

CITY OF BROOKSVILLE
201 Howell Avenue
Brooksville, FL 34601

COUNCIL WORKSHOP
AGENDA

November 9, 2015

3:00 P.M.

A. CALL TO ORDER

B. FEES AND FEE WAIVERS

Discussion of Special Events/Fee Waiver Policy.

Presentation: City Manager

Attachment: Memo from City Manager dated
10/28/15 with Attachments

D. ADJOURNMENT

Meeting agendas and supporting documentation are available from the City Clerk's office, and online at www.cityofbrooksville.us. Persons with disabilities needing assistance to participate in any proceedings should contact the City Clerk's office 48 hours in advance of the meeting at 352-540-3810.



WORKSHOP AGENDA ITEM MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: T. JENNENE NORMAN-VACHA, CITY MANAGER

SUBJECT: SPECIAL EVENT FEE WAIVER POLICY

DATE: OCTOBER 28, 2015

GENERAL INFORMATION: In 2012, during Regular Session on October 15th, the City Council adopted Policy No. 3-2012, in efforts to clarify and develop consistent rules/guidelines for a fee waiver policy. Since that time the Policy has been amended twice, on September 15, 2014 and October 20, 2014.

On September 15, 2014, City Council amended Policy No. 3-2012, Section 2-B (reference to fee waiver amounts) to read “Applicants may request a Fee Waiver of [up to 50% City required](#) Special Event Permit Fees.”

Further, on October 20, 2014, City Council further amended Policy No. 3-2012, Section 2-B to read “Applicants may request a Fee Waiver of up to 50% of City required Special Event Permit Fees. [Council may, with a supermajority vote, or at a minimum, a 4-1 vote, waive fees above the 50%.](#)” The current policy, as amended, is provided as Attachment 1.

Following the September 15, 2014 Workshop and subsequent Regular Session of October 20, 2014, a proposed change in Policy that could implement a “twice a year” application process was discussed for further research and consideration. The “twice a year” application procedure would allow for fee waiver considerations to be processed and presented to City Council only twice a year and in advance of the events seeking fee waivers.

On January 12, 2015, City Council held a workshop regarding Special Events/Fee Waiver Policy. The “twice a year” application process was discussed with City Council. Council stated that they would consider a policy change to implement a “twice a year” application process. Additionally, Council stated that they would like to consider a change to policy that would require organizations to add the City/City logo to media/websites/marketing materials if a fee waiver is provided. Council asked that staff look at ways that organizations could volunteer time/efforts to offset fees.

For Council’s consideration to adopt a “twice a year” application policy change, please refer to Attachment 2 which includes suggested policy change that would be necessary to implement such a procedure.

For Council’s consideration to adopt a policy change to implement a requirement for organizations receiving a fee waiver from the City to add/include the City of Brooksville as a listed/declared sponsor on all event media/websites/marketing materials, please refer to Attachment 3.

We do not have suggested language or procedures to calculate/allow for volunteer hours in lieu of payment. We suggest that you would treat this type of request as “exception” instead of the norm, particularly due to required administrative oversight, monitoring and recordkeeping. On a case by case basis, we suggest that if there is an organization that has a beneficial city project where they can provide/contribute volunteer services to the City in lieu of paying fees for services connected to a fee waiver request, then they could present their proposal to the City Council for consideration at the time that the fee waiver request is considered by Council.

Staff is seeking specific direction from Council on the above suggested changes/amendments and any other desired changes/amendments to Policy No. 3-2012, as amended.

Attachments: 1) Policy No. 3-2012, as amended
2) Suggested amendments for a “twice a year” review/approval
3) Suggested amendments for adding the City as event sponsor

Attachment 1

City of Brooksville
Policy No. 3-2012

Special Event Fee Waiver Policy

Section 1. Definitions

“Fee Waiver” is a waiver of city fees for providing a service or facility use.

“Special Event” is any private activity conducted wholly or partly on public property that requires the use of city services, such as closure of a street or park, or provision of traffic control, or other services. Special Event includes, but is not limited to, a parade, festival, exposition, show, sale, party, or other similar activity. Special Event also includes events on private or other public property for which the City provides services.

“Special Event Permit Fees” are based on the actual costs of the City providing the service requested, and may include personnel, benefit costs, facility fees and equipment costs.

Section 2. Special Event Fees and Waivers

- A. Fee Waiver funding is available as determined at the sole discretion of the City Council.

- B. Applicants may request a Fee Waiver of up to 50% of City required Special Event Permit Fees. A request for a Fee Waiver must be submitted with a Special Event permit application. The City may, in its discretion, approve all, part, or none of a Fee Waiver request. The following will be considered in review of a request for a Fee Waiver:
 - 1. The event must be held within the city boundaries and is a benefit to the community.
 - 2. The event is open to the public. Preference will be given to those events where all or a majority of activities (75 percent or more) are available at no cost to attendees.
 - 3. The event is supported by business, community and/or service groups. Preference will be given to events that have been coordinated with and supported by business, community and/or service groups within the specific city area where the event will take place.
 - 4. The event creates a positive impact for the city’s citizens and/or local businesses.

5. The event creates positive publicity for the city.
 6. The City's cost of providing services for/to the event.
 7. Whether there are revenues that can be used to offset the impact of a Fee Waiver on the city's General Fund. The City Council will give greater consideration for those events that demonstrate that the Fee Waiver will allow the event to become more self-sustaining in future years.
 8. The City Council will give greater consideration to those events that promote education, public health, public safety or provide a service to mankind.
 9. Whether the event is operated by a non-profit organization.
 10. No partisan political events will be authorized for fee waiver.
- C. Unless waived, all fees required for the Special Event must be paid prior to the issuance of a permit. In no event, will the Fee Waiver be more than the City's cost of providing service for the event.

Section 3. Special Event Applications

- A. All persons who wish to conduct a Special Event must complete and submit an application form to the City Clerk. Event organizers should submit completed application no less than 30 days prior to event. Special Event application forms are available on the City's website at www.cityofbrooksville.us and in person from the City Clerk. Special Event permit applications shall be reviewed by the City Manager following the procedures and standards of this Policy. If a Fee Waiver is requested, the completed application and Fee Waiver request will be forwarded to the City Council for consideration.
- B. Applications deemed incomplete will be denied if details about the Special Event are insufficient for staff to properly analyze and determine the impact on city services, or if submitted with insufficient time to allow for city staff to evaluate the impact and coordinate the city services required to allow the event to proceed.
- C. Applications must include evidence of compliance with required permits from other governmental agencies (e.g., health department, liquor license, etc.), as may be requested by the City.

- D. Special Event organizers will be required to maintain liability insurance for the event in an amount deemed acceptable by the City Manager, with the City named as an additional insured. Minimum insurance requirements will include commercial general liability coverage in the amount of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) aggregate. Insurance must be placed with Florida admitted insurers rated B+ or better by A.M. Best's rating service. Documentation of insurance will be required at least three (3) business days prior to the event.
- E. The City Manager is delegated the authority to establish rules, procedures, and policies to implement and support this Policy and to develop application forms and other standard materials to be used in the application process.

Section 4. Approval/Denial of Special Event Permit

- A. The completed application will be reviewed by appropriate department director. The applicant may be required to provide additional information. Denied applications may be amended and resubmitted.
- B. Reasons for denial of a Special Event permit include, but are not limited to:
 - 1. The City lacks the resources to provide the services that are required for the event.
 - 2. A requested facility or site is not available at the time requested.
 - 3. The event requests use of city streets at a time, or for a duration, that would create too great an impact on the public transportation system, city traffic or public safety.
 - 4. The applicant submitted false information in connection with the application.
 - 5. The applicant has failed to complete all aspects of the application and/or provide insurance certificates in the amounts stated in Section 3. D. of this policy.
- C. If the Special Event application is approved and no Fee Waiver has been approved, the City Clerk will collect the appropriate fee before issuing the permit. If the Special Event application is approved and a Fee Waiver has been approved in full or part, the City Clerk will issue the permit after the collection of remaining fees due, if any.

- D. If the Special Event application is denied, the City Clerk will notify the applicant orally immediately and in writing within 3 days, giving the reason for denial. If time permits, the applicant may correct the reasons for denial and resubmit the application for approval. If an applicant is again denied a permit, the applicant may appeal the denial, within 14 days of the date of the written denial by filing a written notice of appeal with the City Manager. The appeal shall be heard at the next available meeting of the City Council, following the date the appeal is filed. The appeal shall be decided by the City Council and is final.

Section 5. Effectiveness of Special Event Permit

Special Events shall be approved for only the specified dates, times, and locations stated in the permit.

Section 6. Violation of a Special Event Permit

- A. Any event subject to the provisions of this Policy that is staged without complying with all conditions of this Policy shall be subject to closure.
- B. The City may revoke a permit if it is determined by the City Manager that the event is being operated in violation of the Brooksville Municipal Code.
- C. The City may revoke a permit and/or apply a fine of up to \$500 per day if it determines an applicant has violated this Policy.

APPROVED BY CITY COUNCIL: October 15, 2012
Amended September 15, 2014

CERTIFIED POLICY NO. 3-2012:

s/T. Jennene Norman-Vacha
T. Jennene Norman-Vacha
City Manager

Attachment 2

Please note: Attachment includes only the page(s) containing suggested changes or additions to Policy No. 3-2012, as opposed to the entire Policy.

5. The event creates positive publicity for the city.
6. The City's cost of providing services for/to the event.
7. Whether there are revenues that can be used to offset the impact of a Fee Waiver on the city's General Fund. The City Council will give greater consideration for those events that demonstrate that the Fee Waiver will allow the event to become more self-sustaining in future years.
8. The City Council will give greater consideration to those events that promote education, public health, public safety or provide a service to mankind.
9. Whether the event is operated by a non-profit organization.
10. No partisan political events will be authorized for fee waiver.

C. Please refer to Exhibit A. of this Policy to make application for Fee Waiver Grants that are considered/approved by the City Council only twice a year.

DE. Unless waived, all fees required for the Special Event must be paid prior to the issuance of a permit. In no event, will the Fee Waiver be more than the City's cost of providing service for the event.

Section 3. Special Event Applications

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- B. Applications deemed incomplete will be denied if details about the Special Event are insufficient for staff to properly analyze and determine the impact on city services, or if submitted with insufficient time to allow for city staff to evaluate the impact and coordinate the city services required to allow the event to proceed.
- C. Applications must include evidence of compliance with required permits from other governmental agencies (e.g., health department, liquor license, etc.), as may be requested by the City.

Exhibit A

FEE WAIVER GRANT - APPLICATION PROCESS

The City of Brooksville may consider providing fee waiver grants for special events. The following guidelines for consideration will be weighted when determining eligibility/approval:

- ✓ The event must be held within the city boundaries and is a benefit to the community.
- ✓ The event is open to the public. Preference will be given to those events where all or a majority of activities (75 percent or more) are available at no cost to attendees.
- ✓ The event is supported by business, community and/or service groups.
- ✓ Preference will be given to events that have been coordinated with and supported by business, community and/or service groups within the specific city area where the event will take place.
- ✓ The event creates a positive impact for the city's citizens and/or local businesses.
- ✓ The event creates positive publicity for the city.
- ✓ The City's cost of providing services for/to the event.
- ✓ Whether there are revenues that can be used to offset the impact of a Fee Waiver on the city's General Fund. The City Council will give greater consideration for those events that demonstrate that the Fee Waiver will allow the event to become more self-sustaining in future years.
- ✓ The City Council will give greater consideration to those events that promote education, public health, public safety or provide a service to mankind.
- ✓ Whether the event is operated by a non-profit organization.
- ✓ No partisan political events will be authorized for fee waiver.

City of Brooksville will consider approving fee waiver grants twice during its fiscal year (October to September). There are 2 application periods. Generally, the timeframes for the application periods are:

APPLICATION PERIOD I **(for events occurring between October 1st and March 31st)**

May 1st	Application Period Opens
June 1st	Application Period Closes
June 5 th –20 th	Application Review Period
July Meeting	Fee Waiver Grant Requests Submitted to City Council
August 1st	Notification is sent to Applicants

APPLICATION PERIOD II
(for events occurring between April 1st and September 30th)

November 1st	Application Period Opens
December 1st	Application Period Closes
December 5th – 20 th	Application Review Period
January Meeting	Fee Waiver Grant Requests Submitted to City Council
February 1st	Notification is sent to Applicants

The submission of a Fee Waiver Grant Application does not guarantee award of the grant or approval of an event. Organizations that do not receive a full fee waiver grant will be charged balance of any/all City fees required for the event.



City of Brooksville Fee Grant Application

Requesting Organization: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Organization phone: _____ Email: _____

Event Name: _____ Event Date: _____

Event start date: _____ Event end date: _____

Event contact: _____ Title: _____

Event contact cell number: _____ Email: _____

Grant amount requesting: _____

Organization's chief officer: _____

Phone: _____ Email: _____

Signature of chief officer: _____

Marketing

How will the sponsoring organization market the event, if approved?

Identify all forms of advertisements to be used.

Provide a timeline for all promotions and advertising.

How much money will the sponsoring organization commit towards advertising? _____

Collaboration

Is the sponsoring organization collaborating with any other non-profit group? If so, please state the commitments of all other groups.

Will the sponsoring agency use collaborative advertising and promotions? If so, provide details including all groups involved and all forms of media to be used.

Please attach all City of Brooksville permit forms and/or facility use form, completed in full. The City Clerk's Office is available to assist all applicants in determining any/all permitting /use forms. Applications for Fee Waiver Grants may not be considered if all necessary forms and documentation is not provided by the requesting organization. The City must be able to fully understand the fee waiver grant request and the details of the event proposed for fee waiver grant consideration.

Attachment 3

Please note: Attachment includes only the page(s) containing suggested changes or additions to Policy No. 3-2012, as opposed to the entire Policy.

5. The event creates positive publicity for the city.
 6. The City's cost of providing services for/to the event.
 7. Whether there are revenues that can be used to offset the impact of a Fee Waiver on the city's General Fund. The City Council will give greater consideration for those events that demonstrate that the Fee Waiver will allow the event to become more self-sustaining in future years.
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- C. Unless waived, all fees required for the Special Event must be paid prior to the issuance of a permit. In no event, will the Fee Waiver be more than the City's cost of providing service for the event.
- D. All organizations that are granted a fee waiver in any amount must list the City of Brooksville as a sponsor of the event/activity and utilize the City's name and/or logo (as provided by the City) on all marketing, promotional and advertising materials, including but not limited to print media, radio, television, website and social media.

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