



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** December 15, 2022

Staff Contact: Hope Sullivan, AICP, Community Development Director

Agenda Title: For Possible Action: Discussion and possible action regarding the implementation of proposed special event policies in calendar year 2023 and a possible review of the policies at the end of 2023. (Hope Sullivan, hsullivan@carson.org)

Staff Summary: At the Board of Supervisor's ("Board's") retreat on February 25, 2022, the Board discussed rules, policies and procedures governing special events. This item is for the Board to consider implementation of special event policies for calendar year 2023, with review and possible modification of the policies at the end of the year.

Agenda Action: Formal Action / Motion **Time Requested:** 45 minutes

Proposed Motion

I move to approve the special event policies as presented, and direct the Community Development Director to provide a report on these policies at the end of calendar year 2023.

Board's Strategic Goal

Quality of Life

Previous Action

February 25, 2022: The Board discussed rules, policies and procedures governing special events during a special workshop.

Background/Issues & Analysis

Please reference the attached November 29, 2022 memo from the Community Development Director.

Applicable Statute, Code, Policy, Rule or Regulation

CCMC 4.04.077

Financial Information

Is there a fiscal impact? No

If yes, account name/number:

Is it currently budgeted? No

Explanation of Fiscal Impact:

Alternatives

Do not approve the proposed special event policies and/or provide alternative direction.

Attachments:

[Special_Event_Memo__2__sah_edits_np \(1\) clean.docx](#)

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)



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TO: BOARD OF SUPERVISORS
FROM: HOPE SULLIVAN, AICP, COMMUNITY DEVELOPMENT DIRECTOR
DATE: NOVEMBER 29, 2022
RE: SPECIAL EVENT POLICIES

Staff is recommending that the Board of Supervisors (“Board”) put certain special event policies in place for calendar year 2023. This will allow the event organizers and staff to understand the Board’s expectations relative to the City’s and event organizer’s roles in special events. At the end of the year, these policies will be reviewed to determine if they improved predictability and operations. These policies will also require that staff track actual costs on the provision of some services so that future policies can be established with this information available.

These policies are proposed for one year only so that they can be tested before being finalized. To a large extent, these proposed policies reflect the Board’s discussion of February 25, 2022. However, other concerns have surfaced during the year including questions as to whether event organizers are reporting taxable sales to the State, the coordination between the health department permits and vendors associated with a special event, and the level of service provided when using the stage at McFadden Plaza. Therefore, policies responsive to those concerns are also included.

All proposed policies are consistent with the Carson City Municipal Code (“CCMC”) and no new fees are proposed.

Background

CCMC 4.04.077 addresses special event permits. This code provision addresses:

- the application packet;
- the requirement to submit the application at least 30 business days before the event;
- the authority of the Business License Division of the Carson City Community Development Department to approve, conditionally approve or deny a special event;
- a discussion on the conditions of approval;
- reasons for denial of a special event permit; and
- the requirement that the applicant reimburse the City for any and all costs and expenses determined to be unusual or extraordinary and related to the special event for which the permit is sought.

At its special meeting on February 25, 2022, the Board reviewed various aspects of special events including when should streets be closed, what is unusual and extraordinary, and what is the baseline level of service with respect to trash collection, restrooms, bleachers, stages, and electrical equipment. At the February meeting, staff reported that in 2019 there had been 69 special event permits issued, of which 18 involved a street closure.

In 2022, 61 special event permits were issued, 24 of which involved street closures. Of the 24 street closures, 5 were on Rice Street. The following five events had an anticipated attendance in excess of 1000 people:

- Silver and Snowflakes Festival of Lights
- Nevada Day Parade
- Great Western Steam Up
- Brewery Arts Center Levitt Concerts
- Brewfest
- Taste of Downtown

Data is not provided for 2020 or 2021 as most events were cancelled during those years due to COVID.

Proposed Policies

1. Nevada Sales Tax

The event organizer shall be responsible for completing and submitting the Nevada Department of Taxation Promoter Application and Exhibitor List to the Department of Taxation and collecting the sales tax from the event vendors.

Discussion: Currently, the City obtains a vendor list from the event organizer, but does not ensure that the sales tax collected by the vendors is properly documented and submitted to the State. Staff recommends articulating this requirement as part of the application.

2. Street Closures & Third Street Parking Lot

The Public Works Director has the authority to close the following street sections or the Third Street parking lot for special events provided the identified criteria is met. Street closures for special events outside this list and criteria may only be approved by the Board.

Requests for a street closure must be made at least 30 days prior to the event. If a request for a street closure is submitted less than 30 days prior to the event, it will be considered unusual and extraordinary and the event organizer will be responsible for paying all costs and expenses associated with the street closure, not to exceed the fee identified in the following table.

Requests submitted more than 30 days prior to the event will not be subject to a street closure fee.

Closure Name	Criteria	Limitations	Street Closure Fee (Not-to-Exceed)
3rd Street Parking Lot		No road closures required, only closure of the parking lot. The southernmost drive aisle must remain open	\$500
Carson Street (Fifth to Robinson)	Only available for events with an estimated attendance of 2,000 or more people	Between Robinson St. and Fifth St. only and associated side streets	\$3,000

Curry Street (Second to Fourth)	Only available for events with an estimated attendance of 1,000 or more people	Between Second St. and Fourth St. only and associated side streets	\$1,000
Curry Street (Musser to Telegraph)	Only available for events with an estimated attendance of 500 or more people	Between Musser St. and Telegraph St. only and associated side streets	\$1,000
Telegraph (Carson to Curry)	Only available for events with an estimated attendance of 100 or more people	Between Carson St. and Curry St. only	\$500

Discussion: Currently there is no criteria for the Public Works Director to utilize to decide when to approve or not approve a street closure as well as utilize staff resources. The closing of streets for special events has generated complaints from businesses and residents. The inclusion of the “menu” of allowed street closures with associated criteria will allow the Public Works Director to know when to say yes and when to say no. The “menu” will also create predictability for event organizers and area businesses and residents.

By having a “menu,” the events can be directed to areas where the City has made provisions for electrical in anticipation of special events. The “menu” also allows for the preparation of traffic control plans based on the closures included on the “menu” as opposed to City staff preparing traffic control plans in response to street closure requests.

Because the Carson City Public Works Department (“Public Works”) needs to schedule staff to physically install signs and barriers to accommodate street closures, staff suggests that requests made less than 30 days before the event pay the actual cost of the street closure including the cost of personnel, vehicles and any other equipment that is utilized.

All street closures on the “menu” are in the redevelopment area. During calendar year 2023, Public Works will track its actual cost for implementing special event street closures so that the Redevelopment Authority budget can be funded to cover the actual costs. Currently, the Redevelopment Authority budgets \$25,000 to fund special event street closures.

Lastly, staff recognizes that the proposed “menu” will not necessarily properly address every special event request. Therefore, the policy would require that such requests that are not on the “menu” be referred to the Board for a decision.

3. Electricity

Special events are allowed to utilize the City’s electrical systems. If utilizing the City’s electrical systems, the event organizers may also utilize the City’s electrical equipment, including power distribution boxes, on a first come, first served basis.

If utilizing the City’s electrical system, the event organizer must request a meeting with the Facilities Division of the Carson City Public Works Department (“Facilities”) at least 48 hours prior to the event to allow staff to explain the system. All meetings with staff must occur during regular business hours (Monday – Friday, 8:00 AM – 5:00 PM excluding holidays). The use of the City’s electrical system will be considered unusual and extraordinary, and the event organizer will be responsible for paying for the actual staff time spent providing an orientation on the electrical system as well as any staff time spent responding to concerns with the electrical systems, not to exceed the fee identified in the following table.

Closure Name	Criteria	Limitations	Facilities Power Support Fee (Not-to-Exceed)
McFadden Plaza		No road closures required	\$500
3rd Street Parking Lot		No road closures required, only closure of the parking lot. The southernmost drive aisle must remain open	\$250
Carson Street (Fifth to Robinson)	Only available for events with an estimated attendance of 2,000 or more people	Between Robinson St. and Fifth St. only and associated side streets	\$1,500
Curry Street (Second to Fourth)	Only available for events with an estimated attendance of 1,000 or more people	Between Second St. and Fourth St. only and associated side streets	\$500
Curry Street (Musser to Telegraph)	Only available for events with an estimated attendance of 500 or more people	Between Musser St. and Telegraph St. only and associated side streets	\$500
Telegraph (Carson to Curry)	Only available for events with an estimated attendance of 100 or more people	Between Carson St. and Curry St. only	\$250

Requests to utilize electrical equipment must be made at least 30 days prior to the event. Electrical equipment will be made available on a first come, first served basis for special events that are utilizing the City’s electrical system. There is no fee for the use of the electrical equipment. The event organizer must pick up and return the electrical equipment at the Parks and Recreation offices before and after the event.

Discussion: In making improvements to Carson Street, Curry Street and the Third Street Parking Lot, the City included an electrical system that could be used for special events. Staff has observed that the need for electricity is often overlooked by the event organizers. This policy is intended to be clear about the availability of the electrical systems and to ensure that event organizers meet with staff in advance of the event to receive an orientation. The objective

is to avoid overloading the system and creating an unsafe situation as well as to avoid last minute attempts at coordination.

As discussed during the February meeting, the City's electrical equipment will be made available for free to event organizers utilizing the City's electrical system. This equipment will be made available on a first come, first served basis. Because of a limited supply, requests to utilize the equipment must be made at least thirty days prior to the event. This way, if equipment is not available, the event organizer has time to locate the equipment through alternative means.

4. Property Damage

A statement will be included in the application acknowledging that the event organizer is responsible for any damage to City property.

Discussion: When a special event utilizes a portion of the City's right-of-way or sidewalk, the event organizer must demonstrate evidence of General Liability Insurance coverage in the amount of one million dollars per occurrence and naming Carson City as additional insured. It is not clear that the policy will cover property damage. This affirmative statement in the special event application will make it clear that the event is responsible for any property damage to City property that occurs as a result of the event.

5. Trash Collection and Toilets

Trash collection and toilets are the responsibility of the event organizer. Toilet facilities must comply with Nevada Administrative Code Chapter 444.

Discussion: This is intended to make it clear that the event organizer bears this responsibility, and to provide the requirement for the number of toilets.

6. Health Permits

Vendors associated with the special event must obtain health permits at least 48 hours prior to the event. Day of event permits will not be issued to vendors associated with the special event. The event organizer is responsible for monitoring vendors so that only vendors associated with the event set up in the event space. City staff will not remove vendors. Private property owners in the vicinity of the special event have the right to conduct their own events on their own property, and these events may require and receive a health permit. In issuing health permits for special events, the Carson City Health and Human Services Department ("CCHHS") will cross reference the vendor list.

Discussion: As part of a special event application, the event organizer provides a vendor list. If the vendors provide food or drinks with ice, a health department permit and inspection are required. CCHHS has a practice of issuing "day of event" permits. This has led to health permits being issued to vendors who are set up at a special event, but not officially a part of the event. Additionally, because health inspectors are on site, the event organizer has looked to them to remove unauthorized vendors. To avoid this situation, the policy would require all special event vendors who need health permits to obtain the health permit at least 48 hours prior to the event. This will allow CCHHS to cross reference with the official vendor list. Additionally, it will avoid "day of event" permits as all authorized vendors will have already received permits.

This policy will also make it clear that if unauthorized vendors set up at the event, it is the responsibility of the event organizer to ask them to leave.

Note that if a private property owner is in the footprint of the special event and is having an owner sponsored activity on their own property, they may still need a health permit and that health permit may be issued on the day of the event.

7. Bleachers / Stages

Except for the stage at McFadden Plaza, the City will not make bleachers or stages available for special events.

Discussion: This is intended to make it clear that the event organizer bears responsibility for any bleachers or stages.

8. McFadden Plaza

Event organizers utilizing McFadden Plaza will complete a separate reservation request form that will specifically ask if the splash pad should be on or off and if the event will require City electricity. Additionally, the form will advise that the event organizer is responsible for providing and installing any needed stage lighting and sound system. The event organizer must request a meeting with Facilities at least 48 hours prior to the event to receive an orientation on the electrical system. The meeting will occur during regular business hours (the policy on electricity will apply) and any request to use City owned electrical equipment must be made 30 days prior to the event. Electrical equipment is made available on a first come, first served basis.

Discussion: Event organizers seeking to utilize McFadden Plaza, particularly the stage, have had expectations relative to lighting and other ancillary systems that do not exist. The stage is a venue, but the event organizer must bring and set up their own lighting and sound system. By including this information on a stand-alone form as well as requiring an orientation meeting in advance of the event, the event organizers will have a better understanding of what the venue provides and does not provide and they will be able to better plan for their events.

Conclusion

The role of special events in the City has changed over the last few years with the opening of McFadden Plaza and the re-construction of Carson Street, Curry Street and the Third Street Parking lot. The City has made infrastructure improvements to help facilitate special events in the downtown area.

In helping facilitate these events, the City staff has identified areas where it is unclear what is a City responsibility and what is an event organizer responsibility. The policies in this memo are intended to clearly state expectations so that both the event organizers and the City's staff understand the Board's expectations. That said, these are policies to be implemented and reviewed in 2023 so that they can be adjusted as the Board deems appropriate.