



Item No. 15 Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER

THROUGH: ROBERT OVADIA, PUBLIC WORKS DIRECTOR

FROM: SALLY BENTZ DALTON, PARK MANAGER

DATE: MARCH 20, 2019

SUBJECT: FEE WAIVER REQUEST – ENCINAL ELEMENTARY SCHOOL
5TH GRADE PICNIC

RECOMMENDATION

Review and, if deemed appropriate, approve a waiver of fee or portions thereof for the Annual 5th Grade Picnic to be held on Thursday June 13, 2019 at the Carriage House/North Meadow at Holbrook-Palmer Park.

ANALYSIS

In February, staff was contacted by the graduating class picnic organizer Lori Willbanks from the Encinal School Parent Teacher Organization (PTO) to reserve the North Meadow at Holbrook Palmer Park for their annual picnic. Ms. Willbanks also inquired about the possibility of staff waiving or reducing the fee for the Encinal School 5th Grade Picnic for the following reasons:

- The picnic is a non-profit event endorsed by a local public school.
- Many Atherton children will be participating in this event (no actual number given).
- Holbrook-Palmer Park is the place where, for many years, this event has been held.
- The cost of the picnic has become too high for the group. The current fee, calculated as a group over 100 at the Atherton resident rate, is \$700 plus 15% admin fee = \$805.

In 2017 and in 2018, the City Council approved a fee reduction, wherein the Encinal School PTO paid \$500 for the event.

Staff advised Mrs. Willbanks that only the City Council had the authority to approve fee waivers. Mrs. Willbanks submitted in a Fee Waiver Request Form to staff on March 5, 2019 (attached).

The organizer estimates that approximately 150 children will participate in the event. With a group of this size, staff reserves the Carriage House along with the North Meadow. This is so the group has access to restroom facilities, a place for food, and a place to get out of the sun. It should be noted that at the time of the event, temporary trailers for Town offices will occupy ½ of the North Meadow parking lot and Town offices will be open during the event. The 5th grade class will walk from Encinal School to the event which will be overseen by a group of adult volunteers. The hours are from approximately 8 am to 2 pm (6 hours). Prior to 2017, the picnic organizers have paid the full fee for the event.

POLICY FOCUS

The City Council has established a Fee Waiver Policy which provides that the following groups are eligible for fee waivers:

- Atherton Standing Committees, City Council, and Designated Community Groups
- Governmental agencies that do not receive tax funding and can demonstrate an inability to pay a Town fee

Groups listed as ineligible are:

- For-Profit Organizations
- Vendors
- Fund raising events where attendees pay a fee for admission
- Other governmental agencies – unless they can demonstrate an inability to pay a Town fee

Fee waiver requests must be addressed to the Town in writing and be presented to the City Council for consideration. The Park is currently rented by other not for profit organizations such as AYSO and Little League all of whom pay full fees for usage.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

FISCAL IMPACT

Fiscal impact would be limited to the amount of waiver.

COMMISSION/COMMITTEE FEEDBACK/REFERRAL

This item ____ has or X has not been before a Town Committee or Commission.

- _____ Audit/Finance Committee (meets every other month)
- _____ Bicycle/Pedestrian Committee (meets as needed)
- _____ Civic Center Advisory Committee (meets as needed)
- _____ Environmental Programs Committee (meets every other month)
- _____ Park and Recreation Committee (meets each month)
- _____ Planning Commission (meets each month)
- _____ Rail Committee (meets every other month)
- _____ Transportation Committee (meets every other month)

ATTACHMENTS

- ATTACHMENT 1 - Fee Waiver Request Form
- ATTACHMENT 2 - Memorandum of Designated Groups



TOWN OF ATHERTON
FEE WAIVER REQUEST FORM
91 ASHFIELD ROAD, ATHERTON, CALIFORNIA 94027
PH: 650-752-0500 Fax: 650-688-6528

Title of Event: Encinal 5th Grade Picnic
Contact Person: Lori Willbanks
Name of Organization: Encinal Elementary School
Mailing Address: [REDACTED] Menlo Park, CA 94025
Phone Number: [REDACTED] Fax Number: _____
Email Address: lori_willbanks@yahoo.com
Location(s) and dates of event in Atherton: Thursday June 13th, 2019

We are presenting a fee waiver request to the City Council in accordance with Town policy.

Applicant Signature: *L Willbanks* Date: 3/5/19

CITY MANAGER: _____ Date: _____

TOWN OF ATHERTON FEE WAIVER GUIDELINES: *All requests for a fee waiver must be addressed to the Town in writing. Fee Waiver Requests will be presented to the City Council for consideration at a Council meeting.*

ELIGIBLE FOR FEE WAIVERS:

- (1) Atherton Standing Committees, Council, and Community Designated Groups. These groups are providing a direct service that is similar to or complementary to a Town policy goal or direct service that the Town is typically responsible for providing;
- (2) Governmental agencies that do not receive tax funding and can demonstrate an inability to pay a Town fee.

INELIGIBLE FOR FEE WAIVERS:

- (1) For-profit organizations;
- (2) Vendors;
- (3) Fund raising events where attendees pay a fee for admission to the event or in the case of festivals where vendors pay to participate in the event;
- (4) Other governmental agencies – unless they can demonstrate an inability to pay the Town fee.



FACILITY RENTAL PERMIT APPLICATION

Holbrook-Palmer Park
150 Watkins Ave. Atherton CA, 94027
Office 650-752-0534 Fax 650-688-6548

**Town of Atherton
Administration**

91 Ashfield Road Atherton CA, 94027
Office 650-752-0500 Fax 650-688-6528
www.ci.atherton.ca.us

BY SIGNING THIS PERMIT APPLICATION YOU ACKNOWLEDGE HAVING READ AND UNDERSTOOD THE USE OF TOWN FACILITIES GENERAL RULES & REQUIREMENTS

CONTACT INFORMATION

Today's Date: 03/05/2019 Invoice No 0000
Permit Applicant Name (Company or Individual): Encinal School
Permit Applicant Address: 195 Encinal Ave, Atherton 94027
Permit Applicant Phone Number: (650) 208-3955 Permit Applicant Email: lori_willbanks@yahoo.com
Contact Person for this Permit Application: Lori Willbanks
Contact Person Phone Number: _____ Contact Person Email: _____

EVENT DETAILS

Type of event to be held (i.e. Family reunion, birthday party, wedding etc.):
Picnic

Facility Requested: <u>Carrage House</u>	Number of Guests: <u>75 150</u>	Date(s) Requested: <u>6/13/2019</u>
Hours of Rental: _____	Set-Up Time to Begin: <u>8:00AM</u>	Clean Up Time to End: <u>2:00PM</u>
Guest Arrival Time: <u>9:30AM</u>	Guest Departure Time: <u>1:30PM</u>	Will Alcohol Be Served: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Catering Company Name: _____ Catering Company Phone Number: _____
Please List Additional Vendors Below: _____ Additional Vendors Phone Number: _____

FOR OFFICE ONLY

SECURITY/DAMAGE DEPOSIT TO HOLD BOOKING DUE AT THE SIGNING OF THIS AGREEMENT.

Full payment of the security/damage deposit must be received before application can be processed. The Permit Applicant is responsible for leaving the facility in a suitably clean and orderly condition, free from any damage. Failure to do so may result in the security/damage deposit not being refunded to the Permit Applicant and additional fees charged to the rental client for excessive cleaning and repairs. (ALL REFUNDS WILL BE DIRECTED TO PERMITTEE)

Security/Damage Deposit: \$500.00 - Carriage House Date Received: 03/05/2019 Form of Payment: N/A

Facility Use Fee: Due thirty (30) days before the event date-Fee based on Master fee schedule

Facility Use Fee: \$400.00 - Carriage House Date Received: 03/05/2019 Form of payment: N/A

ATHERTON RESIDENTS ARE CHARGED A REDUCED ADMIN FEE (15% DISCOUNT):

To qualify, Permit Applicants must show proof of residency by presenting a picture I.D. and/or utility bill upon submittal of application.

15% of the Facility Use Fee is charge to Atherton Residents Due thirty (30) days before the event date

Admin Fee: \$ 135.00 Date Received: 03/05/2019 Form of Payment: N/A

30% of the Facility Use Fee is charge to non-Atherton Residents Due thirty (30) days before the event date

Admin Fee: _____ Date Received: _____ Form of Payment: _____

LIABILITY INSURANCE FROM PERMIT HOLDER: Proof of Liability Insurance is required. The permit holder/organization must furnish a certificate of insurance proving liability coverage of at least \$1,000,000.00 naming The Town of Atherton as additional insured. The certificate should read as follow: Town of Atherton, Holbrook-Palmer Park 150 Watkins Avenue, Atherton CA, 94027.

Insurance can be purchased through the Town's Special Events Insurance Program

LIABILITY INSURANCE FROM CATERER OR ANY VENDOR: Proof of Liability Insurance is required. The caterer or any additional vendor must furnish a certificate providing liability coverage of at least \$1,000,000.00 naming the Town of Atherton as additional insured. The certificate should read as follow: Town of Atherton, Holbrook-Palmer Park 150 Watkins Avenue, Atherton CA, 94027.

This insurance must cover everyone working the event and read "Its officers, agents and employees." NOTE-if serving liquor, liquor liability coverage is needed from the catering group or bartender. There will be a separate limit for Liquor Liability of \$1,000,000.00. The Town and the applicant renting/ using the park must be named on the vendor's policy as an additional insured.

Please include copy of COI with this application YES NO

Certificate of Insurance purchased through the Town's Special Events Insurance Program

COI Fee: _____ Date Received: _____ Form of Payment: _____

FOR OFFICE ONLY

AFTER HOURS FACILITY USE FEE: Only the times stated on the application will be granted for usage. All set up, event time and Cleaning time, must be stated in the application. Additional fees will be charged if the reservation goes beyond the stated time.

After Hrs. Facility Use Fee:

Date Received:

Form of Payment:

Over Time Fee:

Date Received:

Form of Payment:

REQUEST FOR CANCELLATION OR DATE CHANGE MUST BE SUBMITTED IN WRITING: Any cancellation of scheduled use of facilities, or any changes in hours or conditions indicated in the original reservation application, must be done at least 7 days prior to the scheduled reservation. Cancellation fees are as follow:

****ALL FEES ARE SUBJECT TO CHANGE, MAKE ALL CHECKS PAYABLE TO TOWN OF ATHERTON****

- 6 months or more before reservation date-10% of total fees and deposit will be charged
- 3-6 months before reservation date-20% of total fees and deposit will be charged
- 1-3 months before reservation date-30% of total fees and deposit will be charged
- Less than 1 month before reservation date- 40% of total fees and deposit will be charged
- All refunds are issued by check

I/We hereby acknowledge that a copy of the Use of Town Facilities containing the rules and regulations for use of Facilities owned and/or managed by The Town of Atherton has been received and that I/We have read, understand and agree to abide by these rules & regulations governing the usage of the facility being rented.

Permit Applicant Signature:



Date:

3/5/2019

Event Venue Manager Signature:
(Contract Position)



Date:

3/5/2019

City Manager Signature (If Applicable):

Date:

EVENTS WITH OVER 150 GUESTS REQUIRED CITY MANAGER APPROVAL

PARK EVENT APPROVAL CHECKLIST MUST BE INCLUDED WITH THIS APPLICATION

YES

NO

CUSTOMER #

ACCOUNT #

Remaining Balance Due Date & \$ Amount:



Credit Card Authorization Form

Please complete all fields. You may cancel this authorization at any time by contacting us. This authorization will remain in effect until cancelled.

Credit Card Information
Card Type: <input type="checkbox"/> MasterCard <input type="checkbox"/> VISA <input type="checkbox"/> Discover <input type="checkbox"/> AMEX
Cardholder Name (as shown on card): <u>N/A</u>
Card Number: <u>0000 0000 0000 0000</u>
Expiration Date (mm/yy): _____ Card Verification Value (CVV): _____
Cardholder ZIP Code (from credit card billing address): _____

I, _____, authorize **The Town of Atherton** to charge my credit card above for agreed upon purchases. I understand that my information will be saved to file for future transactions on my account.

INV # _____ RESERVATION DATE: _____ \$ AMOUNT _____

Customer Signature

Date



PARK EVENT APPROVAL CHECKLIST

Events with over 150 Guests require City Manager Approval

- Type of event to be held (i.e. Family reunion, birthday party, wedding etc.):

- _____
- Facility Requested: _____
- Number of Guests: 75
- Event Date: _____
- Event Start / End Times: _____
- Invoice # : _____
- Other groups booked in park: YES NO
- Total number of events booked _____
- Total people expected all events _____
- Comments: _____

Events where the anticipated attendance, including event organizers, will exceed 200 will require a written parking management plan for the event & City Manager Approval

- Parking Plan / Offsite Parking Plan : _____
- _____
- Staging Plan- Drawn on Map Provided: YES NO
- Security Required Plan: _____
- _____
- Special Conditions (If Applicable): _____
- Insurance received YES NO
- Permit Holder Contact Information: _____
- Day of Event Emergency Contact Information: _____

Event venue manager signature: _____

(Contract position)

Park manager signature: _____

City manager signature: _____



USE OF TOWN FACILITIES GENERAL RULES & REQUIREMENTS

WHO CAN RESERVE

The Town allows its facilities to be reserved by an Atherton resident, a non-resident, a community group, or business. However, acting within reasonable discretion, the Town reserves the right to deny requests for reservations for events that would have a significant, unmitigated impact on the Park or community. When exercising this discretion, the Town will review the time of the event, size and type of event, noise impacts, parking and traffic impacts, and number of concurrent events already approved for the same date and time.

Atherton residents are able to reserve the facilities at a reduced rate. To qualify, applicants must be an Atherton resident and show proof of this residency by presenting a picture I.D. and/or utility bill upon submittal of an application.

Requests for cancellation or a date change must be in writing. Cancellations are subject to a refund schedule based on the amount of notice provided. Please review the application fully with respect to the notice required.

Throughout these guidelines, "permit holder," means the individual or group that has rented the facilities

GENERAL USE GUIDELINES

Alcohol is allowed in Town facilities only upon approval of an event and proof of insurance coverage.

When reviewing an event reservation request, the Town may add conditions of approval to ensure that the event does not have a negative, unmitigated impact on the Park or community.

Events where the anticipated attendance, including event organizers, will exceed 200 will require a written parking management plan for the event. The parking management plan shall include measures to mitigate the impact of parking for the event through valet parking, shuttle service, or other mechanisms.

Large events are defined as an event with more than 150 attendees. Large events at Holbrook-Palmer Park are limited to no more than one per day.

Based on a review of an event of any size, the Town may add conditions of approval that include, but are not limited to: signage, private security, valet service, shuttle services, or noise attenuation requirements. The Town will review the time of the event, size and type of event, noise impacts, parking and traffic impacts, and number of concurrent events already approved for the same date and time when adding conditions to the event.

Permit holders shall not post or affix any signage or other advertising in any public right-of-way. However, the Town may require directional signage as a condition of approval.

Facility users shall not practice or tolerate discrimination because of race, color, religion, sex, national origin or disability in the use of public facilities.

Town- sponsored events take priority over all other usage of the facilities.

The Town may limit facility reservations on holidays and holiday weekends due to strong demand for Town facilities on such occasions.

Permit holders will be required to have no less than one adult chaperon for each 10 minors present during use of the facilities.

Use of Town facilities for a wedding ceremony, reception and/or social event may be conditioned to limit the event to specific times. In no case shall the use of Town facilities for wedding ceremonies, receptions and/or social events begin before 8:00 a.m. or end after 11:00 p.m. of any day except that cleanup activities may continue from 11:00 p.m. until midnight if specified in the permit. The permit holder is expected to complete all preparations and cleanup associated with an event within the reserved time.

The Town will provide tables and chairs only; linens, dishes, flatware, glassware, ice, etc. must be provided by the permit holder or insured vendor(s). Table set up and take down are to be done by insured caterers or Town approved vendors only. No equipment or materials shall be removed from any building or facility.

Live or amplified music is permitted indoors only. The permit holder shall not permit the use of any sound amplification device in any outdoor area. In order to minimize potential disruption to the use and enjoyment of adjacent properties, music/noise levels for the event shall comply with Atherton Municipal Code Chapter 8.16 a maximum decibel level of 60 dBA. Failure to comply with this requirement shall result in immediate suspension of the reservation and termination of the event.

No decorations shall be displayed, installed or provided by the permit holder, which may damage or deface the building. Existing decorations may not be removed. The permit holder is responsible for removing all of their own decorations and trash at the end of their reservation. No staples, nails, glitter, confetti, or tape may be used on any building surface or tables. Any use of candles must be contained within hurricanes or votive.

Trucks, cars, trailers, and all other vehicles are not allowed on any of the lawns at Holbrook Palmer Park.

Violation of any of the rules/regulations set forth herein or any Town ordinance or regulation may result in immediate eviction from Town facilities, loss of deposits, and/or denial of future permits

RENTAL EQUIPMENT

If renting equipment from outside vendors, all equipment must be dropped off AND picked up during hours specified on (permit holders') Permit Application. **NO RENTAL EQUIPMENT SHALL BE STORED AT HOLBROOK PARK.** Holbrook Palmer Park is NOT liable for any equipment left at the park.

APPLICATIONS FOR RESERVATION

Applicants must make application in person. All related paperwork, payment of fees, insurance, and other communication will be made and coordinated with the applicant only.

All reservation fees are payable by personal check, cashier's check, cash, or credit card. Absolutely no personal checks will be taken within three (3) weeks of a scheduled reservation. All fees must be paid in full no later than thirty (30) days prior to the reservation.

All applications must be made at least 15 working days in advance of the reservation on an official application form.

Reservations may be made up to 12 months in advance.

An application to use the Town's Council Chambers is approved only upon the signature of the City Manager.

An application is approved only upon the signature of the City Manager or his/her designee.

Any cancellation of scheduled use of facilities, or any changes in hours or conditions indicated on the original reservation application, must be done at least 7 days prior to the scheduled reservation. Cancellations and/or changes must be submitted in writing fees are as follows:

- 6 months or more before reservation date - 10% of total fees and deposit will be charged
- 3 – 6 months before reservation date - 20% of total fees and deposit will be charged
- 1 – 3 months before reservation date - 30% of total fees and deposit will be charged
- Less than 1 month before reservation date - 40% of total fees and deposit will be charged

Insurance may be purchased through the Town's Special Events Insurance Program. Please see schedule of fees on the application form. Insurance fees are non-refundable once the reservation takes place. A minimum rental of 2 hours is required on all facilities. Reservation may be made for a maximum of 5 hours, not including clean up time. Clean up time is limited to 1 hour; set up time is limited to 2 hours.

WHAT'S AVAILABLE

At Holbrook-Palmer Park, applicants may reserve the following facilities:

- Jennings Pavilion
- Main House
- Carriage House

In addition to buildings, applicants may reserve open space and picnic areas within the Park through a Day Use Permit. (No alcohol is allowed under this type of Permit.) Groups larger than 50 are required to rent a facility.

At the Civic Center, applicants may reserve the Town Council Chambers.

A full description of the hours of availability for each facility and the facility details (square footage, restrooms, chairs, etc.) is available on the Town website.

AFTER THE EVENT

Only the times stated on the application will be granted for usage. All set up, event time and cleaning time, must be stated on the application. Additional fees will be charged if the reservation goes beyond the stated time. If additional time for cleanup is needed, there will be an applicable fee.

For reimbursement of the security deposit, the facility must be left without damage according to all guidelines. The staff will determine if applicant has complied. A check refund for security deposits shall be returned by mail within 15 working days after the event.

The permit holder is solely responsible for damages/accidents or injuries to persons or property resulting from use of facilities by the permit holder, guests of the permit holder, any contractor of the permit holder, or any other person attending the event/activity being conducted by the permit holder, financial reimbursement for repairs or replacement of facilities must be made on demand.

Place trash in the trashcans and dispose in dumpsters provided. Pick up and mop large debris and/or spills in facility, kitchen and restrooms. Check with staff on duty to insure that facility is left in an acceptable manner, and initial the reservation form. A staff member may assist, but is not responsible for cleanup.

INSURANCE REQUIREMENTS

The permit holder must furnish a certificate of insurance proving liability coverage of at least \$1,000,000 naming the Town of Atherton as an additional insured. The certificate should read as follows: Town of Atherton, Holbrook-Palmer Park, 150 Watkins Avenue, Atherton, CA 94027.

If the permit holder uses outside vendors or caterers, the caterer or vendor must furnish a certificate of insurance proving liability coverage of at least \$1,000,000 naming the Town of Atherton as additional insured. The certificate should read as follows: Town of Atherton, Holbrook-Palmer Park, 150 Watkins Avenue, Atherton, CA 94027. This insurance must cover everyone working the event and read "its officers, agents, and employees."





**Town of Atherton
Office of the City Manager
91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0500
Fax: (650) 614-1212**

TO: Mayor and City Council
FROM: George Rodericks, City Manager
DATE: September 17, 2014
SUBJECT: DESIGNATED GROUPS

The purpose of this memorandum is to memorialize the City Council's direction with respect to designated groups. This memorandum expands the information on that memorandum associated with "designated groups" to specifically include Atherton Now.

- Designated Community Groups include:
 - The Park Foundation
 - Atherton Dames
 - Friends of the Library
 - Atherton Now
 - Atherton Arts Foundation
 - Other Similar Groups as approved by the City Manager
- Fees are not charged to Designated Groups; however, the groups are obligated to pay any direct Town costs associated with their event.
- All events hosted by Designated Groups must meet the insurance requirements as determined by the City Manager and the Town's Risk Liability Insurance Carrier (ABAG).
- All event organizers and/or sponsors are required to complete event applications stating the specific details of the proposed event as required by the City Manager. Applications must reviewed and approved by the City Manager.
- Designated groups may utilize Town facilities, such as meeting rooms and storage space without fee, but even in the use of these areas, continue to be responsible for any direct costs incurred by the Town connected with their use.
- Designated groups may utilize storage and/or activity space on a regular basis. Use of such space is by approval only and may be revoked at any time. Town uses and needs take priority over any uses by designated groups.