



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**January 18, 2022**

---

**TOPIC:** Proposed Events Permit Policy and Amendments to the Fiscal Year 2021-2022 Miscellaneous Fees Resolution specific to Film Permits and Park Facility Permits

---

**AGENDA TITLE:**

Public Hearing - Proposed City of Santa Ana Events Permit Policy and Amendments to the Fiscal Year 2021-2022 Miscellaneous Fees Resolution specific to Film Permits and Park Facility Permits

**RECOMMENDED ACTION**

1. Adopt a resolution approving the proposed Events Permit Policy, including park facility permits, film permits, land use certificate, and special event permits.
2. Adopt a resolution amending fees in the Uniform Schedule of Miscellaneous Fees for Fiscal Year (FY) 2021-22 specific to film permits and park facility permits.

**DISCUSSION**

On November 16, 2021, the City Council considered adoption of a resolution approving the proposed Events Permit Policy and directed staff as follows:

1. CITY COUCIL INPUT: Bring back the proposed policy and fee amendments at the same time for City Council consideration.

ANSWER: The proposed policy and fee amendments are attached as Exhibit 1 and 2 for City Council consideration.

2. CITY COUCIL INPUT: Consider adding Cultural Celebrations, Holiday Events and Neighborhood Associations to one of the top three priority classifications.

ANSWER: The City is being purposeful in avoiding any policies that require staff to evaluate the content or message of an event when deciding whether to grant a permit or to give priority. These types of policies and/or decisions can lead to claims of constitutional violations. In the event of litigation, content-based restrictions are subject to strict scrutiny and require a compelling government interest, which is a high threshold. Anyone that would like to have a holiday event, cultural celebration or

neighborhood association event can do so by preparing an application up to one year in advance to secure the desired event location.

3. CITY COUCIL INPUT: Consider a fee exemption for film permits specific to high school and college students in Santa Ana.

ANSWER: The proposed resolution amending fees in the Uniform Schedule of Miscellaneous Fees for Fiscal Year (FY) 2021-2022 reflects no fee for Film permits specific to high school and college students residing or attending school in Santa Ana.

4. CITY COUCIL INPUT: Consider a more structured standard regarding the amount of police officers required for an event.

ANSWER: Reviewing permit applications for special events to determine how many police officers and/or private security guards will be required to ensure a safe event includes a variety of factors, such as the following: number of participants, nature of event, location of venue, will alcohol be served/present, will the event be staffed with private security guards, etc.

Generally, events with over 500 people typically require a minimum of two police officers per every 500 in attendance. Again, the nature of the event and activities will dictate whether this requirement applies or whether additional police officers may be required. For example, a large street closure might require additional police officers to mitigate traffic and parking related concerns.

5. CITY COUCIL INPUT: Consider public safety requirements to include use of private security and/or event organizers own peace officers.

ANSWER: There are alternatives to police officers. When event attendance numbers are less than 500, use of licensed security guards to monitor/ensure security at the event is acceptable. However, additional factors, including complex/large street closures, parking issues, the inclusion of a beer garden, etc. may dictate a need for law enforcement, even when attendance numbers are less than 500.

6. CITY COUCIL INPUT: Currently, costs are prohibitive for event organizers, such as churches, when police officers are required for a large event.

ANSWER: Not all events require police officers or private security guards. For example, even though attendance at a church-sponsored event may exceed 500 people, police officers may not be required provided adequate security measures (including private security guards) are in place that ensure the safety of the attendees. On the other hand, a rock concert requiring a street closure with an expected attendance of 1,000 will likely require four police officers in addition to event private security guards. The same concert

with an expected attendance of 2,000 people would require eight police officers and a police sergeant. However, if the event organizer were to increase the number of private security guards, the number of required police officers might be less than eight.

7. CITY COUCIL INPUT: Consider making fees less cost prohibitive for smaller events that do not warrant police officers.

ANSWER: The City Council adopted the Fiscal Year 2021-22 Miscellaneous Fees Schedule specific to Land Use Certificates and Special Events on June 1, 2021. Generally, events with less than 500 people do not require police officers, provided they have their own certified private security guards. Typically, one security guard per each 50 to 100 persons in attendance will suffice unless additional security is required to monitor entry/exits/high value equipment or displays. Additional security guards and/or a security guard supervisor may be required depending on the nature of the event.

8. CITY COUCIL INPUT: Reach out to groups that previously held cultural events in the City of Santa Ana but then left for another city.

ANSWER: City staff is not aware of any previously held cultural events held in the City of Santa Ana but then left for another city due to application complications, etc.

9. CITY COUCIL INPUT: Consider an exempt category for low-key events that are coordinated at the last minute.

ANSWER: The reason the City does not consider an exempt category for low-key events that are coordinated at the last minute is due to multiple agencies review timelines (i.e. fire needs 10 working days; health agency needs one month, etc.).

10. CITY COUCIL INPUT: Consider creating a flow chart of the permit process.

ANSWER: A flow chart might be confusing to the applicant due to multiple variables of each event. A checklist attached to the application provides information to assist the applicant through the permit process.

11. CITY COUNCIL QUESTION: How, in the future, is this policy going to allow events on short notice due to the 90-day minimum requirement for Major events?

ANSWER: Three months is the minimal amount for a large-scale event; it can be a safety concern if we do not have sufficient time to evaluate details of an event.

12. CITY COUNCIL QUESTION: Why did the application timeline increase from 30 days in advance to 45 days for moderate and minor events?

ANSWER: An extra fifteen days provides time to review information submitted by an applicant, such as insurance requirements, health department documentation, etc.

### **Proposed Events Permit Policy**

The proposed Events Permit Policy (Exhibit 1) does not include any updates post the November 16, 2021 City Council meeting.

Reservation permits are not required for use of City outdoor facilities for all gatherings with 40 or less people (SAMC Section 31- 3.) Unreserved outdoor athletics facilities, park facilities, and open space areas are available for drop-in use by private parties on a first-come, first-served basis. Reservations have priority over drop-in/walk-on activities. Drop-in use may be limited to accommodate maintenance needs of the turf on all fields. Stadium fields and lighted sports fields are not available for drop-in activities. Examples of Drop-In activities includes a group of friends playing basketball or a family playing soccer. These are not an organized use of fields or courts, such as officiated games, uniformed teams, organized team practices, or activities offered or associated with a for profit or nonprofit organization; which would require an approved reservation.

### **Proposed Miscellaneous Fees for Film Permits and Park Facility Permits**

On September 15, 2020, the City Council received and approved the Parks, Recreation and Community Services Agency (PRCSA) Service and Financial Sustainability Study. Through the action of receiving and approving the study, and a strategy for implementation of recommendations, the City Council accepted the use of the tools, methods, and strategies the PRCSA requires to sustain itself for the long term.

On November 17, 2020, the City Council adopted Resolution 2020-083 approving a cost recovery policy (Policy) for the PRCSA.

On June 1, 2021, the City Council adopted Resolution 2021-027 establishing a Uniform Schedule of Miscellaneous Fees for Fiscal Year 2021-22, including fees for Parks, Recreation and Community Services such as recreation programs fees, zoo education program fees, and event permit fees.

Determining amendments to Fiscal Year 2021-22 Miscellaneous Fees specific to film permits and parks facility permits included the following considerations:

- PRCSA Cost Recovery Policy
- Group structure (resident, non-resident)
- Implementing best practices

The proposed resolution for fee amendments intends only to address fees directly associated with Film Permits and Parks Facility Permits as follows:

- a) There are seven proposed fees created for items that did not have fees before in order to increase community participation while providing residents discounted fees.
- b) Change to group structure to correspond to the Events Permit Policy. Includes resident and nonresident permit priorities and corresponding fees.

### **ENVIRONMENTAL IMPACT**

There is no environmental impact associated with this action.

### **FISCAL IMPACT**

During the three previous Fiscal Years (FY 2017-18, FY 2018-19, FY 2019-20) the average revenue generated by (Recreation Facility Rentals 01113002-57361 & Film Permits 01113002-51301) was \$32,000 annually. Despite operations effected by Federal, State, and County guidelines in response to the COVID-19 pandemic, recreation facility reservations and film permits are currently 4 percent below forecasted revenue goals for FY 2021-22 year-to-date.

While revenue forecasts remain uncertain due to COVID-19 guidelines, staff estimates that with the adoption of these amended fees that revenues will remain consistent with previous years through FY 2021-22, with an increase in recreation facility reservation and film permit revenues being realized in FY 2022-23 as the Event Permit Policy is implemented, adjusted, and optimized for maximum community impact.

### **EXHIBIT(S)**

1. Resolution to adopt the City of Santa Ana Events Permit Policy
2. Resolution to adopt Amendments to Uniform Schedule of Miscellaneous Fees for Fiscal Year 2021-2022 specific to Film Permits and Park Facility Permits

Submitted By: Lisa Rudloff, Executive Dir. of Parks, Recreation and Community Services

Approved By: Kristine Ridge, City Manager