

CITY OF BELLEVUE  
SPECIAL EVENTS COMMITTEE  
MEETING MINUTES

October 8, 2020  
8:30 a.m.

Bellevue City Hall  
Conference Room 1E-112

**MEMBERS PRESENT:** Susan Freeburg – Parks  
Andy Heider – Parks  
Mark Anderson – Fire  
Dane Waisanen – Fire  
Mike Shovlin – Police  
Joseph Nault – Police  
Ben Wright – Transportation  
Glenn Bartolome – Metro Transit  
Mike Ogliore – Business Representative Downtown  
Laurie Scott – Downtown Resident Representative  
Weijun Zhu

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

**RECORDING SECRETARY:** Gerry Lindsay

**1. CALL TO ORDER**

The meeting was called to order at 8:43 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. Nault. The motion was seconded by Mr. Waisanen and the motion carried unanimously.

**4. APPROVAL OF MEETING MINUTES**

Ms. Scott called attention to the list of attendees from Kemper Development Company and noted that “Jeff Hill” should be changed to “Jim Hill.”

A motion to approve the September 10, 2020, meeting minutes as amended was made by Ms. Scott. The motion was seconded by Sgt. Shovlin and the motion carried unanimously.

**5. COMMITTEE REPORTS**

❖ Routing and Location Subcommittee Report – None

**6. OLD BUSINESS – None**

## 6. NEW BUSINESS

- ❖ Applications of Intent – None
- ❖ Holiday Events Status

Ms. Freeburg reminded the Committee that representatives from Kemper Development Company attended the September 10 meeting and submitted a new application. There were no changes to the date, time and location, though the way the event will be presented was changed.

Mr. Wright said it would be appropriate to refer the event organizers to the subcommittee to discuss the changes.

Ms. Freeburg reiterated that the Garden d'Lights event was canceled.

Mr. Ogliore said the ice rink event had also been canceled for the season. Instead, the Bellevue Downtown Association is looking at illuminating Downtown Park and is in the process of finalizing a bid from a vendor. A walk through with parks representatives occurred a couple of weeks ago.

### ❖ SEC Code/Manual Review and Discussion

Ms. Freeburg observed that the code has not been changed over the years. She also noted that the first few chapters of the code are fairly standard and do not need to be changed or updated. She pointed out that according to the code, Section 14.50.090, notices of intent for annual events must be submitted by January 15 of the year in which the event is to be held and asked for comment as to whether or not that timeline is working, noting that the requirement makes the Committee's January meeting very heavy.

Mr. Nault suggested having events slated for the first half of the year submit applications of intent by February 1, and events for the last half of the year submitted by April 1. Ms. Freeburg said the primary goal of having applications submitted early is to be able to get the event dates saved on the calendar. Pushing the application submittal date out that late in the year could complicate that, especially as new event applications are submitted. Additionally, splitting the application dates would mean one half or the other would be heavy.

Mr. Wright said the system that is in place is working well. Events tend to trickle in between the December, January and February meetings. The January 15 date follows the Committee's meeting for that month. He agreed that the meetings early in the year are longer, but the workload is manageable.

Councilmember Barksdale asked why the code has the January 15 date rather than a year from the date of a proposed event. Mr. Wright suggested the section should specify that the deadline of January 15 refers to recurring events, allowing the events to retain their previous event dates.

Ms. Elmsebahi clarified that notices are typically sent out in October and applications of intent start arriving by late October and through to January 15. She said it would be possible to send out the notices earlier in the year, which could mean the applications of intent will be received earlier. Primarily, applications that are received after the January 15 deadline are for new events.

Councilmember Barksdale said he wanted to know how the process plays out in real time. He

asked what happens if a new event is submitted that asks for a specific date and place for which a recurring event is already slated. Ms. Elmsebahi said the new event application is held until the Committee meets to review it. The Committee can choose to have the organizers for the new event attend a Committee meeting to discuss their event and a new date. Preference for date and location is given to recurring events. Ms. Freeburg added that only one event is allowed in a given park on a given day. Councilmember Barksdale said he did not want to see returning events be allowed to just sit on and hold a date beyond a certain point.

Ms. Freeburg agreed to do a little background research on the issue of organizers sitting on event dates and report back to the Committee.

Ms. Scott asked if the organizer of an event to be held in March will not know for sure if their date and location has been approved until after January 15. She pointed out that events scheduled for December have basically a whole year to plan and prepare. Mr. Wright said the Committee typically approves applications for the following year as they are received. If an application for a March event is submitted in October, it is acted on well in advance and the organizer can know to engage in their planning.

There was consensus to retain the January 15 deadline for submitting applications of intent.

Ms. Freeburg noted the code in Section 14.50.090 encourages first-time events to list several options for location, route, date and time.

Answering a question asked by Councilmember Barksdale about first-time events, Mr. Wright said first-time events may submit applications with a date, time and location that conflicts with a recurring event. The Committee may also have concerns about a proposed route, and could have concerns about the date, time and location of an event that has nothing to do with a conflicting event. First-time events are encouraged to submit several options primarily because as a new event the Committee has not previously approved them.

Councilmember Barksdale said he wanted to see the code aligned with the city's equity policies and to avoid making it difficult for first-time events to be approved. He pointed out that there are far more recurring events than new events. Ms. Freeburg said many of those factors exist outside of the special events code in manuals and on the website. She said she has been putting in time to figure out what will work the best. The code has not been changed since 1997 and there is a clear need to review and improve the process.

With regard to Section 14.50.090.C, Ms. Freeburg said there is a question as to what determines what a significant change to an annual event is. She said one approach would be to revise the paragraph to read "...or annual events with changes must...."

Mr. Wright asked if the provisions relative to changed circumstances has ever been triggered. Ms. Freeburg said she did not have firsthand knowledge about that, though she added she could not find anything indicating that it has happened. For 2020, the only event that will be significantly changed from previous iterations is Snowflake Lane. The size of the event will be scaled down and it will be more passive as outlined in the new application that was submitted for the event. Mr. Wright added that "...mailed by the city to affected businesses/residents..." is very vague. There is nothing in the language to aid in determining who is affected.

Mr. Wright said transportation sends out news releases for things like the arts fairs and Snowflake Lane to provide clarity in regard to any associated road closures.

Councilmember Barksdale suggested the Committee should look to other parts of the city's codes to determine who is impacted and the noticing requirements. Relative language could be pulled from those sections and added to Paragraph C.

Ms. Freeburg said the code in Paragraph E states applicants are to know all possible conditions and fees before applying for a special event permit. The Committee has not in fact followed that course and instead directs applicants to submit applications along with an application fee up front, after which the Committee sees and reviews the application. The code should either be changed to reflect current practice, or the Committee should follow the dictates of Paragraph E as written.

Mr. Wright referred to Paragraphs A and B and asked if submitting an application is the same as a notice of intent. Ms. Freeburg said her reading of the code was that a notice of intent and a formal application are two different documents. In reality, there is only one document. Other cities have event organizers fill out and submit a simple application of intent for review by their special event committees, and if all pertinent criteria are met, the applicant is directed to submit a formal application. That is not the approach taken by Bellevue.

Mr. Wright said discussions do on occasion occur about potential new events. That was the case concerning a car show for Downtown Park that an applicant was considering. The Committee did discuss the event prior to the submittal of an application by the organizer.

Mr. Freeburg suggested that however it plays out, the code language should be clear for all involved and should be followed.

Councilmember Barksdale commented that if an event organizer does not have the money needed at the time of application, they should be able to let the Committee know about their interest so that another event will not be allowed to come in and take their date and location. Ms. Freeburg said the application fee is only \$62. It is not the actual event fees that must be paid up front. Councilmember Barksdale said applicants should be able to check in with the city without submitting a formal notice of intent. Ms. Freeburg said applicants are free to call in and seek information about dates, locations and fees without a formal application of intent. Often such callers learn from those calls whether or not their event qualifies for review by the Committee or if it only needs to be addressed by the parks scheduling office.

Mr. Wright suggested the language of Paragraph B sound like an event application. Ms. Freeburg said the issue is that the Special Events Committee manual outlines a process that is opposite to what the code outlines. The two approaches need to be made consistent. Currently there is a single application that must be filled out and submitted along with a fee.

Ms. Elmsebahi said if a requested date is not available, the applicant receives the application fee back. She added that after sending notice to recurring event organizers about the need to submit applications, most simply respond with an email indicating their intent to hold their event. Their more formal application is generally submitted a few weeks later. She said she does not address new events.

Councilmember Barksdale suggested removing from the code the language regarding notice of intent and clarifying the fees issue, including the policy about waiving fees. There should not be both a notice of intent and an application.

Ms. Freeburg noted that the issue of waiving fees is addressed in Paragraph D of Section 14.50.120. The code directs applicants to submit an application to have fees waived and documentation showing the applicant does not have the means to pay. She said while the code language is clear, there is currently no process in place for waiving fees and no such fee waiver application.

Mr. Wright said he was aware of certain fees having been waived for many years for several events. He said he was not sure whether the decision was made by the Committee or by Ms. Freeburg's predecessor. Ms. Freeburg said the issue needs to be cleared up and recommended having in place a plain process. Many events that partner with the city can have some or all of their fees waived, but that should be done through a formal process.

Councilmember Barksdale proposed reviewing the current land use permit process to see if there is language around the waiving of fees. Ms. Freeburg said she would do that research.

With regard to the specific fees, Ms. Freeburg proposed removing them from the actual code and placing them in the manual instead, allowing the code to be more of a static document. The fees change often and it should not be necessary to change the code in order to change the fees. For instance, the code calls for a \$32 application fee whereas the manual currently calls for a \$62 application fee.

Mr. Waisanen said it made sense to him to remove the fees from the code and house them in the manual instead, which is a more fluid document.

Councilmember Barksdale said there should be some language that speaks to the intent for having the fees. The details for each fee could then be housed in the manual.

Ms. Freeburg pointed out that the code calls for increasing the fees in line with the published annual change in the Seattle Consumer Price Index.

Ms. Wright said he was interested in knowing what process the city uses to change fees for other types of permits, such as development permits. Whatever process is used, the Committee's process should be the same. He said he would do that research.

There was consensus to remove from the code the listing of the actual event fees and to house them in the manual instead.

Ms. Freeburg commented that according to Section 14.50.180 the code is to be reviewed every two years and the fee schedules are to be adjusted to meet city costs for services. She said she did not have a clear understanding of where the event fees that are collected go and if they in fact are offsetting actual city costs for services. She said the recommendation of Mr. Bennett was that the phrase "...with fee schedules being adjusted to meet city costs for services..." should be deleted from the paragraph.

Mr. Wright agreed the phrase should be deleted. There is language elsewhere around how fees are changed annually, making the phrase in Section 14.50.180 redundant.

Councilmember Barksdale suggested that for certain parts of the city, such as parks, it should not always be necessary to request an exemption to the noise ordinance, particularly where certain criteria are met up front, such as certain times of day. Ms. Freeburg said as things stand, any

outdoor event in a park having noise levels that exceed a certain level must request a sound permit. Councilmember Barksdale said during certain times or in certain locations there should not be a requirement to seek an exemption; events should just automatically be allowed to go forward. Ms. Freeburg said that is something parks leadership would need to weigh in on. The reason for limiting amplified sound is to allow for the enjoyment of parks by all participants, not just those attending an event. Sound permits for events not located in a park are issued by Development Services, which has slightly different parameters. It would seem to make sense to have the requirements of both Parks and Development Services be the same for the sake of consistency.

Councilmember Barksdale raised the issue of dispute resolution and said he did not see anything in the code about an obligation to engage in dispute resolution where conflicts arise. Ms. Freeburg agreed there should be some language to that end but suggested it should be in the user guide and in the administrative manual rather than in the code. Councilmember Barksdale said what he wanted to see in the code is merely a reference to the issue of dispute resolution. He agreed that the details should be housed in the manual.

Mr. Wright suggested having language in the manual alone would be sufficient. If it turns out that that is not enough, language could be added to the code. Councilmember Barksdale reiterated his desire to see a reference to dispute resolution in the code itself, leaving to the manual the details. Ms. Freeburg agreed.

Councilmember Barksdale called attention to Section 14.50.070, membership, and said he would like to see the youth included. He allowed that the time the Committee meets could present some challenges, especially to those still in school. With regard to Paragraph F, he noted that for the most part the representatives are from West Bellevue, with only a couple of exceptions. There should be a more balanced representation of businesses and neighborhoods across the city.

Ms. Freeburg said she has been digging into the process of how people are appointed to the Committee. For most of the city's boards and commissions, the appointment process involves working with the City Clerk's office. Positions are advertised, the submittals are narrowed down and interviews are conducted. For the Special Events Committee, membership is largely left to the Committee itself to determine. She said the City Clerk has suggested the Committee should follow the process utilized by the city's boards and commissions. She added that there also needs to be clarity regarding the terms of the Committee members.

Mr. Wright said he was unclear as to whether the representatives are supposed to be selected from an equal distribution of the population, or if they are to represent the areas in which events are typically held. Councilmember Barksdale said the code specifically talks about having events distributed throughout the city in order to increase access.

Ms. Freeburg stated that while that might be the ideal, the fact is there are certain areas of the city to which event organizers gravitate. Councilmember Barksdale said he understood that but wanted the Committee to work toward more widely distributing events in line with the code language.

Mr. Wright noted the Committee had previously talked about including a representative from the city's economic development department. Ms. Freeburg said there also had been talk of including someone from utilities and possibly someone from diversity advantage.

Mr. Nault suggested including on the Committee a representative from the legal department.

Councilmember Barksdale agreed and suggested having someone from human services involved as well.

Councilmember Barksdale said special events is a way for the community to come together and build relationships. To the extent special events can be fostered through improving the code language, the work will help to build a stronger community.

Ms. Freeburg took a moment to highlight the need for each department represented on the Committee to develop an information sheet addressing their issues and requirements relative to special events. She said that information needs to be delivered to event organizers in a manner they can digest. She said she would send out links to a couple of websites showing the event planning guides for various cities and said she was working behind the scenes to develop something similar for Bellevue.

❖ Post-Event Evaluation – None

❖ Comments/Follow-up – None

## **7. NEXT MEETING**

❖ November 12, 2020

## **8. ADJOURNMENT**

A motion to adjourn was made by Mr. Wright. The motion was seconded by Mr. Waisanen and the motion carried unanimously.

Ms. Freeburg adjourned the meeting at 10:00 a.m.