



## Agenda Report

19-1105

Agenda Date: 4/23/2019

### REPORT TO COUNCIL

#### **SUBJECT**

Action on the Rescission of Council Policies on Amplified Sound Permits, Block Parties, Dance Permits, Parades and Processions, Races/"Fun Runs"/Walks, Sale of City of Santa Clara Flags, Special Outdoor Events on City Property, Feeding Animals in City Parks

#### **BACKGROUND**

Existing policies in the Council Policy Manual were reviewed and categorized in the Council Policy Work Plan Matrix (Attachment 1), which categorizes policies in five review categories: maintain status quo, further review, legal review, administrative in nature, or rescission. On June 12, 2018, the Council rescinded six outdated policies: Policy and Procedure (P&P) 010 City Council Meetings Video Tapes, P&P 012 Electronic Organizers, P&P 013 Fireworks Display Permit, P&P 021 Public Requests for Photocopies of Agenda Items, P&P 023 Recreational Bonfires, and P&P 026 Sale of Used Fire Helmets or Police Equipment as Mementos. As a continuation of the work plan, staff has reviewed the Council Policy Work Plan Matrix and identified eight policies, which are administrative in nature, for rescission.

#### **DISCUSSION**

As a continuance of the Council Policy Manual Work Plan, staff identified additional policies recommended for rescission: Council Policy 001 Amplified Sound Permits (Attachment 2), Council Policy 005 Block Parties (Attachment 3), Council Policy 011 Dance Permit (Attachment 4), Council Policy 019 Parades and Processions (Attachment 5), Council Policy 022 Races/"Fun Runs"/Walks (Attachment 6), Council Policy 025 Sale of City of Santa Clara Flags (Attachment 7), Council Policy 027 Special Outdoor Events on City Property (Attachment 8), and Council Policy 044 Feeding Animals in City Parks (Attachment 9).

#### **Council Policy 001 Amplified Sound Permits**

This policy outlines the procedure for amplified sound permit requests in the City of Santa Clara. Council Policy 001 is duplicative, as it is contained in Section 9.05.06 Amplified Sound of the Santa Clara City Code (Attachment 10). The procedure and application for amplified sound permits can be found on the Permits and Other City Forms page on the City's website:

[www.santaclaraca.gov/government/permits-and-other-city-forms](http://www.santaclaraca.gov/government/permits-and-other-city-forms)  
<<http://www.santaclaraca.gov/government/permits-and-other-city-forms>>.

#### **Council Policy 005 Block Parties**

This policy outlines the procedure for block party requests in the City of Santa Clara. Council Policy 005 is administrative in nature. The procedure and application for neighborhood block parties can be accessed from the Neighborhood Block Party page on the City's website:

[www.santaclaraca.gov/residents/leisure-entertainment/neighborhood-block-party](http://www.santaclaraca.gov/residents/leisure-entertainment/neighborhood-block-party)  
<<http://www.santaclaraca.gov/residents/leisure-entertainment/neighborhood-block-party>> and is captured in the administrative policy. CMD 068.

Council Policy 011 Dance Permit

This policy outlines the procedure for holding public dances in the City of Santa Clara. Council Policy 011 is also administrative in nature, and is contained in Section 5.85 Public Dance Halls and Public Dances of the Santa Clara City Code (Attachment 11). Information on the permit process for holding events with dancing activity is contained in the City's Special Event application, which is accessible from the Special Events page on the City's website:

[www.santaclaraca.gov/government/permits-and-other-city-forms/special-events](http://www.santaclaraca.gov/government/permits-and-other-city-forms/special-events)  
<<http://www.santaclaraca.gov/government/permits-and-other-city-forms/special-events>>. The administrative process is described in the Special Events internal procedure.

Council Policy 019 Parades and Processions

This policy outlines the procedure for holding a parade or procession in the City of Santa Clara. Council Policy 019 is duplicative, as it is contained in Section 12.15 Parades and Processions of the Santa Clara City Code (Attachment 12). Information on the parade permitting process and the parade permit application can be accessed online from the Permits and Other City Forms page on the City's website:

[www.santaclaraca.gov/government/permits-and-other-city-forms](http://www.santaclaraca.gov/government/permits-and-other-city-forms)  
<<http://www.santaclaraca.gov/government/permits-and-other-city-forms>>. Additionally, the City's special event permitting process requires groups and individuals who wish to hold a parade or procession to complete a Special Event application, which is accessible from the Special Events page on the City's website:

<[www.santaclaraca.gov/government/permits-and-other-city-forms/special-events](http://www.santaclaraca.gov/government/permits-and-other-city-forms/special-events)>.

The administrative process is described in the Special Events internal procedure.

Council Policy 022 Races/"Fun Runs"/Walks

This policy provides guidelines and outlines the procedure for obtaining permits. Council Policy 022 is administrative in nature and information on the permitting process for races, "fun runs," and walks can be found online on the Special Events page on the City's website:

[www.santaclaraca.gov/government/permits-and-other-city-forms/special-events](http://www.santaclaraca.gov/government/permits-and-other-city-forms/special-events)  
<<http://www.santaclaraca.gov/government/permits-and-other-city-forms/special-events>>. The administrative process is described in the Special Events internal procedure.

Council Policy 025 Sale of City of Santa Clara Flags

This policy provides information on where and how City flags can be purchased, as well as provides the protocol and proper use of the City flag. Council Policy 025 is administrative in nature. City of Santa Clara flags are available for purchase directly from the Finance Department/Municipal Services Division cashiers' window. The fee for a City flag is listed in the City of Santa Clara Municipal Fee Schedule (Attachment 13) which is also available on the Finance Department page on the City's website: <<http://santaclaraca.gov/government/departments/finance>>. Information on where to purchase the City flag and the flag protocol is on the City's website:

<http://santaclaraca.gov/residents/leisure-entertainment/shop-santa-clara>. Additionally, the City flag protocol is on file with the Finance Department, and is distributed with the sale of a City flag.

Council Policy 027 Special Outdoor Events on City Property

This policy outlines the procedure for special events on City property; however, this policy is administrative in nature and does not reflect the City's current procedure for special events. Information on the special events permitting process and the City's Special Event application can be found the Special Events page on the City's website:

[www.santaclaraca.gov/government/permits-and-other-city-forms/special-events](http://www.santaclaraca.gov/government/permits-and-other-city-forms/special-events)  
<<http://www.santaclaraca.gov/government/permits-and-other-city-forms/special-events>>. The administrative process is described in the Special Events internal procedure.

#### Council Policy 044 Feeding Animals in City Parks

This policy is duplicative, as City Code Section 6.05.130 titled "Feeding of animals on posted public property prohibited" addresses the issue. This section requires a sign be posted warning the public that the feeding of animals on the specified public property is prohibited (Attachment 14).

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

#### **FISCAL IMPACT**

There is no fiscal impact other than staff time.

#### **COORDINATION**

This report has been coordinated with the City Manager's Office, City Attorney's Office, Police Department, Fire Department, Finance Department, and Parks and Recreation Department.

#### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

#### **RECOMMENDATION**

Adopt a resolution rescinding Council Policy 001 Amplified Sound Permits, Council Policy 005 Block Parties, Council Policy 011 Dance Permit, Council Policy 019 Parades and Processions, Council Policy 022 Races/"Fun Runs"/Walks, Council Policy 025 Sale of City of Santa Clara Flags, Council Policy 027 Special Outdoor Events on City Property, and Council Policy 044 Feeding Animals in City Parks.

Reviewed by: Walter C. Rossmann, Chief Operating Officer

Approved by: Deanna J. Santana, City Manager

#### **ATTACHMENTS**

1. Council Policy Manual Work Plan Matrix
2. Council Policy 001 Amplified Sound Permits
3. Council Policy 005 Block Parties
4. Council Policy 011 Dance Permit
5. Council Policy 019 Parades and Processions
6. Council Policy 022 Races/"Fun Runs"/Walks
7. Council Policy 025 Sale of City of Santa Clara Flags
8. Council Policy 027 Special Outdoor Events on City Property

- 9. Council Policy 044 Feeding Animals in City Parks
- 10. Excerpt from Santa Clara City Code - Section 9.05.06
- 11. Excerpt from Santa Clara City Code - Section 5.85
- 12. Excerpt from Santa Clara City Code - Section 12.15
- 13. Excerpt from 2018-19 Municipal Fee Schedule
- 14. Excerpt from Santa Clara City Code - Section 6.05.130
- 15. Resolution