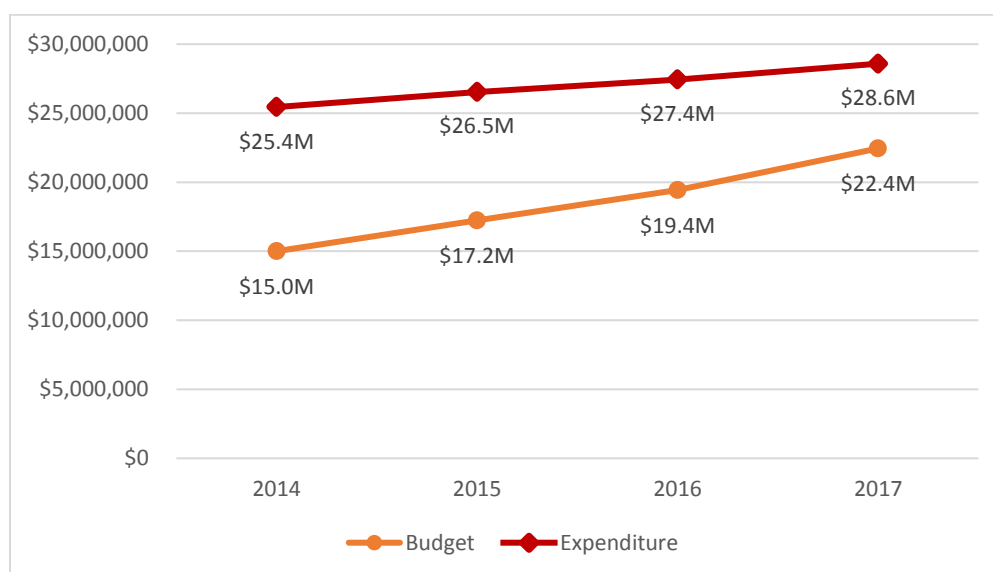


SPD Overtime Overexpenditure Workgroup Report
Response to SLI #203-1-A-2-2018

Introduction

During the 2018 budget process the Council expressed an interest in imposing greater fiscal oversight and controls upon the Seattle Police Department's (SPD's) use and management of overtime. This interest was driven by the fact that SPD's overtime expenditures have regularly exceeded its allotment in recent years, and informed by a 2016 City Auditor audit of SPD overtime.

Table 1. SPD Adopted Overtime Budget and Expenditures, 2014-2017.



In order to better understand the factors underlying this chronic pattern of spending, the Council requested the Executive to convene an interdepartmental team (IDT) comprised of representatives from the Mayor's Office, City Budget Office, Seattle Police Department (SPD), Office of Police Accountability (OPA), Office of Inspector General for Public Safety (OIG), Council staff for the Chair of the committee responsible for public safety matters, and Council Central Staff, with the City Auditor and Community Police Commission (CPC) serving in an advisory capacity.

This report responds to SLI 203-1-A-2 2018, focused on the four priorities identified in the SLI:

1. Comprehensively describing SPD's overtime policies and practices in relation to the findings and recommendations in the 2016 Office of City Auditor report on SPD overtime controls;
2. Identifying the sources and root causes of the historical gap between SPD budgeted and actual overtime spending (overexpenditure gap) that accounts for factors such as service level needs, staffing levels, population growth, any shifts in systemic practices, and historical events, and that seeks to distinguish between legitimate needs and unnecessary overtime;
3. Evaluating best practices in overtime across the country that may inform SPD's systems; and
4. Issuing recommendations on (a) the most impactful strategies to reduce the overexpenditure gap and (b) strategic approaches to overtime budgeting and budget requests (supplemental and fall budgets) that will give Council a meaningful opportunity to review and approve or disapprove of anticipated overtime expenditures.

Part One: SPD Overtime Policies and Practices and the 2016 Auditor's Report

At the request of former Seattle Police Chief Kathleen O'Toole, the Seattle Office of City Auditor conducted an [audit of SPD's overtime controls](#) in 2017. Their goal was to determine if the Seattle Police Department engaged adequate leadership, management oversight, and supervisory controls to manage SPD's overtime spending, which had increased annually since 2010 and consistently exceeded its overtime allocation. They determined that, though some factors contributing to this growth in expense were outside of SPD's control, there were some internal improvements to be made. Ultimately, they

issued thirty recommendations that fell into six broad categories (see Appendix 2 for a complete list of the audit recommendations):

1. **Overtime Policies and Procedures:** The Auditor found that SPD should develop and enforce a clear overtime usage policy, to include guidance on the appropriate use of overtime and how such work is to be authorized, documented, and coded in the payroll system.

SPD Response: On May 1, 2017, SPD revised the Department Manual section on overtime, 4.020 – Reporting and Recording Overtime/Out-of-Classification Pay, to address the specific concerns brought up by the Auditor. The revision established that all overtime must be pre-authorized by supervisors and provided guidance to supervisors on when overtime is and is not warranted. It also established clear administrative procedures surrounding overtime. Per Department practice, the revised policy was formally distributed to all personnel, 97% of which acknowledged receipt and took a brief quiz on the policy changes. Additionally, budget and overtime training is now provided to all new managers.

2. **Budgeting for Overtime:** The Auditor found that, based on management practices, SPD's overtime budget was not set at realistic levels to fund actual overtime needs. As a result, the department consistently overspent its budget, sometimes significantly. The auditor recommended that SPD develop a realistic overtime budget that reflects the input of supervisors (i.e., primarily captains) who spend against the budget, the number of department vacancies, planning for special events, and other factors. The auditor recommended supervisors then be held accountable to that budget.

SPD Response: SPD continues to monitor overtime use each month. SPD command staff regularly discuss issues related to overtime. Both SPD and the City Budget Office review the Department's overtime use each month and share this data with Council Central Staff.

3. **Overtime Operational Controls:** The Auditor found that day-to-day operational controls were inadequate to ensure that overtime is paid accurately, monitored thoroughly, and approved only in compliance with policy and procedure. The Auditor recommended improvements to processes related to approvals and authorizations, recording of overtime, reconciliation of hours paid to hours worked, and recordkeeping. Specific recommendations included the implementation of an automated staff scheduling and timekeeping system and an increase in civilian staffing, as opposed to sworn, for certain tasks.

SPD Response: The 2017 and 2018 Budgets provided funding for an automated work scheduling and timekeeping system that will allow for increased automation of enforcement of thresholds and controls. The system will also facilitate oversight and monitoring of overtime coding and use and compensatory time thresholds. As of August 22, 2018, the anticipated citywide "go live" date for the work scheduling and timekeeping system is May 2019. The project timeline was extended when other City departments expressed interest in securing a similar solution and subsequently added onto the project.

The May 1, 2017, revisions to SPD Manual section 4.020 addressed many of the concerns raised by the auditors. The Department used the issuance of their revised overtime policy and the communication that accompanied it to stress the importance of proper coding of overtime and of enforcing policies and the procedures that go with them. Additionally, SPD began to manually review payroll records for errors in the 4th quarter of 2015.

Growing civilianization, where appropriate, continues to be an important goal of the Department. In response to the audit, SPD reviewed job functions performed by sworn personnel and made a list of those it believes could be done by civilians instead. Civilianization of sworn functions is subject to bargaining with the Seattle Police Officers Guild.

4. **Overtime Management Controls:** The Auditor found that SPD did not adequately and consistently monitor overtime, or review overtime data to identify potentially abusive or unnecessary overtime. They recommended improvements to reporting and monitoring department-wide and at the section level.

SPD Response: The revised overtime policy clearly communicates expectations surrounding both overtime coding and overtime monitoring, including who is responsible for it and how often it must be conducted. The SPD Budget Section provides overtime information on a monthly basis to SPD Command Staff (i.e. Captains and higher ranks). Overtime use is discussed at Command Staff meetings. Assistant Chiefs use the reports to discuss overtime use with their respective captains. The Budget Section is also available to answer questions or meet with command staff to resolve issues. SPD Payroll is also conducting periodic reviews of supporting documents for overtime work that will address whether overtime is being worked and paid in compliance with policies and procedures and prevent and detect unnecessary or abusive overtime.

5. **Special Events Overtime Controls:** The Auditor found that SPD needed to improve processes related to the planning, authorization, and recording of special events overtime, as well as practices to ensure that reimbursable costs are billed and collected in a timely fashion. These efforts, however, must be done in accordance with City Ordinance 124860 and in cooperation with the City's Office for Special Events. Ultimately, this portion of the audit resulted in a [follow-up audit](#), published in December 2017.

SPD Response: Efforts in this area are ongoing. Event staffing is done and/or reviewed during weekly special events meetings at the Seattle Police Operations Center (SPOC). SPD Budget staff began participating in weekly SPOC meetings in 2016. Clear expectations for event staffing will be included in a new policy that documents SPD's standard for event planning, which is currently in development.

Though SPD's role in billing for events is limited by [Ordinance 124860](#), we continue to work with the Special Events Office to establish procedures to provide actual SPD staffing hours so SEO can bill more accurately. For more information regarding the Special Events Ordinance, see Appendix 3. A Budget and Policy Analyst has been hired to contribute to this effort and to implement a more comprehensive analysis of special events staffing, including comparing actual hours worked with planned hours worked.

SPD has revised and simplified the After Action Report (AAR), with the goal of collecting useful staffing information quickly. We continue to emphasize the importance of properly filling out the AAR and Event Summary forms, which are used to record SPD time worked for special events. The new work scheduling and timekeeping system, currently planned for implementation in 2018, will simplify and streamline the process considerably.

6. **Off-Duty Police Work:** The Auditor found that SPD has little control over off-duty police work and does not have a mechanism in place to track off-duty hours worked by SPD employees, even though this off-duty work can result in officer fatigue. They recommended that SPD increase oversight in this area and begin to track off-duty work.

SPD Response: Former Mayor Burgess issued an Executive Order on September 13, 2017, ordering the Seattle Police Department (SPD) to establish an internal office, directed and staffed by civilians, to regulate and manage the off-duty employment of its employees. A task force of SPD and Executive branch officials was formed to work on this project. The requirements laid out by the off-duty work group include reporting on off-duty hours worked by individuals. This work is ongoing.

Part Two: Historical Gap Between SPD Budgeted and Actual Overtime Spending

In any given year, SPD's total overtime expenditure will normally exceed the portion of the department's budget for overtime. Overtime spending becomes a problem when it forces the Department over its Adopted Budget and the City must increase appropriations to balance the SPD budget.

Overtime is considered a tool to address fluctuations in workload needs. The need for overtime cannot always be anticipated, which can make it difficult to set an adequate overtime budget. To the extent possible, SPD uses savings from other budget accounts to help mitigate the overtime budget gap. In 2014, SPD was projected to overspend its budget and received funding in a Q4 Supplemental.

Ultimately, however, the department ended the year without needing the extra resources. In 2015 and 2016, the department did not operate within its budget, which necessitated an appropriation for balancing the budget at year-end. Some of this overage can be attributed to the overtime budget gap. In 2017, the department operated within its budget. In each of these years, the major drivers of overtime varied. The table below shows the year-end figures for overtime and the SPD bottom line.

Table 2. SPD Overtime Budget Gap and Year-End Balance, 2014-2017

	2014	2015	2016	2017
Overtime Budget - Revised	\$20,462,256	\$22,087,351	\$21,774,525	\$23,438,226
Overtime Expenditures	\$25,143,008	\$26,285,811	\$27,017,618	\$28,408,391
Overtime Budget Gap	(\$4,680,752)	(\$9,198,460)	(\$8,243,093)	(\$4,970,165)
Actual SPD Bottom Line*	\$4,822,479	(\$2,058,310)	(\$1,166,987)	\$3,572,814

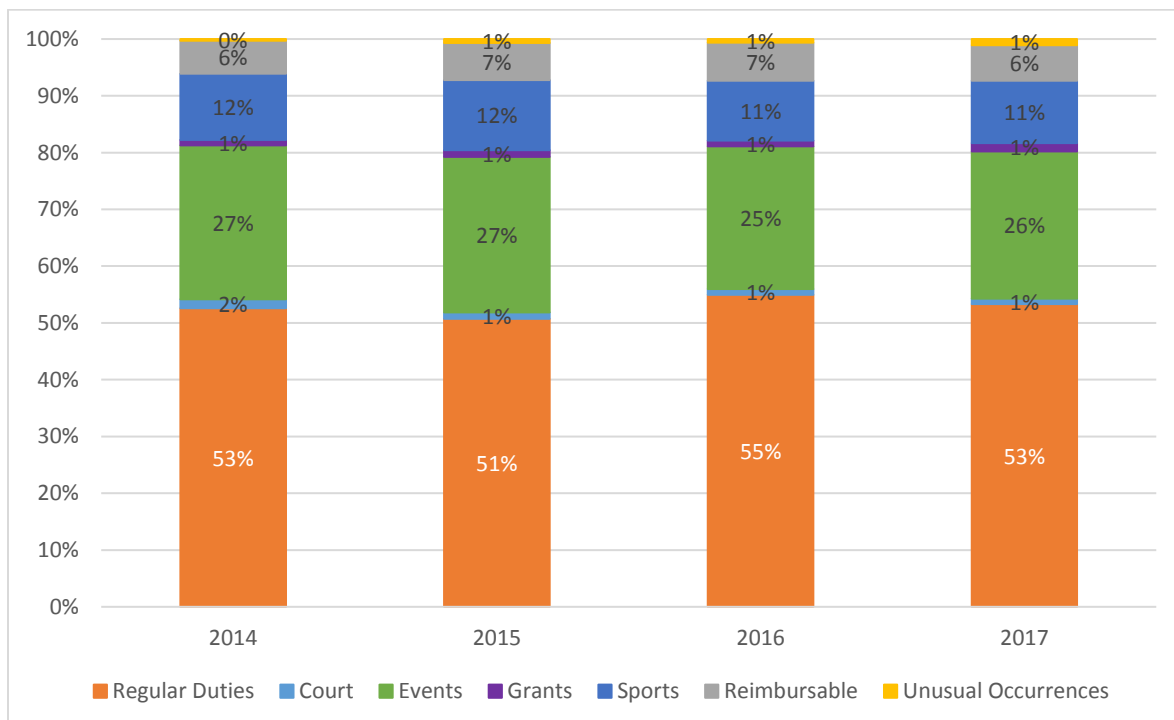
*Prior to any encumbrances or carry forwards; revised budget does not include Q4 Supplemental plug to show real impact of budget gap

SPD, as an emergency response agency, requires 24/7 staff coverage. Employees work overtime based on departmental needs, including:

- Additional police services for events (e.g. parades, music festivals, and dignitary visits);
- High workload for the current level of staffing;
- Peak workloads due to crimes or other conditions;
- Backfilling for absent staff and covering for vacant positions;
- Attending training; and
- Police services for unexpected events, such as demonstrations or protests.

As noted above, there are many variables that contribute to the department’s annual overtime expense. While the overtime budget gap cannot be generally attributed to a specific type of overtime, the department’s overtime reporting structure does allow for regular analysis of the type of work that is performed on overtime, using the Resource Categories (RCATs). There are seven high-level RCAT categories: Court, Events, Grants, Reimbursable, Sports, Unusual Occurrences, and Regular Duties. Within each of those there are several levels of more detailed information, from RCAT groupings like “Training” or “Protests” to specific activity codes that describe SPD’s work at the most granular level.

Table 3. Historical Composition of Overtime Usage (in Hours) by RCAT Category, 2014-2017.



*Majority of actual Sports overtime cost is reimbursable through Memorandums of Understanding

From this coding, we know that in any given year, overtime usage is driven by a variety of factors, such as staffing levels, special events, both of which are discussed in greater detail below.

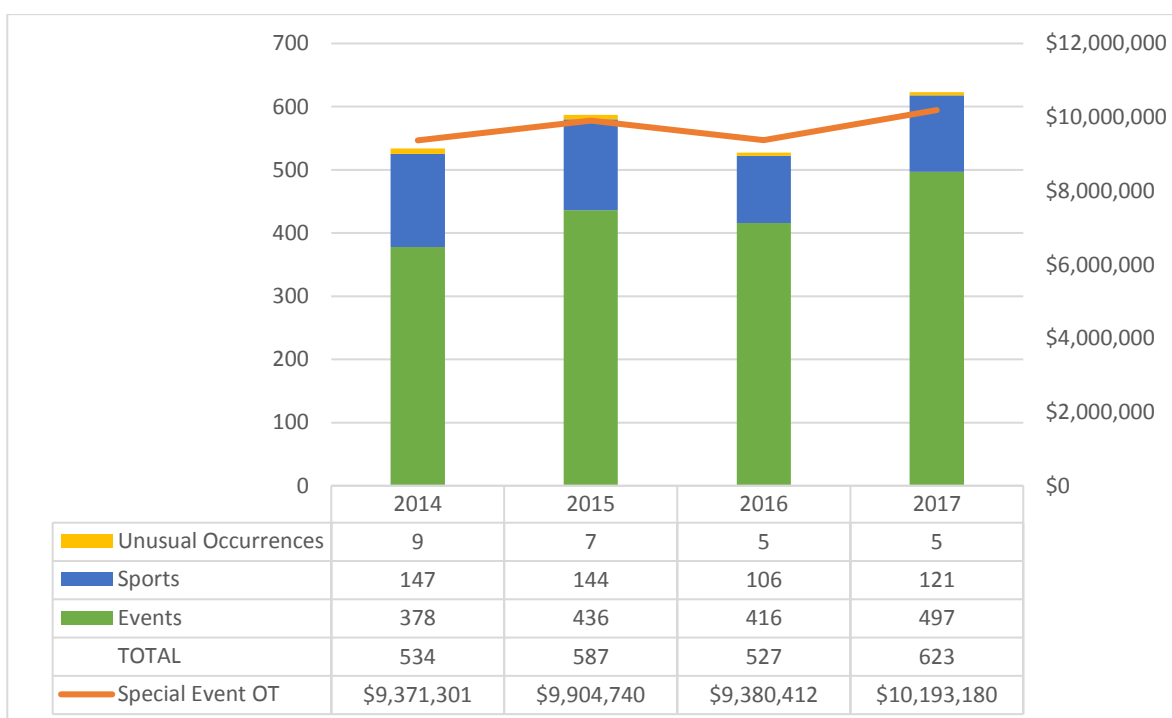
Staffing Levels

While salary savings is frequently used to offset overtime overexpenditures, there is not a direct relationship between staffing levels and overtime use. Fluctuations in the staffing levels of sworn officers is one of the many contributing factors that drive overtime usage. In 2017, 89.5% of SPD’s overtime cost came from hours worked by sworn officers.¹ While the use of overtime is necessitated by changes in staffing levels on a day-to-day basis, the absolute increase in the number of sworn officers from 2014-2017 did not result in a decrease in overtime usage over the same period.

Special Events

SPD provides public safety and/or traffic control services for special events in the City. Special events include a variety of different types of events, from sports to protests and parades. Over the last several years there have been fluctuations in the number of events and the cost of overtime needed to staff special events. The overtime cost associated with special events rose 9% from 2014 to 2017. The number of events (i.e., the number of activity codes generated) increased 17% over the same period. Special Events overtime represents a large portion of the total overtime expense (40% in 2017). The department has dedicated staff resources in the Seattle Police Operations Center (SPOC) who are primarily responsible for special event planning and oversight.

Table 4. Count of Special Event Numbers versus Total Special Event Overtime Expense, 2014-2017.



Part Three: Best Practices

While performing the 2016 audit of SPD’s overtime controls, the Seattle Office of the City Auditor collected benchmarking information from 11 municipal police departments, using this information to determine how SPD’s practices compared to those among comparable agencies on the West Coast. They analyzed information pertaining to:

- Demographics (including population and land area)
- Staffing (total, sworn, and civilian)
- Agency budget, overtime budgets, and actual overtime expenditures
- Collective bargaining provisions affecting overtime
- Overtime budgeting, management, and reporting systems
- Special events overtime reimbursement policies

¹ As measured by percentage of dollars spent on overtime.

- Off-duty policing and secondary employment
- Use of civilians for background checks and training
- Agency thresholds for work hours

The Auditor found that SPD's performance was typically in alignment with its peers. This benchmarking did inform the Auditor's recommendation that SPD implement a timekeeping software – something that half of the agencies use to manage overtime – and their recommendations pertaining to special events cost recovery and off-duty work.

In response to the Auditor's recommendations, SPD amended its policies and procedures related to the requesting and monitoring of overtime. The revised Seattle Police Department Manual Section 4.020 specifies that:

- Every overtime shift must be pre-approved by a supervisor, unless employees are actively participating in a major incident;
- Employees may not work more than 90 total hours in one week, including regular time, overtime, compensatory time, and off-duty employment;
- Supervisors are responsible for minimizing the use of overtime by approving only those shifts that are necessary to the mission of the department;
- Employees will submit requests for overtime using the appropriate form according to policy, and supervisors will document the reason/justification for each shift; and,
- Lieutenants and managers are responsible for monitoring overtime use within their own sections, including the reason for the overtime and the amount worked by each individual.

The Budget and Policy Section provides supervisors, managers, and Command Staff with detailed overtime information at the end of each month in order to support their efforts to monitor overtime use. The reporting provides a department, bureau, section, unit and individual accounting of overtime worked during the reporting period and a year-to-date look at usage against expected totals. Additionally, the Section provides Command Staff with a mid-month overtime report at the end of each pay period for review and dissemination at their discretion. This report provides an opportunity for Commanders to review their section's activity and make operational adjustments, as needed.

Department overtime use is regularly discussed at weekly Command Staff meetings. Individual bureau chief meetings take place as appropriate to discuss issues, share trends that the Budget and Policy Section see in its regular analysis of overtime, and strategize about ways to alleviate overtime use where appropriate. SPOC exists to ensure that consistent staffing principles are used, staffing plans and after action reports are completed, and reporting is done in conjunction with an analyst in the Budget and Policy Section.

The limitation of this effort is the department's need to rely on payroll data for its overtime reporting and analysis. The data become available approximately one week after the end of the pay period. Due to the two-week pay period cycle this can often go deep into the next month before a complete month's worth of data become available. This retrospective look delays reporting and limits the ability of supervisors and managers to adjust operations.

Part Four: Recommendations

1. Support of the Auditor's Recommendations

In 2015-2016, at the request of then-Chief O'Toole, the City Auditor's Office spent months examining the leadership, management oversight, and supervisory control to manage SPD's overtime. The report they generated is a detailed review of best practices and issuance of recommendations to the Department. This SLI-created workgroup recognizes the role of the auditor and work they performed in the generation of managerial and technical recommendations of the 2016 SPD Overtime Audit. In addition, this workgroup recognizes the work SPD has done to date to make changes in response to the audit and recommends SPD continue to pursue and adopt the recommendations of the Overtime Audit.

2. Further Explore Special Events and Special Event-Related Cost Recovery

Through the conversations and meetings with workgroup members, the IDT expressed strong interest in further discussions of and analysis of special events. The goal of this analysis would be to inform the Special Events Committee in making an adjustment to the Special Events rate.

At present, SPD charges a \$67 per-hour flat rate cost when staffing special events. This amount is legally established by Seattle Municipal Code 15.52.070 and the dollar value is determined by the Special Event Committee. This rate, set in 2015 through [Ordinance 124860](#), has not been adjusted in several years and does not include additional costs that are borne by the City. The rate does not include key elements associated with police staffing, including costs associated with vehicles, equipment, or overhead. From a parity standpoint, there are some organizers who merit the MOU process and are charged prices much closer to true cost than those that go through Special Events.

Real cost recovery associated with special events is much higher than the prescribed \$67/hour fee. The workgroup recommends a follow-up effort to explore full cost recovery. The workgroup recognizes the political challenges to ever achieving true cost recovery on special events. However, it believes that the first step to addressing the discrepancy is being fully informed as to true cost and using that as a starting point for conversations around changes to the Special Events fee for police services.

3. Incorporate community ideas into ongoing discussions around SPD staffing and overtime

The workgroup discussion and interest areas reflect varied views of staff representing many City departments. A voice, however, that has not yet been heard in this conversation is that of the community. The workgroup recommends the ongoing incorporation of community ideas and perspectives into conversations around SPD staffing and overtime. The Community Police Commission is positioned to support this work through their ongoing dialogue with community about issues of policing and reform. The workgroup recommends the CPC provide feedback and recommendations as appropriate, informed by their community contacts, to further the dialogue around what changes would best increase community confidence and ultimately promote and support constitutional and bias-free policing.

Conclusion

The City Auditor's Overtime audit is a comprehensive review of SPD overtime issues and opportunities. Convening this workgroup, however, has brought diverse stakeholders together to discuss and better understand the nuances of SPD overtime need, use, challenges, and opportunities. Overtime is a complex topic and there is still room for improvement. SPD continues to use the Auditor recommendations to guide and inform changes to overtime policies and management and the workgroup supports that ongoing effort. The workgroup also recommends further analytic work be undertaken around understanding cost recovery to inform changes in the Special Events Ordinance. Finally, the workgroup supports the incorporation of community ideas into discussions around SPD staffing and overtime. Together, these recommendations will support ongoing visibility and process improvements into SPD overtime.

2018 Seattle City Council Statement of Legislative Intent

Approved

Tab	Action	Option	Version
203	1	A	2

Budget Action Title: SPD Overtime Overexpenditure Workgroup

Ongoing: No

Primary Sponsor: Harris-Talley, Kirsten

Councilmembers: González; Herbold; O'Brien; Sawant

Staff Analyst: Amy Tsai

Budget Committee Vote:

Date	Result	SB	KH	LG	BH	LH	RJ	DJ	MO	KS
11/15/2017	Pass 9-	Y	Y	Y	Y	Y	Y	Y	Y	Y

Statement of Legislative Intent:

The Council has been interested for some time in imposing greater fiscal oversight and controls upon the Seattle Police Department’s (SPD’s) overtime budget and management control systems. In June 2016, in response to overtime concerns expressed in the Gender Equity, Safe Communities, and New Americans Committee, the Council adopted, and the Mayor subsequently signed, Resolution 31675, requesting regular briefings from the Seattle Police Department (SPD) on progress made in responding to a 2016 City Auditor audit of SPD overtime.

While SPD’s response to the audit recommendations indicates improved overtime controls, it remains to be seen what impact such actions will have on SPD’s overtime budget. Furthermore, further understanding of the factors underlying SPD’s chronic overtime overexpenditures is needed in order for the Council to make informed policy choices about overtime in future budgetary actions, whether in departmental supplemental requests or in the fall budget adoption process.

By February 23, 2018, the Executive is requested to convene an interdepartmental team (IDT) comprised of representatives from the Mayor’s Office, City Budget Office, Seattle Police Department (SPD), Office of Police Accountability (OPA), Office of Inspector General for Public Safety (OIG), Council staff for the Chair of the committee responsible for public safety matters, and Council central staff, with the City Auditor and Community Police Commission (CPC) serving in an advisory capacity.

The purpose of the IDT is to examine the root causes of SPD's historical overtime overexpenditures and propose solutions. By July 31, 2018, the IDT is requested to submit to the Chair of the Gender Equity, Safe Communities, and New Americans Committee and the Council Central Staff Director a report that does the following:

1. Comprehensively describe SPD’s overtime policies and practices in relation to the findings and recommendations in the 2016 Office of City Auditor report on SPD overtime controls;

2. Identify the sources and root causes of the historical gap between SPD budgeted and actual overtime spending (overexpenditure gap) that accounts for factors such as service level needs, staffing levels, population growth, any shifts in systemic practices, and historical events, and that seeks to distinguish between legitimate overtime needs and unnecessary overtime;
3. Evaluate best practices in overtime across the country that may inform SPD's systems; and
4. Issue recommendations on (a) the most impactful strategies to reduce the overexpenditure gap and (b) strategic approaches to overtime budgeting and budget requests (supplemental and fall budgets) that will give Council a meaningful opportunity to review and approve or disapprove of anticipated overtime expenditures.

The work of the group shall be informed by, among other things, data gathered by the City Auditor during the 2016 SPD overtime audit. The work shall include an examination of appropriate levels of staffing for activities that incur overtime, such as planned demonstrations. In generating recommendations, the work shall consider public safety and also take into account the culture of accountability and maintaining of public trust that is at the heart of the work of the police oversight entities.

The advice of the CPC may include an examination of how SPD overtime policies and practices can be structured to increase community confidence in the Department, and helping to ensure that the determination of what constitutes appropriate overtime is informed by community relationships and sustainable dialogue with Seattle's diverse communities that promotes constitutional and bias-free policing.

It is recognized that the City is currently under a consent decree subject to the jurisdiction of the U.S. District Court for the Western District of Washington, and that Consent Decree sets forth duties of the CPC. If the Court indicates that the review function set forth for the CPC in this green sheet is inconsistent with the terms of the Consent Decree, the terms of this green sheet shall be null and void with respect to the specific aspects that are in conflict.

Responsible Council Committee(s): Gender Equity, Safe Communities and New Americans Committee

Date Due to Council: July 31, 2018

Status of Audit Recommendations as of December 31, 2017

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
Seattle Police Department Overtime Controls Audit (April 11, 2016)	454	<p>SPD should develop and enforce a clear, detailed overtime usage policy that provides (a) management sufficient guidance on the appropriate uses of overtime,² including compensatory time, and (b) direction on the proper recording and coding of overtime in the City's payroll system. This policy should address the following:</p> <ul style="list-style-type: none"> the activities or service needs that may justify overtime; the activities or service needs that do not justify overtime or require special management approval; requirements for supervisory approvals and approval processes and documentation; any maximum thresholds for overtime hours or total work hours (i.e., regular time plus overtime and off-duty work hours); when compensatory time can be earned in lieu of payment for overtime; how employees should record overtime to ensure it is paid accurately (e.g., when to record hours in the City's Employee Self Service system or use an Event Summary Form); and how employees should code overtime to ensure accountability and transparency and to facilitate payroll and overtime monitoring processes. <p>This policy should include an effective date and an approval signature.</p> <p>[Recommendation 1]</p>	Implemented May 2017	The Seattle Police Department (SPD) revised the SPD Manual section on overtime, 4.020 – Reporting and Recording Overtime/Out-of-Classification Pay, on May 1, 2017. The revised policy addresses the items specified in the recommendation.	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> Rebecca Boatright (SPD Audit Liaison) Mark Baird (SPD) Brian Maxey (SPD)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	455	Additionally, SPD should train all employees on the policy and related procedures and monitor for compliance. [Recommendation 1]	Implemented May 2017	The Seattle Police Department (SPD) reported that it communicated the revised overtime policy to the entire department. Following SPD's normal method for distributing new policies, it was sent to all personnel and required answering a set of questions online to indicate understanding of the content of the policy. In addition, because responsibility for managing overtime is part of a manager's job, SPD is providing additional budget and overtime training to all new managers.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD)

¹This number is the recommendation's assigned number in our tracking database.

² For example, employees are required to obtain approval to work overtime but there is no clear guidance on how the approval is obtained and documented. There is also an exception where employees may work overtime without supervisory approval "when an operational need or work load requires the employee to work beyond their regular shift", but examples of circumstances where such exceptions may or may not apply are not provided.

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	456	<p>SPD should develop and enforce clear and detailed policies and procedures that address all overtime administrative processes, including the following:</p> <ol style="list-style-type: none"> 1. payroll processes for the handling and monitoring of overtime; 2. authorization of overtime before it is worked; 3. approval of recorded overtime before payment; 4. review of recorded overtime for errors or improper entry (e.g., duplicate entry or incomplete coding); 5. review of recorded overtime for appropriateness and to help prevent and detect unnecessary or abusive overtime; 6. management reporting and monitoring of overtime; 7. planning and reconciliation of special event overtime; 8. billing of reimbursable overtime, including which overtime costs are reimbursable by event organizers; and 9. account delinquency follow-up processes for reimbursable overtime. <p>Personnel should be trained in all overtime policies and procedures relevant to their job functions.</p> <p>Further, SPD's policies and procedures should be continually updated as process improvements are implemented.</p> <p>[Recommendation 2]</p>	Implemented May 2017	<p>The Seattle Police Department (SPD) revised the SPD Manual section on overtime, 4.020 – Reporting and Recording Overtime/Out-of-Classification Pay, on May 1, 2017, and communicated the new policy the entire Department, as described above. The revised policy addresses several of the items specified in the recommendation (e.g., the revised policy states that all overtime must be authorized before it is worked and approved before it is paid). SPD also developed policies and procedures for the billing of reimbursable overtime and handling of delinquent accounts.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
Seattle Police Department Overtime Controls Audit (April 11, 2016), continued.	459	Additionally, SPD should work with the City Budget Office and the City's Office for Special Events to develop and implement strategies for adhering to the overtime budget. [Recommendation 4]	Implemented June 2017	The Seattle Police Department (SPD) reported they continue to monitor overtime use each month. SPD command staff regularly discuss issues related to overtime. Both SPD and the City Budget Office review the Department's overtime use each month and share this data with Council Central Staff.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD)
	463	SPD should develop automated controls or processes for detecting payroll errors or non-compliance with key policies, such as: <ul style="list-style-type: none"> • duplicate payments for overtime; • entry of more than 24 hours in a single day; and • accrual of comp time in excess of maximum allowed. [Recommendation 8]	Pending	The Seattle Police Department (SPD) reported it currently manually reviews payroll records for errors. The errors are individually researched and resolved. This process began in the 4 th quarter of 2015. The 2017 Adopted and 2018 Endorsed Budget provides funding for an automated work scheduling and timekeeping system that will allow for increased automation of enforcement of thresholds and controls. SPD reported that they plan to transition from their manual review process when automated work scheduling and timekeeping systems come on line.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Mike Fields (SPD) 4. Jackie Reinen (SPD)
	464	SPD needs to enforce current overtime and compensatory time policies and procedures, including those related to the following: <ul style="list-style-type: none"> • proper documentation of overtime authorization and approval; • accurate activity and assignment coding of overtime; • compensatory time thresholds; and • accurate recording of overtime and standby time. [Recommendation 9]	Pending	The Seattle Police Department (SPD) reported they are enforcing policies related to overtime, standby, and compensatory time. The Department used the issuance of their revised overtime policy and the communication that accompanied it to reinforce this effort and stress the importance of these policies and the procedures that go with them. Department supervisors and managers are monitoring overtime for their units and sections. The 2017 Adopted and 2018 Endorsed Budget provides funding for an automated work scheduling and timekeeping system. The system will facilitate oversight and monitoring of overtime coding and use and compensatory time thresholds.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Mike Fields (SPD) 4. Jackie Reinen (SPD)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
Seattle Police Department Overtime Controls Audit (April 11, 2016), continued.	465	SPD should develop a way to record supervisory approval of all overtime in the payroll system and not allow payment without proper approval. [Recommendation 10]	Implemented May 2017	The Seattle Police Department (SPD) revised the SPD Manual section on overtime, 4.020 – Reporting and Recording Overtime/Out-of-Classification Pay, on May 1, 2017. The revised policy requires all overtime to be approved by a supervisor. SPD reported that in order for personnel to get paid for overtime, timesheets must be approved by a supervisor and Event Summary Forms must be signed by a supervisor.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Mike Fields (SPD) 4. Jackie Reinen (SPD)
	466	SPD should track all work time, including off-duty time, and require management approval for hours beyond the maximum allowable level. [Recommendation 11]	Pending	The Mayor issued an Executive Order on September 13, 2017, ordering the Seattle Police Department (SPD) to establish an internal office, directed and staffed by civilians, to regulate and manage the off-duty employment of its employees. A task force of SPD and Executive branch officials was formed to work on this project. The requirements laid out by the off-duty work group include reporting on off-duty hours worked by individuals.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Mike Fields (SPD) 4. Brian Maxey (SPD)
	467	SPD should ensure that all overtime hours are properly coded to specific activities to provide SPD management with adequate information on the overtime worked for the department. [Recommendation 12]	Implemented June 2017	The Seattle Police Department (SPD) reported that part of its regular review of overtime pertains to the proper coding of overtime hours. Overtime coding is reviewed to ensure the consistent use of codes throughout the Department. SPD management is regularly discussing issues regarding overtime coding when they are identified. The revised overtime policy requires that all overtime be properly coded, and overtime coding was covered in the 2017 communication to all Department personnel with notification of the new policy.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Mike Fields (SPD) 4. Jackie Reinen (SPD)

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	468	SPD should either (a) implement new scheduling and timekeeping systems or (b) enhance existing systems to include automated controls and to facilitate tracking and monitoring of overtime. [Recommendation 13]	Pending	The Seattle Police Department (SPD) reported the 2017 Adopted and 2018 Endorsed Budget provides funding for a work scheduling and timekeeping solution for the Department. SPD is currently involved in the procurement process for such a system. SPD plans to first deploy the new system in the Communications Center and evaluate its performance before moving forward with the rest of the Department.	Robin Howe (emailed RH)	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Mike Fields (SPD) 4. Jackie Reinen (SPD)
	469	SPD should consider staffing some positions with civilians, rather than sworn officers, to reduce overtime expenses. SPD should consider civilian staffing in the Background Unit, the Office of Professional Accountability, and the Education and Training Section. [Recommendation 14]	Implemented June 2017	The Seattle Police Department (SPD) reported that growing civilianization, where appropriate, continues to be an important goal of the Department. SPD reported that it reviewed job functions in the Department performed by sworn personnel and made a list of those it believes could be done by civilians instead. Executing these job changes will require bargaining with the Seattle Police Officers Guild.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Mike Fields (SPD) 4. Brian Maxey (SPD)
	472	SPD should re-visit its overtime coding structure and provide regular training to all staff on how to code their overtime. [Recommendation 17]	Implemented May 2017	The Seattle Police Department (SPD) reported that it reviewed its overtime coding structure. Further, the SPD Budget Section reviews overtime and looks at how overtime is coded every month. Anomalies are elevated to the appropriate chief for review. Coding overtime correctly is a topic discussed in the monthly SPD command staff Finance meetings. Accurate overtime coding was also included in the new overtime policy communicated to all staff in June 2017.	Robin Howe (emailed RH)	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Jackie Reinen (SPD)

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Seattle Police Department Overtime Controls Audit (April 11, 2016), continued.	473	SPD should increase the level and frequency of overtime monitoring required of section leaders and should ensure such monitoring is documented. To do this, SPD senior management should set clear expectations for how and when section leaders should monitor overtime (e.g., monthly, quarterly, bi-annually, annually). At a minimum, section leaders should conduct monthly reviews of overtime use by individual and activity. SPD should also develop a one-page monthly overtime monitoring sign-off sheet that identifies the information each section leader is responsible for reviewing, and section leaders should use these forms to document their monthly reviews. [Recommendation 18]	Implemented June 2017	The Seattle Police Department (SPD) reported that clear expectations were outlined in its new overtime policy. The SPD Budget Section provides overtime information monthly to SPD command staff (i.e., Captains and higher ranks). The Budget Section is available to answer questions and/or meet with command staff to resolve individual issues. The new work scheduling and timekeeping system, included in the 2017 Adopted and 2018 Endorsed Budget, will provide automated reporting and additional information.	Robin Howe (emailed RH)	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Brian Maxey (SPD)

	475	<p>SPD should consider assigning an analyst within SPD Finance or another area outside of SPD operations to monitor and research overtime. This proposed independent monitoring of overtime should supplement our recommended reviews by section leaders. This monitoring should assess whether overtime is being worked and paid in compliance with policies and procedures, and it should also be designed to prevent and/or detect unnecessary or abusive overtime. Any exceptions identified by the independent monitor should be followed up on by an administrative sergeant.</p> <p>Below are some overtime monitoring activities that should be conducted by someone independent of SPD's sworn field operations command structure:</p> <ul style="list-style-type: none"> • Conduct routine audits of the sections and individuals with the highest overtime (e.g., top 10%) to review compliance with policies and necessity of overtime reported. Review the supporting payroll documents for these employees. • Conduct periodic audits of overtime worked for randomly selected employees and pull and review supporting payroll documentation. • Run queries and analyses of payroll data to look for overtime that does not comply with department policies. For example, the San Francisco Police Department has an exception report of personnel working more than 14 hours in a day (i.e., their maximum cap for a workday) and this report is reviewed and followed up on by an administrative sergeant. • Run queries and analyses of payroll data to identify patterns that may 	<p>Implemented June 2017</p>	<p>The Seattle Police Department (SPD) reported that an Administrative Staff Analyst joined the SPD Budget Section on July 12, 2017, and started conducting overtime analyses. SPD Payroll is also conducting periodic reviews of supporting documents for overtime work that will address whether overtime is being worked and paid in compliance with policies and procedures and prevent and detect unnecessary or abusive overtime. Supervisors and managers are responsible for ensuring their staff members' overtime adheres to Department policy. This was emphasized with the roll out of the new overtime policy in May 2017.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD)
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		<p>indicate unnecessary overtime or overtime abuse, for instance:</p> <ul style="list-style-type: none"> • overtime worked every day by the same employees; • employees consistently working overtime on certain days of the week; • employees who alternate sick leave (or other paid leave) with overtime on a repetitive basis; and • employees who work overtime at a certain time of day, day after day, when their schedule could possibly be altered to better accommodate the work time needs for their position • Periodically review standby time. <p>[Recommendation 20]</p>				
	476	<p>SPD should ensure that events are charged for police services as required by Ordinance 124680. This will involve SPD working with the City's Office for Special Events to develop and implement procedures for carrying out the terms of the Ordinance for permitted events related to collecting deposits for estimated police services, tracking actual police hours associated with the events, and billing or refunding event organizers for any differences between actual and estimated police hours.</p> <p>[Recommendation 21]</p>	Pending	<p>Fees for police services for permitted special events are set by Ordinance 124860 so the Seattle Police Department's (SPD) role in billing for these events is limited. However, SPD is currently working with the Special Events Office (SEO) to establish a procedure to provide SEO actual SPD hours worked so SEO can bill for additional hours or refund fees, as applicable. (See #574 for more details.)</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)

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Seattle Police Department Overtime Controls Audit (April 11, 2016), continued.	477	SPD should develop a consistent approach and criteria for planning event staffing and managing risk at special events. [Recommendation 22]	Pending	The Seattle Police Department (SPD) reported that event staffing is done and/or reviewed during weekly special events meetings at the Seattle Police Operations Center (SPOC). SPD Budget staff began participating in weekly SPOC meetings in 2016. We reviewed SPD's process for planning event staffing during a subsequent audit, Special Events – Police Staffing and Cost Recovery , and found there are still opportunities for improvement in this area. See recommendation #'s 580 and 582 below for more details. SPD reported that clear expectations for event staffing will be included in a new policy to documents its standard for event planning.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)
	478	SPD should identify a central entity that is responsible for conducting an in-depth review and evaluation of all special event plans. [Recommendation 23]	Pending	The Seattle Police Department (SPD) reported that all event staffing is reviewed during weekly special events meetings at the Seattle Police Operations Center (SPOC). SPD Budget staff began participating in weekly SPOC meetings in 2016. The Department is currently drafting a policy to document its standard for event planning and review of event plans. The Office of City Auditor recently published an audit report – Special Events – Police Staffing and Cost Recovery – that also includes a recommendation related to reviews of special events staffing. See recommendation # 580 below.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)
	479	SPD should compare actual hours worked to hours planned for all special events, and significant variances should be explained, evaluated, and documented for SPD management. [Recommendation 24]	Implemented June 2017	The Seattle Police Department (SPD) reported that the SPD Budget Section began comparing actual hours worked with planned hours for events that require detailed staffing plans, and this information is discussed at weekly meetings at the Special Police Operations Center. Additionally, a new Budget and Policy Analyst is working on setting up and implementing more comprehensive analyses of special events staffing hours.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)

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	480	SPD should improve documentation of time worked at special events by completing the Roll Call time, Event time, and Secure time on Event Summary Forms. Additionally, SPD officers working events should be required to sign in and out on Event Summary Forms, and SPD should ensure that these forms are signed by the approving sergeant. [Recommendation 25]	Implemented May 2017	The Seattle Police Department (SPD) reported that the Department continues to emphasize properly filling out Event Summary forms, which are used to record SPD time worked for special events. Event Summary forms must be signed by a supervisor for personnel to get paid. The new work scheduling and timekeeping system, included in the 2017 Adopted and 2018 Endorsed Budget, will simplify and streamline the process.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)
	481	SPD should revise its billing practices so that it either (a) bills event organizers for estimated policing costs in advance of the event, and then bills for or refunds any variance of actual costs from estimated costs, or (b) at a minimum, checks organizers' credit histories before entering into an agreement for reimbursable police services. [Recommendation 26]	Pending	The Seattle Police Department (SPD) reported that they bill event organizers in accordance with any memorandum of understanding the Department has with the entity. Special event organizers who have not paid SPD in a timely manner in the past, are now being asked to pay in advance in the form of a deposit or estimated costs. However, the Office of City Auditor recently published an audit report – <i>Special Events – Police Staffing and Cost Recovery</i> – and found there is still opportunity for improvement in this area, specifically with reconciling actual hours worked from source documents to the SPD Payroll system. See recommendation # 588 below.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Valarie Anderson (SPD) 4. Martin Yamamoto (SPD)
	482	For reimbursable events, SPD should reconcile all overtime hours on Event Summary Forms with hours recorded into SPD's payroll system to ensure all overtime is accurately billed. [Recommendation 27]	Pending	The Seattle Police Department (SPD) reported that the Department works to ensure that it is billing its customers correctly and SPD Payroll is reviewing the Event Summary forms against the data that gets recorded to the payroll system. However, the Office of City Auditor recently published an audit report – Special Events – Police Staffing and Cost Recovery – and found there is still opportunity for improvement in reconciling actual hours worked from source documents to the SPD Payroll system. See recommendation # 588 below.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Valarie Anderson (SPD) 4. Martin Yamamoto (SPD)

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	485	SPD should implement a process for tracking off-duty work hours so SPD management can monitor whether officers are a) complying with the department's maximum weekly and daily hours thresholds, b) taking high amounts of sick or other paid leave while also working a lot of off-duty hours, or c) underperforming for SPD work due to high amounts of off-duty time. SPD Policy 5.120 states that SPD personnel are required to log in and out by radio when working off duty, so this might be one option to consider for tracking off-duty time. SPD should also consider developing a plan and timeline for requiring employers of off-duty SPD officers to contract directly with SPD. [Recommendation 30]	Pending	The Mayor issued an Executive Order on September 13, 2017 ordering the Seattle Police Department (SPD) to establish an internal office, directed and staffed by civilians, to regulate and manage the off-duty employment of its employees. A task force of SPD and Executive branch officials was formed to work on this project. The requirements laid out by the off-duty work group include reporting on off-duty hours worked by individual.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Brian Maxey (SPD) 4. Deputy Chief Chris Fowler (SPD)
Special Events – Police Staffing and Cost Recovery (December 13, 2017)	571 (SPD-SE 1)	The Seattle Police Department (SPD) should continue reviewing and updating its special events memorandum of understanding (MOU) and event billing processes to ensure (a) the MOU cost estimate template includes accurate and complete direct cost information and (b) invoices sent to event organizers include non-wage direct costs (e.g., employee benefits and equipment) when they are specified as reimbursable in the MOU or when the MOU states that reimbursement will be for actual or full costs. (Report Recommendation 1)	Pending	The Seattle Police Department (SPD) reported they are interested in total cost recovery when they can seek these costs. The SPD Finance Manager, Chief Financial Officer, and the Contracts Manager met with the audit team to discuss their model for cost recovery. The Office of City Auditor shared the assumptions built into its cost recovery calculation. SPD reported it is currently reviewing the City Auditor's cost recovery model and plans to amend its special events cost structure to recover all legitimate costs. SPD Fiscal has drafted a recommendation to adjust the cost language in its memoranda of understanding with entities contracting with SPD for police services. This recommendation is moving through SPD's review process and will be used in the Department's future memoranda of understanding.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Brian Maxey (SPD) 4. Valarie Anderson (SPD) 5. Martin Yamamoto (SPD)

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	572 (SPD-SE 2)	SPD should also consider charging other event-related SPD costs (e.g., event planning time, event emphasis staffing, equipment maintenance expenses, incidentals such as food, water, and supplies) to all reimbursable events. (Report Recommendation 1)	Pending	See response for #571 above.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Valarie Anderson (SPD) 4. Martin Yamamoto (SPD)

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	573 (SPD-SE 3)	<p>The City Council and the Special Events Office should consider reviewing the implementation of the new special event permit fee structure created by Ordinance 124860 to ensure the level of recovery of the Seattle Police Department's staffing costs is aligned with the City's intentions. Options that could be considered include:</p> <ul style="list-style-type: none"> a. Charging permitted events for more of the actual police hours worked, including pre-event hours, post-event hours, and hours that exceed the hours that were initially estimated and paid. b. Including direct labor benefits and other event-related costs (e.g., event planning time, emphasis staffing, etc.) in analyses of event costs. <p>(Report Recommendation 2)</p>	Pending	<p>The City Council reported that it will review our special events audit and take the recommendations into consideration in setting the Council's 2018 committee work programs, consulting with the Mayor's Office and departments as applicable.</p> <p>The Special Events Office reported that it will engage with City Council in 2018 regarding this recommendation.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. City Council (CM Gonzalez) 2. Central Staff (Kirstan Arestad) 3. OED (Rebecca Lovell) 4. OFM (Kate Becker) 5. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. CM Gonzalez (City Council) 2. Amy Tsai (Central Staff) 3. Chris Swenson (OED) 4. Rebecca Boatright (SPD Audit Liaison) 5. Mark Baird (SPD) 6. Brian Maxey (SPD) 7. Deputy Chief Chris Fowler (SPD)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	574 (SPD-SE 4)	The Seattle Police Department should ensure all event-related hours are tracked to the events, including event planning hours and emphasis hours. (Report Recommendation 3)	Pending	<p>The Seattle Police Department (SPD) reported that in addition to the time officers spend working at events, there is planning and preparation time. There are meetings, planning sessions, briefings, and debriefs that frequently occur as part of the process of SPD providing service for events. The special events ordinance does not permit this additional time to be part of the cost recovery calculation when an organizer applies for a permit or when actual hours are reconciled after the event. Additionally, since multiple events are often planned or discussed at the same meeting, it is difficult to determine how much time personnel dedicated to planning each event. SPD understands why there is interest in capturing all administrative time spent for an event, as this would begin to create a more accurate picture of the total cost of events. However, the Department must balance the cost of tracking this data against the benefits of doing so.</p> <p>According to SPD, a City-wide customer relationship management system solution and a work scheduling and timekeeping solution could enhance the Department's ability to do this in a more cost effective way.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)
	575 (SPD-SE 5)	The Seattle Police Department should provide to the Special Events Office (SEO) an accounting of actual hours worked at permitted events so SEO can refund or bill event promoters for any variance between estimate and actual hours. (Report Recommendation 4)	Pending	<p>The Seattle Police Department (SPD) reported that in recent meetings with the Special Events Office (SEO), SPD is developing a process for providing this information on a consistent basis. Without a technical solution, the process is largely manual for SPD. SEO reported that they are currently meeting with SPD to work out the details of how to implement this recommendation.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) 2. OED (Rebecca Lovell) 3. OFM (Kate Becker) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Chris Swenson (OED)

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	576 (SPD-SE 6)	The City Council and the Special Events Office should (a) review the definitions of Community and Mixed Free Speech events in Seattle Municipal Code (SMC) 15.52 and, given the level of commercial activity at some Community and Mixed Free Speech events, consider whether any updates to these definitions are necessary. (Report Recommendation 5a)	Pending	<p>The City Council reported that it will review our special events audit and take the recommendations into consideration in setting the Council's 2018 committee work programs, consulting with the Mayor's Office and departments as applicable.</p> <p>The Special Events Office reported that it will engage with City Council in 2018 regarding this recommendation.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. City Council (CM Gonzalez) 2. Central Staff (Kirstan Arestad) 3. OED (Rebecca Lovell) 4. OFM (Kate Becker) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. CM Gonzalez (City Council) 2. Amy Tsai (Central Staff) 3. Chris Swenson (OED)
	577 (SPD-SE 7)	The City Council and the Special Events Office should consider establishing criteria and a schedule for setting the fees for police services for Citywide permitted events (e.g., updating SMC 15.52 or developing department policies). (Report Recommendation 5b)	Pending	<p>The City Council reported that it will review our special events audit and take the recommendations into consideration in setting the Council's 2018 committee work programs, consulting with the Mayor's Office and departments as applicable.</p> <p>The Special Events Office reported that it will engage with City Council in 2018 regarding this recommendation.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. City Council (CM Gonzalez) 2. Central Staff (Kirstan Arestad) 3. OED (Rebecca Lovell) 4. OFM (Kate Becker) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. CM Gonzalez (City Council) 2. Amy Tsai (Central Staff) 3. Chris Swenson (OED)

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	578 (SPD-SE 8)	The Seattle Police Department (SPD) and the Special Events Office (SEO) should develop a process to address events that require police services but do not obtain either a permit or a memorandum of understanding (MOU) with SPD. The process should vary by type of event (i.e., the process should be different for a free speech event from what it would be for a festival or concert). For upcoming events, the process should include SPD or SEO working with an organizer to help ensure the event has either a permit or an MOU before police services are provided. For events that have already occurred, the process should include follow up from SPD or SEO about City requirements and retroactively billing event organizers for police staffing when appropriate. (Report Recommendation 6)	Pending	The Seattle Police Department (SPD) and the Special Events Office (SEO) will review the events noted in the audit report that required police services but did not obtain a special events permit or have a Memorandum of Understanding with SPD, and determine what should have occurred for each event. SPD and SEO will specifically consider how maritime events should be handled in the future.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) 2. OED (Rebecca Lovell) 3. OFM (Kate Becker) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD) 4. Chris Swenson (OED)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	579 (SPD-SE 9)	The Seattle Police Department and the Special Events Office should review the administrative workload associated with special events and consider whether they should increase the staffing allocated to these functions. (Report Recommendation 7)	Pending	<p>The Special Events Office (SEO) reported that it will work through the City's budget process to ensure adequate staffing levels for the administrative workload associated with special event permitting.</p> <p>The Seattle Police Department (SPD) reported that over the past several years it has experienced an increase in special events and this affects SPD's personnel resources. This increase, as well as the added workload of manually reviewing event staffing, affects the administrative functions SPD must perform. Recently, the Department placed an Assistant Chief over the Seattle Police Operations Center to provide direct Command Staff level guidance and assessment of these functions. As part of this, SPD reviewed how the special events planning process is staffed. The Department agrees that there may be a need to increase administrative support if the number of special events continues at or increases beyond the current level. SPD will continue to assess this need against the Department's other budget priorities.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) 2. OED (Rebecca Lovell) 3. OFM (Kate Becker) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD) 4. Chris Swenson (OED)

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	580 (SPD-SE 10)	<p>SPD needs to improve oversight of event staffing plans decisions by ensuring:</p> <ul style="list-style-type: none"> a. Independent reviews of event staffing include schedule and shift details, b. All event plans are independently reviewed, including those for events at the Seattle Center, and c. Plans are reviewed, or updated, in the months immediately preceding an event. <p>(Report Recommendation 8)</p>	Pending	The Seattle Police Department (SPD) reported it is continuing to work on its independent review process for event staffing and event plans. The new Assistant Chief or designee over the Seattle Police Operations Center is positioned to review and approve event staffing plans and event plans. The Department also facilitates weekly meetings attended by all the relevant Department entities that staff events. This group discusses all special events and Department staffing. Additionally, the recently hired Budget & Finance analyst will begin reviewing and analyzing pre-event staffing plans against actual staffing levels for events.	Robin Howe	<p>City Department</p> <ul style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ul style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)
	581 (SPD-SE 11)	<p>In addition, SPD needs to ensure Special Event After Action Forms are completed for all special events, in accordance with the practice implemented in early 2017.</p> <p>(Report Recommendation 8)</p>	Implemented January 2018	The Seattle Police Department reported that Special Event After Action Forms are now required to be completed for all special events.	Robin Howe	<p>City Department</p> <ul style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ul style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)

	582 (SPD-SE 12)	<p>SPD needs to update its policies and procedures that address Special Event Planning and After Action Reports. Policies and procedures should specify:</p> <ul style="list-style-type: none"> a. How staffing decisions are to be made (e.g., what criteria must be evaluated) and how plans should be documented. b. When plans require formal independent review and approval, who is responsible for this review, and how this approval is to be documented. c. The goals of the weekly SPOC meetings and SPOC's oversight responsibility for event staffing decisions and planning, including what this oversight should include. d. How after action information for special events should be documented and archived for future use (i.e., describe requirements for SPD's new Special Event After Action Form). 	Pending	The Seattle Police Department reported there is a new policy in early draft form. Once it goes into effect, the Seattle Police Operations Center Assistant Chief will ensure compliance.	Robin Howe	<p>City Department</p> <ul style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ul style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)
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Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
		<p>In addition, SPD's policies and procedures should ensure that:</p> <ul style="list-style-type: none"> e. Staffing plans include options for releasing officers early if resource needs decrease during an event. f. Staffing levels are assessed, and these assessments should be documented, after all special events. These assessments should include feedback from external parties (e.g., event organizers and Special Event Committee members) when feasible. <p>Once updated, SPD should ensure compliance with policies and procedures related to special events.</p> <p>(Report Recommendation 9)</p>				

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	583 (SPD-SE 13)	SPD should begin regular tracking of event staffing information, including trends in event hours and costs by event and event type and perform comparisons between estimated (or planned) staffing with actual staffing at events. (Report Recommendation 10)	Pending	The Seattle Police Department (SPD) reported that a Budget & Finance analyst is now reviewing and analyzing special events and overtime data, including pre-event and post event staffing, staffing trends, and payroll data. SPD is working on improving its special event analyses and using the information to inform management decisions.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)
	584 (SPD-SE 14)	SPD should pursue a technology solution, such as a workforce scheduling system, to improve the effectiveness and efficiency of event staffing functions. (Report Recommendation 11)	Pending	The Seattle Police Department reported it agrees with this recommendation. The 2017 Adopted and 2018 Endorsed Budget provides funding for an automated work scheduling and timekeeping system that will help improve the efficiency of event staffing and allow for increased automation of thresholds and controls.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD) 4. Michael Fields (SPD)
	585 (SPD-SE 15)	Then, SPD should re-evaluate all event planning tasks to determine what could be done by civilians and what must be done by sworn staff. (Report Recommendation 11)	Implemented December 2017	The Seattle Police Department reported that it reviewed event planning tasks to determine which tasks need to be done by sworn personnel and which could be done by civilian personnel. To potentially reduce the special events tasks currently performed by sworn personnel, the Department would need to implement technology solutions (i.e., a workforce scheduling system and a customer relationship management system) and then re-evaluate the distribution of work. See further details on automated system solutions at #584.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD) 4. Brian Maxey (SPD) 5. Michael Fields (SPD)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	586 (SPD-SE 16)	SPD should improve tracking of personnel absences for special event drafts and should review and reconsider the department's policies for No Show's and when employees call in sick the day of an event. (Report Recommendation 12)	Pending	<p>The Seattle Police Department (SPD) reported that it assigned an Assistant Chief to look into this issue last year, and it has communicated to managers and supervisors to be alert for this as a potential issue. When there are No Shows or Sick Call In's for special events, this information is reported to the supervisors of the personnel involved and up their chain of command. It is the responsibility of the SPD supervisors to monitor the work behavior of the personnel reporting to them and determine if there are any issues that need to be addressed. SPD will continue to look into this issue to determine whether any policy and procedure changes are required.</p> <p>Current City policy and the police officer collective bargaining agreement (i.e., Seattle Police Officers Guild) allow for an SPD officer to call in sick for special events work and still get paid if it is their regularly scheduled day off, but SPD said this Sick Call In information will be communicated up the officer's chain of command.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD) 4. Michael Fields (SPD)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	587 (SPD-SE 17)	The City Council and the Mayor should evaluate the special events work SPD officers perform that is primarily a traffic-directing function and consider whether it could be handled by non-sworn personnel. We recognize this would require revising Seattle Municipal Code 11.50.380 covering the authority to override traffic signals. (Report Recommendation 13)	Pending	<p>The City Council reported that it will review the special events audit and take the recommendations into consideration in setting the Council's 2018 committee work programs, consulting with the Mayor's Office and departments as applicable.</p> <p>The Special Events Office reported that it will engage with City Council in 2018 regarding this recommendation.</p> <p>The City Budget Office reported on behalf of the Mayor's Office that it is currently reviewing the 2017 Special Events Audit and intends to work with various departments including the Seattle Police Department, Office of Economic Development, and Seattle Center over the coming months to review current policies and practices and discuss opportunities and challenges associated with implementing the audit recommendations.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. City Council (CM Gonzalez) 2. Central Staff (Kirstan Arestad) 3. Mayor's Office (Mayor Jenny Durkan) 4. City Budget Office <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. CM Gonzalez (City Council) 2. Amy Tsai (Central Staff) 3. Michael Fong (Mayor's Office) 4. Kara Tillotson (CBO)
	588 (SPD-SE 18)	SPD Fiscal should periodically compare planned reimbursable event police hours and expenses to actual hours to help ensure all hours are properly billed to the event organizers. (Report Recommendation 14)	Pending	The Seattle Police Department reported that their new Budget & Policy analyst is currently developing reporting to analyze pre-event planned staffing hours versus actual staffing recorded in the payroll system.	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Martin Yamamoto (SPD) 4. Valarie Anderson (SPD)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	589 (SPD-SE 19)	The Office of Economic Development and the Seattle Police Department should consider investing in a Customer Relationship Management System (CRM) to improve the efficiency of the special events permit application review and event tracking functions. This system should facilitate tracking each event with a unique identifier and event numbering scheme that facilitates tracking the same event (or similar events) over time. (Report Recommendation 15)	Pending	<p>The Special Events Office reported that it has initiated a Special Events Customer Relationship Management project/proposal using the Accela solution, which has been reviewed by the Accela program team and the Seattle Information Technology Department (ITD) for cost and resource estimates. This project will be on a listing of proposals to move forward to the City Budget Office for consideration for the 2019-2020 budget.</p> <p>The Seattle Police Department reported that it agrees that a multi-departmental application would benefit the special events process and that it will participate in developing and implementing this technology solution if the City is interested in pursuing it.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> OED (Rebecca Lovell) OFM (Kate Becker) SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> Chris Swenson (OED) Rebecca Boatright (SPD Audit Liaison) Mark Baird (SPD) Deputy Chief Chris Fowler (SPD)
	590 (SPD-SE 20)	SEO should update their policies and procedures to ensure permit fee billing and payment handling procedures include an adequate level of segregation of duties. (Report Recommendation 16)	Pending	The Special Events Office (SEO) reported that it is currently reviewing policies and procedures related to permit fee billing and payment handling and segregation of duties. The Special Events Office billing and payment process is currently being integrated into the City's Summit portal, and SEO is working with the integration project manager on several updates to the Summit platform required to satisfy this recommendation.	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> OED (Rebecca Lovell) OFM (Kate Becker) <p>Department Contact(s)</p> <ol style="list-style-type: none"> Chris Swenson (OED)
	591 (SPD-SE 21)	A staff member or manager who does not process payments should reconcile SPECTRE to Summit monthly. (Report Recommendation 16)	Pending	The Special Events Office (SEO) reported that billing and payment handling procedures are currently being integrated into the City's Summit billing/payment portal as part of the Citywide 2018 reimplementation process. This will align permit billing and payments with other City departments' processes. If this conversion does not result in compliance with the recommendation, SEO will work with the Department of Finance and Administration's Treasury unit to identify appropriate staffing segregation to be compliant with City standards.	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> OED (Rebecca Lovell) OFM (Kate Becker) <p>Department Contact(s)</p> <ol style="list-style-type: none"> Chris Swenson (OED)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	592 (SPD-SE 22)	SEO should improve its enforcement of the requirement to pay special event permit fees 30 days before the event. (Report Recommendation 17)	Pending	The Special Events Office (SEO) reported that billing and payment process is currently being integrated into the City's Summit billing/payment portal as part of the Citywide 2018 reimplementation process. SEO is identifying process improvements to better enforce the 30 days in advance payment requirement.	Robin Howe	City Department 1. OED (Rebecca Lovell) 2. OFM (Kate Becker) Department Contact(s) 1. Chris Swenson (OED)
	593 (SPD-SE 23)	SEO should follow the City's standard policy for handling delinquent debt and assessing late fees or interest charges for delinquent police services debts. (Report Recommendation 17)	Pending	The Special Events Office reported that it is identifying process improvements to be in compliance with the City's standard policies for delinquent debt, interest charges, and late fees.	Robin Howe	City Department 1. OED (Rebecca Lovell) 2. OFM (Kate Becker) Department Contact(s) 1. Chris Swenson (OED)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	594 (SPD-SE 24)	<p>SPD should update and enforce its special event payroll policies and procedures, including those addressing payroll time coding, management approvals, and timekeeping functions. SPD should implement controls to ensure:</p> <ul style="list-style-type: none"> a. regular time worked for special events is coded to the event, b. time is coded to the accurate event code, including time for <ul style="list-style-type: none"> i. multiple events held on the same day, ii. large Seattle Center events/festivals c. Special event time is entered only by SPD Payroll staff. <p>(Report Recommendation 18)</p>	Pending	<p>The Seattle Police Department (SPD) reported that it is interested in updating its payroll policies and procedures. All overtime hours for an event are tracked by special event number. When an employee is working on regular time, their timesheet reflects the regular workday. SPD currently does not code its regular time on timesheets to the special event. The documentation for the special event (i.e., Event Summary Forms) records the personnel that are involved in an event and the hours spent on the event. Sometimes this event time includes regular time, as well as overtime, but the recording of regular time has not been consistent across SPD.</p> <p>Until SPD implements a workforce scheduling technology solution (see recommendation #584, report item #11), it does not plan to begin tracking all regular time worked for special events.</p>	Robin Howe	<p>City Department</p> <ol style="list-style-type: none"> 1. SPD (Acting Chief Carmen Best) <p>Department Contact(s)</p> <ol style="list-style-type: none"> 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Jackie Reinen (SPD) 4. Michael Fields (SPD) 5. Deputy Chief Chris Fowler (SPD)

Report Title (publication date)	Rec # ¹	Description	Status as of December 31, 2017	2017 Update Comments	Follow-up Auditor	2017 Follow-up City Department(s)/ Contact(s)
	595 (SPD-SE 25)	Event-level reporting should be produced regularly by SPD and distributed to key special events decision makers in SPD, SEO, Seattle Center, and the City Budget Office. This reporting should match police fee revenues to police event expenses because the relationship of the costs of staffing events to the fees received could affect decisions about managing costs. Reports should include hours worked (including overtime and regular time), wages paid, number of staff or shifts worked, and comparative information from prior years. (Report Recommendation 19)	Pending	The Seattle Police Department (SPD) reported there is reporting now at the event-level that is distributed to SPD management (i.e., Sergeants and above) and the City Budget Office. The SPD Budget and Policy Analyst will develop reporting that can be shared with the Special Events Office.	Robin Howe	City Department 1. SPD (Acting Chief Carmen Best) Department Contact(s) 1. Rebecca Boatright (SPD Audit Liaison) 2. Mark Baird (SPD) 3. Deputy Chief Chris Fowler (SPD)



SEATTLE CITY COUNCIL

Legislative Summary

CB 118463

Record No.: CB 118463

Type: Ordinance (Ord)

Status: Passed

Version: 2

124860

In Control: City Clerk

File Created: 07/15/2015

Final Action: 09/29/2015

Title: AN ORDINANCE relating to the Special Events Committee, special events permitting, and special events fees; amending Sections 15.52.005, 15.52.010, 15.52.020, 15.52.030, 15.52.040, 15.52.050, 15.52.060, 15.52.080, and 15.52.090 of the Seattle Municipal Code; and repealing and replacing Section 15.52.070 of the Seattle Municipal Code.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Okamoto

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: Att A - Repealed Section 15.52.070

Drafter: michael.mcvicker@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	07/28/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk						
	Notes:						
1	City Clerk	07/28/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	07/30/2015	sent for review	Committee on Housing Affordability, Human Services, and Economic Resiliency			

Action Text: The Council Bill (CB) was sent for review. to the Committee on Housing Affordability, Human Services, and Economic Resiliency

Notes:

- 1 Full Council 08/10/2015 referred Committee on Housing Affordability, Human Services, and Economic Resiliency

Action Text: The Council Bill (CB) was referred. to the Committee on Housing Affordability, Human Services, and Economic Resiliency

Notes:

- 1 Committee on Housing Affordability, Human Services, and Economic Resiliency 08/20/2015 discussed

Action Text: The Council Bill (CB) was discussed.

Notes:

- 1 Committee on Housing Affordability, Human Services, and Economic Resiliency 09/17/2015

- 1 Committee on Housing Affordability, Human Services, and Economic Resiliency 09/17/2015 pass as amended Pass

Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB).

In Favor: 5 Chair Okamoto, Vice Chair Rasmussen, Member Sawant, Alternate O'Brien, Licata

Opposed: 0

- 1 Full Council 09/21/2015 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Okamoto, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

- 2 City Clerk 09/22/2015 submitted for Mayor's signature Mayor

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

Notes:

- 2 Mayor 09/29/2015 Signed

Action Text: The Council Bill (CB) was Signed.

Notes:

- 2 Mayor 09/29/2015 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

- 2 City Clerk 09/29/2015 attested by City Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE
ORDINANCE 124860
COUNCIL BILL 118463

AN ORDINANCE relating to the Special Events Committee, special events permitting, and special events fees; amending Sections 15.52.005, 15.52.010, 15.52.020, 15.52.030, 15.52.040, 15.52.050, 15.52.060, 15.52.080, and 15.52.090 of the Seattle Municipal Code; and repealing and replacing Section 15.52.070 of the Seattle Municipal Code.

WHEREAS, the City of Seattle (City) recognizes special events energize communities by creating opportunities to interact, celebrate, and enrich people's lives, promote inclusiveness, and stretch imaginations; and

WHEREAS, the City recognizes the role special events play in contributing to economic development and wants to continue to support these events; and

WHEREAS, the City plays a strong role in helping event organizers bring people together safely in both citywide and neighborhood events; and

WHEREAS, the City seeks to more clearly define free speech events to ensure the ongoing ability to exercise Constitutionally-protected rights; and

WHEREAS, the City has a compelling interest to coordinate its planning for proposed special events in order to protect public health and safety and reduce adverse impacts such as noise, congestion, and traffic while guaranteeing the public's rights to free speech and assembly; and

WHEREAS, the City faces a number of issues that require a new examination of the City's special event policies and approach including increased event volume, lack of cost recovery, and stretched staffing capacity; and

WHEREAS, the City incurs significant costs associated with planning, permitting, and supporting special events, and the existing fee structure does not allow the City to recover

1 a reasonable amount of its costs to ensure on-going viability to support special events;
2 and

3 WHEREAS, the primary purpose of parks is to provide the public the opportunity to enjoy
4 natural beauty and recreational opportunities, and the primary purpose of streets and
5 sidewalks is to provide a public right-of-way for a wide variety of transportation, transit,
6 and pedestrian uses; and

7 WHEREAS, in addition to their primary purpose, a principle use of parks, streets and sidewalks,
8 and other public places is to provide venues for a wide variety of public events and for
9 the public to exercise their rights of free speech and assembly unless such uses are strictly
10 incompatible with their function; and

11 WHEREAS, the City has no interest in basing special event permitting decisions, including
12 decisions regarding reasonable permit conditions, on the content or viewpoint of any
13 message of any proposed event, but does have the responsibility to develop reasonable
14 and effective time, place, and manner conditions based upon such public safety factors
15 such as the presence of dangerous activities, articles, or structures; the handling of food
16 or other substances that pose a risk to public health; anticipated crowd size; anticipated
17 crowd, pedestrian, and traffic control issues; anticipated noise, congestion, and parking
18 problems; impact on neighborhoods; historical problems associated with events; and the
19 event's or event organizer's compliance with previous permit conditions designed to deal
20 with those issues and problems; and

21
22 WHEREAS, while the City supports the use of special events to promote economic
23 development, and commercial speech is afforded constitutional protection and may be

1 used in special events on public property, the City finds that it has a compelling interest
2 in preventing taxpayer subsidy of commercial events that promote private gain; and

3 WHEREAS, the City wants to provide event organizers with an efficient permitting process and
4 when permits are denied, prompt administrative review of permit denials;

5 NOW, THEREFORE,

6 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

7 Section 1. Section 15.52.005 of the Seattle Municipal Code, enacted by Ordinance
8 120631, is amended as follows:

9 **15.52.005 Definitions ((-))**

10 The following terms, when used in this ((chapter)) Chapter 15.52, shall have the following
11 meanings:

12 “Bridge” means any bridge in the city limits of Seattle.

13 “Commercial activity” means any activity engaged in with the object of monetary profit,
14 gain, benefit, or advantage, including bartering.

15 “Downtown core” means the area bounded by Denny Way to the north, Yesler Way to
16 the south, the Elliott Bay waterfront to the west, and Interstate 5 to the east, and the area bounded
17 by Roy Street to the north, Denny Way to the south, 1st Avenue North to the west, and Aurora
18 Avenue North to the east.

19 “Expressive activity” means conduct, the sole or principal object of which is the
20 expression, dissemination, or communication by verbal, visual, literary, or auditory means of
21 opinion, views, or ideas that are likely to be understood as such in the surrounding
22 circumstances. Expressive activity includes the assembly of persons for such purposes.

1 Expressive activity includes the sale of merchandise that is inextricably intertwined with a
2 statement carrying a religious, political, philosophical, or ideological message.

3 “Park” and “public place” mean those terms as defined in Chapters 18.12 and 15.02,
4 respectively.

5 “SDOT” means the Seattle Department of Transportation.

6 “Seattle Center area” means Seattle Center grounds, facilities on Seattle Center grounds,
7 areas managed by Seattle Center, and those public places for which street use and permitting
8 authority has been delegated to the Director of Seattle Center by the Director of Transportation
9 pursuant to subsection 15.04.015.E.

10 ((A.)) "Special event" means:

11 1. An event planned to be held ~~((in a park or other public place))~~ in a park, other
12 City-owned property, or public place that meets all ~~((three))~~ four of the following criteria:

13 a. The event is ~~((Is))~~ reasonably expected to cause or result in more than
14 ~~((fifty-))~~50~~(())~~ people gathering in a park ~~((or other public place))~~, other City-owned property,
15 public place, or waterway; and

16 b. The event is ~~((Is))~~ reasonably expected to have a substantial impact on
17 such park ~~((or other public place))~~, other City-owned property, public place, or waterway; and

18 c. The event is ~~((Is))~~ reasonably expected to require the provision of
19 substantial public services; ~~((or))~~ and

20 d. The event will require the temporary closure or exclusive use of a
21 public place or waterway; or

22 2. An event planned to be held on private property that meets all three of the
23 following criteria:

1 a. The event is ((Is)) reasonably expected to ((cause or result in)) have
2 more than ((five hundred (-))500((+)) people ((gathering in a park or other public place)) in
3 attendance at any one time; and

4 b. The event is ((Is)) reasonably expected to have a substantial impact on
5 ((such)) a park, other City-owned property, or ((other)) public place; and

6 c. The event is ((Is)) reasonably expected to require the provision of
7 substantial public services; or

8 3. Any other planned event in a park, other City-owned property, or public place
9 if the event organizer requests the City to provide any public services or the Special Events
10 Committee determines public services will be needed to safely produce the event in addition to
11 those that would normally be provided by the City in the absence of the event ((=)) ; or

12 4. An event held in a park, other City-owned property, or public place, excluding
13 the Seattle Center area, that will have alcohol sales available to the general public and/or event
14 participants.

15 ((B. "Park" and "public place" mean as those terms are defined in SMC Chapters 18.12
16 and 15.02, respectively.))

17 "Street segment" means a unit of measurement that is the distance along a street between
18 two intersections; "intersection" as defined in Section 11.14.265.

19 ((C.)) "Substantial impact" ((on a park or other public place")) means an event would
20 preclude in whole or in significant part the public's normal and customary use of ((such)) a park,
21 other City-owned property, or public place.

22 ((D.)) "Substantial public services" means a material increase in the amount, scope, or
23 level of necessary fire, police, traffic control, crowd control, or other public services above those

1 that would normally be required without the event. With respect to police resources, "substantial
2 public services" means resources for crowd management or traffic control required for the event
3 over and above the normal deployment of police in that geographic area of the City at the time of
4 day during which the event will occur.

5 "Waterway" means that term as defined Chapter 16.04.

6 Special Event Type. The event type definitions below contain the characteristics upon
7 which the Special Events Committee will make the event type determination.

8 1. "Athletic event" means an event with one or more of the following
9 characteristics:

10 a. The event is a gathering of people, many of whom participate in an
11 athletic activity, sport, or in physical exertion including running, walking, bicycling, swimming,
12 and other race, recreational, or competitive contest;

13 b. Participation in the event typically requires individual or team
14 registration and/or a type of payment or entry fee (such as a registration fee);

15 c. Participation is generally not free or open to all members of the public;

16 d. The event is primarily to raise or solicit funds whether for profit, for
17 non-profit fundraising, or otherwise; or

18 e. The event is organized by a for-profit or non-profit entity.

19 2. "Citywide event" means:

20 a. The following events: Fremont Solstice Parade; My Macy's Holiday
21 Parade; Seafair Hydroplane Races and Blue Angel Weekend; Seafair Summer Fourth on Lake
22 Union; and Seafair Torchlight Parade; and

23 b. An event that has one or more of the following characteristics:

1 i. The event can be viewed by the public outside of the immediate
2 event footprint or boundaries;

3 ii. The event is expected to draw a significant citywide and/or
4 regional crowd;

5 iii. The estimated amount of total police officer hours to be
6 assigned to the event is anticipated to exceed 300 hours;

7 iv. The event is a recurring event held in Seattle for at least 15 of
8 the last 20 years;

9 v. The event is a celebration of a local, regional, or Federal
10 holiday;

11 vi. The event is a celebratory parade or event for a local team
12 winning a major national competition; or

13 vii. The event would not typically be defined as an athletic event,
14 commercial event, free speech event, or mixed free speech event.

15 3. "Commercial event" means an event with the purpose to promote, for monetary
16 profit, gain or advantage, a business, product, service, commercial performance, venue,
17 professional or college team or similar organization, or current or future for-profit event
18 conducted by a private person or entity regardless of such person or entity's profit or non-profit
19 status. In addition, a commercial event has one or more of the following characteristics:

20 a. The event may or may not be open to all members of the public;

21 b. The event has controlled or ticketed entry (e.g. tickets, pay-upon-entry,
22 or suggested donation posted at the entrance);

1 c. The event name features the name of a for-profit or non-profit business
2 or organization;

3 d. The event is concentrated around a single storefront, building, or is an
4 extension of activity within a store or place of business (such as a grand opening);

5 e. The event is primarily to raise or solicit funds whether for profit, for
6 non-profit fundraising, or otherwise; or

7 f. The event may be organized by an individual or a non-profit or for-
8 profit entity.

9 4. "Community event" means an event with one or more of the following
10 characteristics:

11 a. The event is free and open to all members of the public;

12 b. The event provides a public benefit and/or stimulates economic or
13 cultural activity within a neighborhood or neighborhood business district that benefits multiple
14 locally-owned businesses and/or organizations (including street fairs and block parties in which
15 multiple locally-owned businesses will participate);

16 c. The event is organized by neighborhood-based groups, community-
17 based organizations, ad-hoc groups, business groups (such as chambers of commerce), or groups
18 that do not have a geographic base (such as racial or ethnic groups, LGBT groups, cultural
19 groups, or a disability community);

20 d. The event has received a government grant to produce the event (not
21 including sponsorships);

22 e. The event is organized by a non-profit entity; or

1 f. The event is anticipated to require less than 300 hours of police officer
2 time.

3 5. "Free speech event," for purposes of this Chapter 15.52, means an event, other
4 than an athletic, commercial, community, or citywide event, that consists solely of expressive
5 activity. "Free speech event" does not include any event that includes any commercial activity
6 such as commercial food or sales vendors. "Free speech event" may include a "march" as
7 defined in Section 11.25.020.

8 6. "Mixed free speech event" means an event, other than an athletic, commercial,
9 community, citywide, or parade event, that includes expressive activity but also includes non-
10 expressive or commercial activity (e.g. commercial food or sales vendors). Non-expressive
11 activity includes: recreation (e.g. games, arts and crafts activities, reunions, birthday parties, or
12 participatory dances); competition/contests (e.g. soap-box derbies or scavenger hunts); spectator
13 sports (e.g. boat races, regattas, hockey, or basketball); athletic events (e.g. races or runs);
14 circuses/fairs/carnivals (e.g. booths, games, rides, or similar amusements); food-related activities
15 (e.g., barbecues, cook-offs, picnics, food distribution, food festivals); sales/trade shows/business
16 promotions (e.g. crafts shows, antique shows, merchandise sales or exhibits, or product
17 launches); beach/park clean-ups; and training activities (e.g. corporate sessions or team-building
18 activities).

19 7. "Parade event" means an event with the following characteristics:

20 a. The event is a "fixed point parade" as defined in Section 11.25.020 held
21 in a public place or public right-of-way with vehicles, floats, animals, and/or other participants,
22 but does not include a "march" as defined in Section 11.25.020;

23 b. The event is free and open to all members of the public as spectators;

1 c. The event provides a public benefit and/or stimulates economic activity
2 within a neighborhood or neighborhood business district;

3 d. The event is organized by a non-profit entity; or

4 e. The event is anticipated to require less than 300 hours of police officer
5 time.

6 Section 2. Section 15.52.010 of the Seattle Municipal Code, last amended by Ordinance
7 120631, is amended as follows:

8 **15.52.010 Special Events Committee ((-))**

9 There is hereby established a Special Events Committee to identify in coordination with City
10 departments and other governmental entities the nature and scope of governmental services
11 necessary for special events as defined in this ((chapter)) Chapter 15.52; to issue special event
12 permits for such events; to determine appropriate terms and conditions for such permits; to set
13 the applicable fees; and to administer this ((chapter)) Chapter 15.52.

14 Section 3. Section 15.52.020 of the Seattle Municipal Code, last amended by Ordinance
15 123361, is amended as follows:

16 **15.52.020 Committee membership ((-))**

17 The Special Events Committee shall be comprised of the following voting members:

18 A. A representative of the Mayor, the City Budget Director, the Fire Chief, the Police
19 Chief, the Superintendent of Parks and Recreation, and the Directors of Economic Development,
20 Transportation, Planning and Development, Finance and Administrative Services, Seattle Center,
21 Seattle Public Utilities, and Neighborhoods, ((and of the Seattle-King County Health
22 Department)) all of which shall be City of Seattle employees;

1 B. A representative of the ~~((transit division of King County government))~~ King County
2 Metro Transit Division, the Seattle-King County Health Department, and the Washington State
3 Liquor and Cannabis Board;

4 C. Three citizens and one alternate appointed by the Mayor, subject to confirmation by
5 the City Council; ~~((an))~~ the alternate may vote when the appointee is absent. The citizen
6 positions shall be as follows: ~~((One))~~ one of the citizens shall have experience in organizing
7 special events with attendance over 10,000 people; ~~((another))~~ one shall have experience
8 organizing ~~((smaller))~~ events with 10,000 people or fewer; and one shall have experience
9 working for a neighborhood-based community organization, such as a local chamber of
10 commerce or business improvement area, that has produced permitted special events. The
11 alternate shall have experience organizing special events of any size. Citizen members are
12 appointed to one-year terms and may be reappointed. Citizen ~~((M))~~members shall serve without
13 compensation~~((s))~~ by reason of their committee membership. Citizen members and alternates
14 may be reimbursed for expenses incurred in attending committee meetings and performing
15 committee duties.

16 D. The Mayor shall appoint the chair of the Committee from among those persons listed
17 in subsection 15.52.020.A, who shall serve for a term of two years and may be reappointed. The
18 incumbent chair shall hold over at the expiration of ~~((his or her))~~ the term until a successor is
19 appointed and qualifies. The chair shall provide for maintaining committee records, arranging
20 meeting times and places, sending statements, ~~((and))~~ issuing permits on behalf of the
21 Committee, and, with support from the Special Events Committee, lead on negotiations and
22 making agreements with organizers of citywide events.

1 Section 4. Section 15.52.030 of the Seattle Municipal Code, last amended by Ordinance
2 120631, is amended as follows:

3 **15.52.030 Powers of Special Events Committee ((-))**

4 The Special Events Committee shall have the power:

5 A. To interpret and administer this ~~((chapter))~~ Chapter 15.52, to establish criteria for
6 determining whether an event meets the definition of a special event, to determine whether an
7 event requires a special event permit, to determine the special event type, to calculate the special
8 events fee, and to require, receive, and process applications for such permits;

9 B. To represent the City, under the supervision of the Mayor, in discussions and in
10 making agreements with persons who propose an event that may require a special event permit;

11 C. To represent the City, under the supervision of the Mayor, in negotiating and
12 finalizing the special events agreement and citywide events fee for citywide events. The Chair of
13 the Special Events Committee, in consultation with the Special Events Committee and Seattle
14 Police Department, is hereby authorized to negotiate and finalize an agreement with organizers
15 of citywide events concerning services, resources, fees, and safety and security;

16 ~~((C-))~~ D. To identify, in coordination with City departments and with other governmental
17 entities the nature and scope of governmental services necessary for such special events;

18 ~~((D-))~~ E. To issue special event permits for special events; determine appropriate terms
19 and conditions as contemplated by ~~((SMC))~~ Section 15.52.040; require, review, and approve
20 security, crowd control, and traffic control plans; identify the appropriate fee or, if applicable,
21 apply an exemption in ~~((SMC))~~ Section 15.52.080 or an exclusion in ~~((SMC))~~ Section 15.52.090;
22 accept a bond, escrow account, or letter of credit from a financial institution in lieu of an advance
23 deposit of a fee; determine the appropriate insurance coverage (with the City as a named insured)

1 that an event must obtain and require proof of compliance; work with the applicant, ~~((and))~~ the
2 Police Department, and the Fire Department to develop an approved safety and security plan;
3 and, as authorized by ~~((SMC Section))~~ subsection 15.52.070.I, grant a refund of a fee paid;

4 F. To determine and require, based on the type, size, location, time, and scope of the
5 event, the event organizer's notification and outreach requirements to adjacent businesses,
6 residents, neighborhood associations, business associations, media outlets, and any other entity
7 that may be impacted by the activity. Outreach may include, but is not limited to, door-to-door
8 in-person engagement, written notifications, neighbor sign-offs, media releases, postcards, or
9 similar mailers;

10 ~~((E.))~~ G. To deny an application, issue a permit on contingency or conditions, and/or
11 revoke a permit as contemplated by ~~((SMC))~~ Section 15.52.060 ~~((;))~~ and as consistent with
12 ~~((SMC))~~ Section 15.52.040;

13 ~~((F.))~~ H. To promulgate rules in accordance with the Administrative Code, Chapter 3.02
14 ~~((;))~~ and to implement this ~~((chapter))~~ Chapter 15.52 ~~((, and to promulgate a schedule of base~~
15 ~~fees, rounded to the nearest Fifty Dollars (\$50.00), to reflect adjustments in the Consumer Price~~
16 ~~Index as contemplated by subsection A of SMC Section))~~);

17 I. To update the special events fee components as described in subsection 15.52.070.G;

18 ~~((G.))~~ J. To review the fee schedule and event classification periodically, project
19 revenues, and submit recommendations to the Mayor in the City budget process;

20 ~~((H.))~~ K. To adopt rules for its own procedures; establish subcommittees for assignments;
21 select a voting member to preside in the absence of its chair; and delegate ministerial functions to
22 City departments;

1 L. To convene meetings in March 2017 and March 2020 with a diverse group of event
2 organizers and stakeholders to review the impacts to special events from this Chapter 15.52 and
3 process improvements. The committee will invite all event organizers who held an event in
4 Seattle in the previous year. Participants must include at least one organizer representing each
5 special event type as defined in Section 15.02.005, and other related neighborhood and business
6 organizations, government agencies, and stakeholders; and

7 ~~((F))~~ M. To perform such other functions as may be assigned by ordinance from time to
8 time.

9 Section 5. Section 15.52.040 of the Seattle Municipal Code, last amended by Ordinance
10 120631, is amended as follows:

11 **15.52.040 Special events permits required ((F))**

12 A. A special event permit or authorization from the Special Events Committee is required
13 for any special event, as defined in this ~~((chapter, except that no special event permit shall be~~
14 ~~required if the event sponsor, organizer or other party and the City have entered into a written~~
15 ~~agreement covering the same matters as would otherwise be included in a special event permit~~
16 ~~for such an event))~~ Chapter 15.52. Such special event permit or authorization shall be in addition
17 to any street or park use permit, parade permit, Seattle Center permit or agreement, or other
18 regular permits as may be required by ordinance.

19 B. To avoid duplication, when a special event permit covers the subject matter to their
20 satisfaction, the Director of Transportation and/or as to parks, park drives and boulevards, the
21 Superintendent of Parks and Recreation, respectively, may waive issuing a separate street use
22 permit or park use permit.

1 C. When a special event permit is required, no street use permit shall issue under this
2 ~~((title))~~ Title 15, nor shall a park use permit issue pursuant to Title 18, for such an event until the
3 Special Events Committee has issued its special event permit therefor or otherwise authorized
4 the issuance of the departmental permits, unless pursuant to subsection 15.52.040.B the Director
5 and/or the Superintendent waive issuance of separate permits.

6 D. When a special event permit is required, the Special Events Committee shall, after
7 reviewing the application and if necessary meeting with the organizer, advise the organizer of all
8 other permits that appear to be required for the event based on information contained in the
9 application ~~((; and assist))~~ , assisting the organizer in contacting other departments to apply for
10 all other permits in a timely manner.

11 E. When such an event will be ~~((an exercise of rights protected by the First and
12 Fourteenth Amendments to the United States Constitution, or Article I, Sections 3, 4, 5, or 11 of
13 the Washington Constitution,))~~ a free speech event or mixed free speech event, the application
14 shall be processed promptly ~~((; without charging a fee for political or religious activities or
15 imposing terms or conditions that infringe constitutional freedoms, and in a manner that respects
16 the liberties of applicants and the public))~~.

17 Section 6. Section 15.52.050 of the Seattle Municipal Code, last amended by Ordinance
18 120631, is amended as follows:

19 **15.52.050 Conditions authorized ((;))**

20 The Special Events Committee may include in a special event permit, among other
21 provisions, reasonable terms or conditions as to the time, place, and manner of the event ~~((;))~~ as
22 is necessary to coordinate multiple uses of public property, assure preservation of public property
23 and public places, prevent dangerous, unlawful, or impermissible uses, protect the safety of

1 persons and property and control vehicular and pedestrian traffic in and around the venue, and
2 protect and insure the safety, comfort, or convenience of the public, provided that such
3 requirements shall not be imposed in a manner that will unreasonably restrict expressive or other
4 activity protected by the Washington or United States Constitutions. Such terms and conditions
5 may include the implementation of a plan presented by the applicant and approved by the
6 Committee for:

7 A. crowd control, traffic control, safety, and security;

8 B. compliance with health and sanitary regulations as explicated by the Seattle-King
9 County Health Department for the event;

10 C. compliance with any applicable law, rule, or regulation pertaining to the preservation
11 or promotion of public health, safety or welfare;

12 D. coordination with the Fire Department or medical personnel for emergency treatment
13 and evacuation of people who may need immediate care, cardio-pulmonary resuscitation, or
14 ambulance service;

15 E. emergency communication ((;)) , fire suppression equipment with structures ((;)) , and
16 maintenance of unobstructed emergency passageways;

17 F. proper waste, recycling, and compost receptacles and a disposal plan as explicated by
18 Seattle Public Utilities, as well as a clean-up plan; and,

19 G. where traffic congestion ((may be)) is anticipated, encouraging the use of alternative
20 transportation choices such as transit, biking, and car pooling.

21 In determining and issuing conditions, the Special Events Committee shall consider
22 anticipated impacts of the event based on an assessment of the event, including size, scope,
23 complexity, location, and history; ((as well as)) the event's or event organizer's successful

1 implementation of conditions included in previous permits; the public's access to public places
2 and public services; the impact on frequently-utilized special event locations or routes; and the
3 impact on neighborhoods. Conditions ~~((shall be based upon projected impacts on public safety,~~
4 ~~public places and public services, but))~~ shall not be ~~((based upon))~~ determined or issued based on
5 the programming content of the event or message that the proposed event may convey.

6 In order to accommodate other concurrent events, the rights of abutting owners, ~~((and))~~
7 the needs of the public to use streets, ~~((or))~~ parks, or other public services, and to minimize
8 impact on frequently-utilized special event locations or routes, the conditions may include, but
9 are not limited to, reasonable adjustments in the date, time, route, or location of the proposed
10 event; accommodations of pedestrian or vehicular traffic using the street; and limitations on the
11 duration of the event, recognizing the conditions or adjustments may affect the total fees.

12 Section 7. Section 15.52.060 of the Seattle Municipal Code, last amended by Ordinance
13 120631, is amended as follows:

14 **15.52.060 Processing, denial, and revocation of permit ~~(())~~**

15 A. Processing. To assist the City in planning for and assigning its police, fire, and other
16 department personnel, the organizers of ~~((annual))~~ special events, except free speech events as
17 defined in Section 15.52.005, subject to a special event permit are ~~((encouraged))~~ required to
18 submit their applications at least ~~((three (3) months))~~ 90 days before the scheduled event; and the
19 Special Events Committee shall process such application within ~~((sixty (60) days))~~ 60 days of the
20 application, if practicable. If the application is received less than 90 days in advance, the Special
21 Events Committee shall process the application if, taking into consideration the City resources
22 available, the type, size, scope, complexity, location, or history of the event, the application is
23 received with sufficient time to plan and permit the event.

1 Organizers of free speech events as defined in Section 15.52.005, including, but not limited to,
2 spontaneous free speech events that are occasioned by news or affairs coming into public
3 knowledge, may submit their applications at any time before the scheduled event.”

4 For all special events other than free speech events and mixed free speech events,
5 payment of a late fee, as described in subsection 15.52.070.E, may be required if the application
6 is submitted less than 60 days prior to the start of the event. The Special Events Committee may
7 waive the late fee based on the time necessary to plan, process, and permit the event; the size,
8 scope, complexity, location, or history of the event; and the event organizer’s experience in
9 organizing events.

10 B. Denial. The Special Events Committee may deny an application for a special event
11 permit if:

12 1. The applicant supplies false or misleading information; the applicant fails to
13 complete the application or to supply other required information or documents; or the applicant
14 declares or shows an unwillingness or inability to comply with reasonable terms or conditions
15 contained in the proposed permit;

16 2. The time necessary to plan, process, and permit the event is insufficient based
17 on the size, scope, complexity, location, or history of the event, and the resources available to the
18 City, except that nothing in this subsection 15.52.060.B.2 shall limit an applicant’s ability to
19 obtain a last-minute parade permit pursuant to Section 11.25.050.E. Applications for
20 spontaneous free speech events that are occasioned by news or affairs coming into public
21 knowledge less than one week before such events shall not be denied with respect to the date of
22 the proposed event based on this subsection 15.52.060.B.2;

1 ((2)) 3. The proposed event is proximate to another previously permitted or
2 previously scheduled (~~(exempt)~~) event, so that the combined impacts and required public
3 services exceed what the City, after reasonable efforts have been made to accommodate both
4 events, can reasonably provide; or the proposed event would interfere with construction or
5 maintenance work in the immediate vicinity (~~(, or unreasonably infringe upon the rights of~~
6 ~~abutting properties)~~); or

7 ((3-)) 4. The proposed event would unreasonably disrupt the orderly or safe
8 circulation of traffic; (~~(as)~~) would present an unreasonable danger to the health or safety, or
9 present an unreasonable risk of injury (~~(or damage)~~), to the public, the participants, or City
10 employees; or would present an unreasonable risk of damage to property.

11 In the event subsection 2, (~~(or)~~) 3, or 4 of this subsection 15.52.060.B (~~(above,)~~) applies,
12 the Special Events Committee shall offer the applicant the opportunity to submit an alternative
13 date or place for the proposed event before denying the application. For free speech and mixed
14 free speech events, the City shall designate an alternative proposal and may impose conditions
15 pursuant to Section 15.52.050.

16 If the Special Events Committee denies an application, the Committee shall state in
17 writing the reasons for its denial.

18 C. Revocation. The Special Events Committee may cancel or revoke a permit already
19 issued upon written notice to the applicant stating the grounds for revocation if:

20 1. The applicant, in the information supplied, has made misstatement of a material
21 fact; the applicant has failed to fulfill a term or condition of the permit in a timely manner; or the
22 check submitted by an applicant in payment of the fee for a permit has been dishonored; or

23 2. The applicant requests the cancellation of the permit or cancels the event; or

1 3. An emergency or supervening occurrence requires the cancellation or
2 termination of the event in order to protect the public health or safety.

3 ~~((The City shall refund the permit fee in the event of a revocation caused by an
4 emergency or supervening occurrence; the City shall refund the balance of the fee less its costs
5 incurred if the cancellation occurs at the request of an applicant who is in compliance with this
6 chapter.))~~

7 D. Administrative Review. An applicant may request an administrative review of: a
8 Special Events Committee denial of a special events permit application, or conditions placed
9 upon a permit that the applicant alleges are unconstitutional or will prevent the applicant from
10 holding the proposed event. Such a review shall be conducted by an Administrative Review
11 Committee, comprised of the Superintendent of Parks and Recreation if the event will impact a
12 park, the Director of Seattle Center if the event will impact the Seattle Center area, the Director
13 of Transportation, ((and)) the Fire Chief, the Chief of Police, and the Director of the Office of
14 Economic Development, or their deputies, provided that if the deputy is a member of the Special
15 Events Committee, then the department head shall serve on the Administrative Review
16 Committee. A request for an administrative review shall be made to the Special Events
17 Committee in writing within three ~~((3))~~ business days after the denial or issuance of the permit
18 with conditions. The Administrative Review Committee shall issue its ~~((decision))~~ review within
19 five ~~((5))~~ business days of its receipt of the request for review.

20 Section 8. Section 15.52.070 of the Seattle Municipal Code, relating to special event
21 permit fees, enacted by Ordinance 115982, is repealed as shown in Attachment A.

22 Section 9. A new Section 15.52.070 is added to the Seattle Municipal Code as follows:

23 **15.52.070 Fees**

1 A. Application Fee. A non-refundable application fee of \$75 shall be due upon filing of
2 a special events permit or authorization application for all event types except free speech events
3 and mixed free speech events.- The Special Events Committee shall waive the application fee
4 for free speech events and mixed free speech events if the individual applicant qualifies as an
5 indigent natural person as defined in Section 15.52.005. In making its determination, the Special
6 Events Committee may require relevant information and documentation as may, in the opinion of
7 the Special Events Chair, be reasonably necessary to verify the indigent status of the individual.

8 B. Administrative Fee. For athletic events, commercial events, community events, and
9 parade events, the administrative fee is the sum of five fee components as calculated in Exhibit A
10 for 15.52.070 and described below in this subsection 15.52.070.B. The administrative fee for
11 mixed free speech events shall be the lower of a) the fees as calculated in this subsection
12 15.52.070.B using the five fee components related solely to non-expressive or commercial
13 activity, at those events or b) the actual costs incurred by the City for planning, review, and
14 permitting before the event; required inspections during the event; a traffic control plan; noise
15 variation permits and reviews; business license reviews; and insurance reviews. The
16 administrative fee shall not be charged for free speech events as defined in Section 15.52.005.

Exhibit A for 15.52.070

ADMINISTRATIVE FEE

Column #	1	2	3	4
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(A) Street/Bridge Use

Unit Type	# of Street Segments or Units (whole numbers only)	# of Hours Closed or Modified	Fee per Hour	Subtotal
Principal arterials			\$ 23	Column 1x2x3
Minor arterials			\$ 18	Column 1x2x3
Collector arterials			\$ 12	Column 1x2x3
Access streets			\$ 8	Column 1x2x3
Highway/freeway ramps			\$ 30	Column 1x2x3
Bridges			\$ 300	Column 1x2x3
				(A) Sum of Column 4

(B) Arterials Intersected

Intersection Type	# of Intersected Arterials	# of Hours Closed or Modified	Fee per Hour	Subtotal
Principal arterials			\$ 23	Column 1x2x3
Minor arterials			\$ 18	Column 1x2x3
Collector arterials			\$ 12	Column 1x2x3
				(B) Sum of Column 4

(C) Prior Year Discount

A 25% discount applies to fees for (A) and (B) if the event is a repeat event taking place in the same general time, place, and manner as the previous year's event. If an event closes or modifies any public place, the minimum total fee for (A) + (B) - (C) is \$200. For any event utilizing Seattle Police Department Harbor Patrol, the minimum fee for (A) + (B) - (C) is \$600.

(C) = (A+B) x (25%)

(D) Alcohol Area Fee

Column #	1	2	3
# Alcohol Areas		Fee per Area	Subtotal
		\$ 200	(D) Column 1x2

(E) Vendor Fee

# Sales Vendors	Fee per Vendor	Subtotal
	\$ 20	(E) Column 1x2

TOTAL ADMINISTRATIVE FEE = (A) + (B) - (C) + (D) + (E)

- 1
- 2 1. Street/Bridge Use. To determine the type of street segment, the most current
- 3 SDOT Planned Arterial Classifications Map, which reflects the legal street classification as

1 described in Section 15.60.015, shall be used. In calculating this fee component, the following
2 shall be reflected:

3 a. Street segments in the downtown core are counted as principal arterials
4 regardless of the actual street classification.

5 b. The fee per hour is charged, rounded up to the nearest ½ hour, based on
6 the amount of time the street is planned to be closed or modified to traffic.

7 c. Hours between the time of 12 a.m. and 6 a.m. are not included in the
8 count if the event is 30 hours or longer.

9 2. Arterials Intersected. This component of the fee is calculated by multiplying the
10 number of additional arterial intersections closed or modified by the number of hours it is
11 closed or modified to traffic and/or the general public by the applicable fee per hour. To
12 determine the type of arterial intersected, the most current SDOT Planned Arterial
13 Classifications Map, which reflects the legal street classification as described in Section
14 15.60.015, shall be used. In calculating this fee component:

15 a. Those items identified in subsections 1.a, 1.b, and 1.c of this subsection
16 15.52.070.B shall be taken into account.

17 b. Intersections shall only be counted if the closed or occupied streets will
18 block a full arterial intersection; if half the intersected street is an arterial and the other half is an
19 access street, it is not included in the count.

20 c. If the closed street intersects a street with one type of arterial on one
21 side and a different type of arterial on the other side, the lower level arterial is utilized for the
22 count.

1 d. An arterial is considered intersected if normal traffic operations and
2 conditions cannot be executed. An intersection that continues to allow traffic and transit to flow
3 but requires them to wait longer than would be typically expected is included in the count.

4 3. Prior Year Discount. If the event is a repeat event taking place in the same
5 general time, place, and manner as the most recent event, which must have taken place at least
6 once within the previous two calendar years, the prior year discount applies. A discount of 25
7 percent is applied to the total components of subsections 1 and 2 of this subsection 15.52.070.B.

8 4. Alcohol Area Fee. For events that will include alcohol sales to the general
9 public or event attendees as permitted by the Washington Liquor and Cannabis Board, a fee per
10 alcohol service area applies to those alcohol areas in a park, other City-owned property,
11 excluding the Seattle Center area, or public place. The fee is \$200 for the first alcohol area and
12 \$100 for each additional alcohol area.

13 5. Vendor Fee. For events providing or renting space to vendors selling or
14 promoting products or services, a fee of \$20 per vendor applies. The fee only applies to vendors
15 selling or promoting a commercial product or commercial service in a park, other City-owned
16 property excluding the Seattle Center area, or public place. Vendors engaged solely in expressive
17 activity such as leafletting, pamphletting or solicitation, or who are engaged in the sale of goods
18 that are inextricably intertwined with statements carrying a religious, political, philosophical, or
19 ideological message are not included. Other vendors with non-sales-related or non-commercial-
20 related actions are not included.

21 C. Police Department Fee. For athletic events and commercial events, the police
22 department fee applies and is calculated by multiplying the number of officers required to safely
23 manage vehicle or waterway traffic and a reasonable number of officers within the event

1 footprint to ensure safety and security by the number of hours per officer by a rate of \$67 per
2 officer per hour as calculated in Exhibit B for 15.52.070 . The number of hours per officer are
3 rounded up to the nearest half hour. A two hour minimum per officer applies. Any officers paid
4 for by the organizer through agreements with Parks, the Seattle Center, or other agreements with
5 the Seattle Police Department, are separate and not included as part of this fee. Police department
6 fees shall not be charged for community events, parade events, free speech events, or mixed free
7 speech events as defined in Section 15.52.005.

Exhibit B for 15.52.070				
POLICE DEPARTMENT FEE (if applicable)				
Column #	1	2	3	4
	# officers	# hours each	Rate/Hour	Total
			\$ 67	Fee = Column 1x2x3

8
9 D. Citywide Event Fee. The citywide event fee is applicable only to citywide events as
10 defined in Section 15.52.005. The chair of the Special Events Committee, in consultation with
11 the Special Events Committee and Seattle Police Department, is hereby authorized to negotiate
12 and finalize an agreement with organizers of citywide events concerning services, resources,
13 fees, and safety and security. The agreement must be supported by the Chief of Police
14 representative on the Special Events Committee and a majority vote of the Special Events
15 Committee. The citywide event fee must delineate an amount for the administrative fee and the
16 police department fee.

17 E. Late Fees. If late fees are required as determined in subsection 15.52.060.A, the
18 application fee shall be \$150 and the administrative fee shall be 120 percent of the administrative
19 fee calculated as if the event's application were submitted on time.

1 F. Other Fees. Other costs and fees, to be paid in addition to the fees under this Section
2 15.52.070, include, but are not limited to: Seattle Parks fees (including vendor fees for vendors
3 in parks); Seattle Center fees; utilized emergency management services; Seattle Fire Department
4 and/or Fire Marshal inspection fees; parking meter loss revenue; business licensing fees;
5 penalties; noise variance fees; and post-event cleanup.

6 G. Fee Adjustments. The hourly rates described in subsections 1 and 2 of subsection
7 15.52.070.B shall be revised by the Special Events Committee annually based on changes in the
8 purchasing power of the dollar during the preceding year shown by the Consumer Price Index for
9 Urban Wage Earners and Clerical Workers for Seattle-Tacoma-Bremerton, WA, First Six
10 Months, published in or about August of each year by the U.S. Department of Labor Bureau of
11 Labor Statistics. The first adjustment shall apply in 2018. Adjustments shall use 2017 as the base
12 year but fee components shall not increase by more than ten percent from one year to the next.
13 The Special Events Committee may determine whether to adjust the application fee, vendor fee,
14 alcohol area fee, or police department fee, but it may only do so once per year in conjunction
15 with the administrative fee adjustment and shall not increase by more than ten percent from one
16 year to the next. Without including any phase-in discount, when the police department fee is
17 established for an event for the first time, if an event is a repeat event taking place in the same
18 general time, place, and manner as it did in the previous year, and no documented issues during
19 previous years' events would demand the need for additional officer support, the police
20 department fee for an event shall not increase by more than ten percent from the previous year.

21 H. When Payable. A fee deposit in the entire amount of the administrative fee and police
22 department fee, as applicable, is due and payable 30 days before the first date of the event unless
23 the Special Events Committee authorized an alternate arrangement. In no circumstance shall the

1 permit be issued without previous deposit of the entire fee. All payments shall be deposited into
2 the City Treasury to the credit of the Treasurer's Clearing Fund; and once the event is complete,
3 the amount due to the City shall be transferred to the General Fund Special Event Revenue
4 Account.

5 I. Refunds

6 1. The event organizer may apply for a refund to the Special Events Committee
7 within 30 days after the original event start date.

8 2. The application fee is non-refundable.

9 3. If the permit has not been issued, the total fee deposit may be refunded at 100
10 percent.

11 4. If the permit was issued and fee deposit made but the event is cancelled by the
12 Special Events Committee for a reason outside of the event organizer's control, the total fee
13 deposit may be refunded at 100 percent.

14 5. If the permit was issued and fee deposit made but the event is cancelled by the
15 event organizer at least three business days before the event start date, the administrative fee may
16 be refunded at 50 percent and the police department fee may be refunded at 100 percent.

17 6. If the permit was issued and fee deposit made but the event is cancelled by the
18 event organizer during the three business days before the event start date, the administrative fee
19 shall not be refunded and the police department fee may be refunded at 90 percent.

20 7. If the amount of police officers and police officer hours paid for by the event
21 organizer through the police department fee is greater than the number of police officers and
22 police officer hours provided by the Seattle Police Department at the event, the fee amount
23 overpaid by the event organizer shall be refunded at 100 percent.

1 8. If the actual costs for a mixed free speech event are less than the amount paid
2 by the applicant, the applicant shall be refunded the excess paid.

3 J. Phase-In Discount. If a 2016 event will be conducted in the same general time, place,
4 and manner as the 2015 event but would realize a total special events fee increase from 2015 to
5 2016 if calculated in full as a result of these fee increases, then the total 2016 special events fee,
6 comprised of the administrative fee and police department fee (if applicable), shall be
7 discounted. The discounted special events fee for 2016 shall be equal to: the event's 2015 special
8 events fee plus 50 percent of the total special events fee increase from 2015 to 2016. The phase-
9 in discount applies to all special event types except citywide events. The discount applies to 2016
10 events only. For 2017 and later, the full special events fee applies to all events.

11 Section 10. Section 15.52.080 of the Seattle Municipal Code, enacted by Ordinance
12 115982, is amended as follows:

13 **15.52.080 Exemptions from fees ((-))**

14 ~~((No fee shall be imposed when prohibited by the First and Fourteenth Amendments to the~~
15 ~~United States Constitution, or Article I, Section 3, 4, 5, or 11 of the Washington Constitution.~~
16 ~~Political or religious activity intended primarily for the communication or expression of ideas~~
17 ~~shall be presumed to be a constitutionally protected event. Factors that may be considered in~~
18 ~~evaluating whether or not the fee applies include the nature of the event; the extent of~~
19 ~~commercial activity, such as the sales of food, goods, and services; product advertising or~~
20 ~~promotion, or other business participation in the event; the use or application of any funds raised;~~
21 ~~if part of an annual tradition or a series, previous events in the sequence; and the public~~
22 ~~perception of the event.~~

1 ~~No fee shall apply to a block party with an anticipated attendance of three hundred (300)~~
2 ~~people or fewer that closes off a residential street segment no more than one (1) block in length,~~
3 ~~a sidewalk or alley abutting a park, or an unopened right-of-way for eight (8) hours or less during~~
4 ~~daylight hours, and does not need police service for crowd control.))~~

5 No fee shall be imposed under this ((chapter)) Chapter 15.52 on events that are authorized
6 by a special ordinance ((which)) that sets out fees or charges for that particular event.

7 Section 11. Section 15.52.090 of the Seattle Municipal Code, enacted by Ordinance
8 115982, is amended as follows:

9 **15.52.090 Exclusions ((:))**

10 This ((chapter excludes events at)) Chapter 15.52 does not apply to:

11 a. Events occurring solely in the Seattle Center area; or

12 b. Events occurring solely in stadiums or other venues managed by Transportation

13 Management Plans that are submitted separately to the City, including, but not limited to, events

14 at Century Link Field and Event Center, Husky Stadium, Key Arena, and Safeco Field; or

15 c. ((events of or)) Events under the authority of the United States; or

16 d. ((and/or use of streets or)) Events using parks or public places as a result of or
17 preparation for a fire, earthquake, or other disaster, or practices or exercises for disaster
18 management.

19 Section 12. A new Section 15.52.100 is added to the Seattle Municipal Code as follows:

20 **15.52.100 Audit requested**

1 The City Council requests the Seattle City Auditor to audit the Seattle Police
2 Department's process for staffing special events. This audit should include the planning,
3 authorization, staffing levels, attendance, and payment of officers for permitted special events
4 under Chapter 15.52. The City Council requests that the first audit take place in the first quarter
5 of 2016 and cover special events staffing for 2010 through 2015. The City Budget Office shall
6 utilize the audit's results and recommendations to perform subsequent annual reviews to take
7 place in the first quarter of each year and cover special events staffing for the previous year. The
8 final review will take place in 2020 unless City Council directs otherwise.

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1 Section 13. This ordinance shall take effect on January 1, 2016.

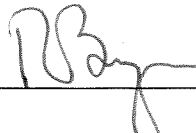
2 Passed by the City Council the 21st day of September, 2015, and

3 signed by me in open session in authentication of its passage this

4 21st day of September, 2015.

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President _____ of the City Council


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9 Approved by me this 29th day of September, 2015.

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Edward B. Murray, Mayor

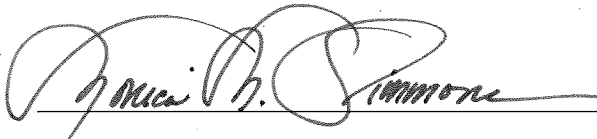
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14 Filed by me this 29th day of September, 2015.

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Monica Martinez Simmons, City Clerk

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20 (Seal)

21 Attachments:

22 Attachment A – Repealed Section 15.52.070

Attachment A – Repealed Section 15.52.070

Section 15.52.070. Fees.

A. Computation of Fees. The fee for a special event permit shall be computed as follows:

1. No fee shall be charged for events exempt from fees under Section 15.52.080 or excluded under Section 15.52.090;
2. The schedule in subsection B sets the base fee for 1992; the base fee is supplemented by a factor of Twenty-five Cents (\$.25) per registered entrant in a sporting event;
3. The base fee applicable to events in 1993 and each year thereafter shall be revised by the Special Events Committee annually based on changes in the purchasing power of the dollar during the preceding year shown by the Consumer Price Index for Urban Wage Earners and Clerical Workers for Seattle, First Six Months, published in or about August of each year by the U.S. Department of Labor, Bureau of Labor Statistics. Adjustments shall use 1992 as the base year, provided, as to events with fifty thousand (50,000) or more people in attendance, the rates in Note 2 to the schedule in subsection B apply, and 1994 shall be the base year for calculating inflation adjustments for events in calendar year 1995 and thereafter. Except as provided in Note 2, the base fee for any classification of anticipated attendance in the schedule in subsection B may not increase by more than ten percent (10%) from one (1) year to the next;
4. The base fee schedule applies for each day of the event. If any event extends over two (2) or more days and its anticipated attendance varies from day to day, the fee will be calculated on the anticipated peak attendance for each date. A fee for a sporting event may encompass two (2) or more activities as long as all activities are part of a

coordinated program. A fee for a day-event in the same area or along the same route encompasses all activities that occur as a part of that event within the block segments or park areas of the permit. When a day-event occurs with a sporting event or parade outside the area of the permit, the fee will be based on the charge for both events. The fee for an event that extends for two (2) or more days is the sum of the charges for each day;

5. These fees for a special permit do not displace any other fees required by ordinance for the event.

No special event shall be exempted from paying the fees in subsection B except those activities described in Sections 15.52.080 and 15.52.090.

B. Base Fee Schedule per Day of Event.

"Anticipated Attendance" on Date (Note 1)	"Sporting Event" or "Parade"		"Day-Event"	
	No Fee	"Entry Fee"	No Fee	"Entry Fee"
50—1,000	\$ 100.00	\$ 500.00	\$ 100.00	\$ 500.00
1,001—5,000	250.00	1,250.00	250.00	1,000.00

5,001—10,000	500.00	2,000.00	500.00	1,500.00
10,001—25,000	1,000.00	3,000.00	1,000.00	2,500.00
25,001—50,000	3,000.00	6,750.00	3,000.00	5,500.00
50,000 or more	10,000.00	12,000.00	10,000.00	12,000.00

Note 1: Terms in quotation marks are defined in subsection C.

Note 2: During 1993, the base fee for an event with an anticipated attendance of fifty thousand (50,000) or more people shall be Fifteen Thousand Dollars (\$15,000.00) for an event free of charge for the public, and Seventeen Thousand Dollars (\$17,000.00) for an event with an entry charge to the public. During 1994, the base fee for such an event shall be Twenty Thousand Dollars (\$20,000.00) for an event free of charge to the public, and Twenty-five Thousand Dollars (\$25,000.00) for an event with an entry charge to the public.

C. Explanations of Base Fee Schedule.

The "anticipated attendance" is calculated as everyone present at the peak time for the event, including participants, spectators, performers and patrons.

A "day-event" occupies a portion of a public place and/or park, typically with booths or stands, an exhibition, activities on a stage or platform, and/or amusement rides. Examples

include street fairs, festivals, carnivals, concerts, hydroplane races, major displays of fireworks, and outdoor circuses.

An "entry fee" is a charge made to the general public to attend or participate in a special event. It does not mean a payment to the producer of a special event by a seller of merchandise or services, an entertainer, a sponsor or advertiser, or an exhibitor, such as a percentage, concession or booth fee.

A "parade" is a march or procession. It may include floats, motor vehicles, and/or animals.

"Public place" is defined in Section 15.02.040.

A "sporting event" is a gathering of people, most of whom participate in an athletic activity or in physical exertion. It includes a run, walk, bicycling, a race or competitive contest.

- D. When Payable. A deposit in the amount of the base fee is due and payable upon issuance of the permit unless the Special Events Committee authorized an alternate arrangement. The entire fee, including the per entrant charge in Section 15.52.070 A2, is due and payable thirty (30) days after the event. All payments shall be deposited into the City Treasury to the credit of the Treasurer's Clearing Fund; and upon settlement, the amount due to the City shall be transferred to the General Fund, Special Event Revenue Account, and any balance refunded.