked on the application need to be filled in before the Committee approves the application. Chair Freeburg said those issues can be added after the fact.

Mr. Wright stressed the need for the organizer to meet with the subcommittee and have an on-site meeting as well.

A motion to approve the date, time and location for the event was made by Ms. Scott. The motion was seconded by Mr. Christiansen and the motion carried unanimously.

❖ Code/Administrative Manual Updates

Mr. Bennett noted that the current code references both sponsorship and co-sponsorship as well as fee waiver. He said even though the code references exist, to date there has been nothing in the administrative manual or any other supportive document about co-sponsorship and a fee waiver. The proposed co-sponsorship and fee waiver policies address those two key points.

Councilmember Barksdale asked if the intent was to merge the two, or if they would be acknowledged as being different approaches. Mr. Bennett said they exist in the code in different locations and as such they should be listed as being independent of one another. With regard to the fee waiver, he said there is a potential crossover where there are limitations on how much an agency can receive in terms of funding, but for the most part the two can stand alone.

Chair Freeburg said the lack of a procedure regarding partnerships has resulted in an approach that has been arbitrary and non-reciprocal. Partnerships usually involve both parties receiving some benefit, but to date it has all been rather vague.

Referring to the draft co-sponsorship policy, Councilmember Barksdale commented that the requirement that an organization have 501(C)(3) status could serve as a barrier. He pointed out that their organizations, especially cultural organizations, that may not have the resources in the form of expertise or funding to gain non-profit status. Noting the fee waiver policy states that organizations that receive funding from the city are not eligible, he noted that that there are non-profit organizations that receive human services funding that would essentially be penalized as a

result and would not be eligible for a fee waiver. Organizations that receive funding from the city are often the most in need of additional resources and as such are more likely to request a fee waiver.

Mr. Bennett suggested the reference to organizations required to have 501(C)(3) status could be eliminated in favor of a simple reference to non-profit organizations. He said that would open the door to being incorporated or not. In regard to the fee waiver, he said the issue regarding organizations receiving city funding was intended to avoid allowing organizations to double dip. The question is whether the city will basically just be writing off fee waivers as lost revenues, or if the city would be creating a limited pot of money to be allocated in the form of fee waivers. He said under the pot of money approach, the question is whether one organization should be able to receive resources and support from the city via co-sponsorship and still be eligible for a fee waiver. There is still a question as to what a city partnership would look like which could be addressed by adding criteria regarding the commitment of the sponsoring department to supporting an event.

Councilmember Barksdale asked if there are any scenarios under which the city might co-sponsor with a private for-profit entity. Mr. Bennett said his research of jurisdictions around the country did not turn up any organization that allocates financial or other resources to for-profit or private entities.

Mr. Wright asked how the city's Bellevue Family 4th event fit into the scenario. Mr. Bennett pointed out that the Bellevue Downtown Association is a non-profit.

Councilmember Barksdale used as an example a community hack-a-thon where people come together and try to come up with solutions for a set of community challenges. Such events often involve but are not limited to the tech community. He asked if the city would be precluded from co-sponsoring such an event held in partnership with local businesses, or if the for-profit companies would need to work through the non-profit organizations with whom the city could work. Chair Freeburg said her understanding was that it would be the latter where the city works with a non-profit. Mr. Bennett said he would make that same assumption and would also assume a for-profit organization would have the financial resources to offset the costs associated with hosting a community event. He said he was not aware of any private entity approaching the city in regard to co-sponsoring a community event. He added in regard to co-sponsorships that if the city were to approve a fee waiver to an organization to host a community event, it would not necessarily follow that the city would partner with the event.

Councilmember Barksdale suggested staff should check in with the economic development department in regard to the scope of the eligibility section of the policy. Chair Freeburg said she has had conversations with economic development staff around non-profit organizations. She said she would be willing to have another conversation with them about for-profit organizations.

With regard to the review and approval process, Mr. Bennett said once the Committee has landed on draft language, both policies will need to go through legal review as well as department review. Where there is a need to change code language, approval by the city manager and the City Council will be needed as well.

Turning to the conditions for approval section of the co-sponsorship policy, Chair Freeburg read the draft specifics, noting specifically that sponsorship requests can only apply to in-kind services and/or resources provided by the city, and that they cannot exceed a set dollar amount or percentage of a event's operating expenses. She further noted the responsibilities of the

recipients.

Mr. Bennett asked the Committee members to comment on whether or not there should be a cap on what an organization can receive based on their operating expenses.

Councilmember Barksdale suggested it would be difficult to determine a dollar amount. He suggested the limit should be a percentage and he proposed no more than a maximum of 50 percent of the operating expenses.

Chair Freeburg agreed it should not exceed 50 percent. The policy could be worded to say up to 50 percent. Mr. Bennett concurred.

Mr. Waisanen suggested being more conservative and limit the percentage to no more than 20 percent, and possibly also set a maximum dollar amount of a thousand dollars.

Mr. Wright pointed out that the sponsorship funds could be coming from any city department. The funds are not specifically from the Special Events Committee. He questioned the appropriateness of the Committee setting policy limits on how individual departments chose to spend their sponsorship money. Mr. Bennett said the Committee is free to revise the language and make its own recommendation. He said he was sure there would be plenty of discussion both at the legal and department head levels. He said the code states that a sponsor that is financially unable to pay all or a portion of the permit fees and charges may apply to the Special Events Committee for a waiver of the fees and charges. The policy language relative to the processing of permits and post-evaluation prohibits the requirement from applying to a special event which is sponsored or co-sponsored by the city. The code references both, but there has not to date been a policy or a procedure in the administrative manual that addresses either of the items.

Councilmember Barksdale suggested that any dollar amount or percentage would need to be grounded in some reasoning related to the intent. If the intent is to partner, the partnership should be up to 50 percent. That would leave some latitude for covering less of the total. There could be departure statement along the lines of "unless otherwise approved" included to address instances in which more than 50 percent is needed.

Mr. Bennett allowed that absent having a specific pot of money to work with, it is possible the financial impact could be equally distributed among all city departments or defined within the Memorandum of Understanding.

Mr. Wright noted that currently the Special Events Committee is not directly involved with the sponsorship of any event. It would be difficult for the Committee to attempt to regulate how the individual departments choose to be involved in sponsoring events.

Chair Freeburg said that in part is why there will be a review and decision by the department directors. Currently, people can say they have sponsorship by a department, and that department can verbally confirm that, but there is no consistent approach. Sometimes there is documentation and at other times there is not. Whatever process is identified, there should be consistency. There currently is not establish process or structure for how the city sponsors events.

Mr. Bennett noted that some departments charge fees to event organizers to offset the costs of providing their services. Without such reimbursements, there would be a detrimental impact on their overall operating budgets.

Mr. Wright said his thinking was that going above the 50 percent threshold would in fact make an event a city event, not a city sponsored event. Councilmember Barksdale agreed and said a true partnership would be along the lines of 50-50. A procedure should be provided to go above the 50 percent threshold in special cases.

Chair Freeburg reviewed with the Committee members the process section of the proposed policy and sought comments.

Councilmember Barksdale asked how the five-day time period for the appeal process was derived. He also suggested the review and selection section should include a bullet indicating the Committee will provide notice of its decisions. Mr. Bennett said the five days time period was arbitrary and allowed that it was open for discussion. He agreed adding a bullet indicating the Committee will provide notice would round out the section.

Councilmember Barksdale argued in favor of ten business days. Chair Freeburg said she thought that would be reasonable.

Mr. Wright pointed out that it is city departments that are offering the sponsorships and as such should be who determines the monetary amounts. Chair Freeburg said the intent is to move away from individual department sponsorships in favor of an overall city co-sponsorships with departments contributing. Mr. Wright said that change in direction could be made clear by adding it to the purpose statement.

Going back to the appeal, Mr. Bennett who is making the appeal is important, be it the event organizer or the sponsoring department, and it should be clear to whom the appeal is to be made. Chair Freeburg said she saw the appeal as an action by the sponsor to the denial of a request by the Committee.

Mr. Ogliore said SeaFair is a good example of an event that provides a significant impact and tax revenues to the city. Whereas it started as a non-profit, it is now owned and operated by a for-profit company. The BDA has the Bellevue Family 4th and the arts fair weekends and if it were expected to pay even a remote percentage of police overtime and the like, the events simply would not happen.

Councilmember Barksdale asked if for the normal event the services provided by the city exceed the 50 percent threshold. Mr. Ogliore said that depends on the specific event. He said for the arts fair weekend it certainly would exceed that threshold.

Chair Freeburg said it was her understanding in regard to Magic Season that there is more of a 50-50 partnership. Mr. Ogliore said that probably was true relative to the ice rink itself.

Chair Freeburg thanked the Committee members for their comments and input. She said the discussion would continue at upcoming meetings.

Mr. Bennett said he reached out to Ms. Hislap for help in getting the waste management section of the administrative manual cleaned up. He said he also discussed with her issues relating to waste water management, something that was missing from the manual.

Chair Freeburg said she would welcome any comments and suggestions on the draft documents prior to the next meeting.

❖ Post-Event Evaluations – None

❖ Comments/Follow-Up

Mr. Bennett asked when the Committee was interested in resuming in-person meetings given the reopening of City Hall. Councilmember Barksdale suggested waiting until after August.

Chair Freeburg recommended holding off the first in-person meeting until October.

There was agreement to hold off coming to a conclusion about resuming in-person meetings until the Committee's next meeting.

7. NEXT MEETING

❖ August 12, 2021

8. ADJOURNMENT

Chair Freeburg adjourned the meeting at 10:03 a.m.