



DATE: January 24, 2017

CATEGORY: Consent

DEPT.: Community Services

TITLE: **Street Closure, Parking Lot Closure, Sound Amplification, and Festival Area Designation for the Fourth Annual Silicon Valley Irish Festival and Fleadh**

RECOMMENDATION

Adopt a Resolution to Approve the Closure of Certain Streets in the Downtown Area and Lot No. 5 on Saturday, May 13, 2017, at 2:30 a.m. until Sunday, May 14, 2017, at 10:00 p.m. for the Fourth Annual Silicon Valley Irish Festival and Fleadh, to be read in title only, further reading waived (Attachment 1 to the Council report).

BACKGROUND

The Annual Silicon Valley Irish Festival and Fleadh promotes and celebrates all aspects of Irish culture, including Irish music, dance, food, drink, and crafts. The event has taken place in downtown Mountain View for the past three years. Over those three years, the applicant was the Mountain View Chamber of Commerce in partnership with St. Stephen's Green, a downtown business. The applicant for this year's event is the St. Stephen's Green Irish Foundation, a 501(c)(3) nonprofit established by the business, St. Stephen's Green (see Attachment 2—Special Event Application).

The Fourth Annual Silicon Valley Irish Festival and Fleadh will operate from 12:00 noon to 8:00 p.m. on Saturday, May 13, and from 11:00 a.m. to 7:00 p.m. on Sunday, May 14, 2017. The closure of Hope Street (Villa Street to Dana Street) and Parking Lot No. 5 (located behind St. Stephen's Green on Hope Street between Villa Street and Dana Street) beginning at 2:30 a.m. on Saturday, May 13, 2017, and ending at 10:00 p.m. on Sunday, May 14, 2017, is necessary to facilitate setup and takedown of components of the event. There will also be live amplified entertainment at various times, necessitating a permit pursuant to City Code Section 3.17.2, subject to conditions listed herein.

ANALYSIS

The nature of this event necessitates an event permit pursuant to Council Policy K-14. The Policy states that subsequent requests for the same event with a similar size and scope shall be approved by the Community Services Director. Therefore, Council approved the first event permit three years ago and the Community Services Director has approved it for the last two years. Due to the change of the applicant, staff is requesting Council approval for this year's event permit. Should subsequent applications be received by the same applicant for the same event, similar in scope and size, the Community Services Director shall approve the permit.

Conditions of Permit Issuance

Violation of any of the conditions listed herein will result in the revocation of permit authority by any Police Officer or authorized City representative and cessation of the event.

1. The event sponsors will be charged fees and services based on actual costs incurred by all City departments. One-half of all applicable estimated costs are to be paid four weeks prior to the event.
2. Applicant shall arrange for insurance, as required by the City, specifically a Certificate of Insurance and an endorsement naming the City, its officers, officials, employees, and volunteers as additional insured in a minimum amount of Two Million Dollars (\$2,000,000), including Liquor Liability. It is understood and agreed that the applicant, its agents, employees, or officers assumes all risks and agrees to defend, indemnify, and hold the City of Mountain View, its officers, agents, and employees harmless from any liability for damage or claims of same, including, but not limited to, personal injury, property damage, and death, and cost or expense which may arise from the alleged willful or negligent acts or omissions of applicant, its officers, agents, or employees in connection with the permitted event activities.
3. Applicant shall contact all businesses within the affected street closure area, advise them of this event, and advise them that any opposition to the event can be expressed to Council on the date this item is to be heard (Attachment 3).
4. Applicant will publicize "No Segway Use" on all promotional material and post "No Segway Use" signs at the event.

5. The location of any sound amplification device(s) shall be stationary and confined to a pre-designated location within the festival area. This location shall be approved by the City in advance of the event.
6. Sound amplification shall be restricted to the hours of 12:00 noon to 8:00 p.m. on Saturday, May 13 and 11:00 a.m. to 7:00 p.m. on Sunday, May 14, 2017.
7. Decibel level of the amplification shall be subject to reduction upon the request of any Police Officer.
8. Tickets for alcoholic beverages will be sold until one-half hour prior to the close of the event each day; alcohol service will cease 15 minutes prior to the close of the event each day.
9. Persons within the festival area are exempt from City Code Section 21.70, prohibiting alcohol consumption in public spaces.
10. Applicant shall pay for rental of public toilets, barricades, and traffic-control devices as deemed necessary by the City.
11. Applicant shall utilize social media to communicate information regarding parking restrictions in downtown Mountain View.
12. Applicant and vendors shall comply with the City's Polystyrene Foam Food Service Ware Ordinance. No food provider shall dispense prepared food or beverage using polystyrene foam food service ware, whether provided for a charge or no charge, including complimentary samplings and tastings. For additional requirements and information, visit www.MVrecycle.org.
13. Applicant and vendor shall comply with the City's Reusable Bag Ordinance. No vendor shall provide thin plastic carryout bags (less than 2.25 mil thick) for customer purchases. Vendors must charge a minimum of Ten Cents (\$0.10) for each recycled paper, cloth, or plastic carryout bag (2.25 mil or thicker) for customer purchases. For additional requirements and information, visit www.MVrecycle.org.
14. Applicant shall provide for sufficient garbage, recycling, and composting services, as determined by the Solid Waste and Recycling Section, to manage the waste produced by vendors and the public. All services are to be provided by the City's exclusive hauler, Recology. The applicant pays for garbage and composting

service, and the City provides recycling at no charge unless the containers are contaminated. The following procedures shall also be followed by the applicant in setting up and managing waste produced at the event:

- Bag the City litter cans with black bags to prevent public and vendor use and remove on Sunday evening after the event. Provide garbage containers next to hand-wash stations near public toilets.
- Unlock recycling containers by 8:00 a.m. for vendors and event workers. Lock containers at the end of each day of the event to prevent theft (scavenging). Applicant shall not give permission or allow scavenging of recyclables from garbage or recycling containers and should seek assistance from the Police Department, if necessary.
- Provide vendors with the following information:
 - No burned charcoal/mesquite—hot, cold, or wet—in debris box. Vendors shall consult with Fire Department for Best Management Practices (e.g., metal containers with lids shall be provided by the vendors and used for disposal of used charcoals/mesquite coals). Vendors are responsible for removing the used coals from the event and properly disposing of same at their place of business.
 - Vendors must bag all garbage and place it in debris boxes. Vendors shall not use public garbage containers, cardboard event boxes, or leave garbage at street corners.
 - Vendors must place all recycling in the white mixed recycling dumpsters or in the white flattened cardboard dumpsters. If dumpsters are full, place flattened cardboard and bags of bottles and cans near the sidewalk next to the mixed recycling dumpsters.
 - Recycling items accepted include flattened cardboard, empty glass bottles, aluminum and tin cans, plastic bottles, and cups marked with a No. 1 through No. 7 recycling symbol.
 - Recycling items not accepted include plastic milk crates, plastic five-gallon buckets, paper milk cartons, unflattened cardboard, waxed cardboard, plastic wrap, plastic bags, plastic drinking cups, or plastic

utensils, even if these items are marked with a No. 1 through No. 7 recycling symbol. Put these items in the garbage.

- Wastewater shall be placed in wastewater tanks located near vendor location. No wastewater of any type may be disposed in street gutters, storm drains, or landscaping.
 - Provide training to vendor staff to ensure garbage, recycling, charcoal, and wastewater are properly handled for public health and safety.
 - After the event, flatten and recycle all temporary garbage containers (cardboard event boxes) and place inside the covered cardboard recycling container. If these are full, place cardboard in the mixed recycling dumpsters. If these are full, place in the dumpster bins. Do not leave any garbage or recycling on the streets or sidewalks.
15. Applicant shall provide and review all City-provided garbage, recycling, and composting procedures with vendors, volunteers, and employees.
 16. Applicant shall provide for proctors and monitors to facilitate order at the event. Such proctors will be responsible for providing services deemed necessary by the City, including by way of example, but not limited to, a central command center, first-aid stations, lost-and-found stations, lost children stations, etc.
 17. Applicant shall provide space within the festival area for any group which may wish to exercise First Amendment-protected rights.
 18. Applicant shall follow all legal directions requested by any Police Officer, including the temporary or complete cessation of any or all components of the event if, in the Police Officer's judgment, the cessation is necessary to ensure the public safety.
 19. Applicant shall notify all vendors of County standards for fire prevention for festival event and cooking booths. Documents can be found online at www.unidocs.org.
 20. Applicant shall provide the Police and Fire Departments with a copy of the conditions and policies given to all vendors.

21. Applicant shall require that all food vendors protect the parking lot from spills with a nonslip surface. Cardboard and tarps will not be permitted.
22. Applicant shall provide an updated map and matrix to the City identifying each food booth, generator, and tent location two weeks prior to the event.
23. Applicant will provide booths that comply with fire safety regulations for all food vendors.
24. Notification to all vendors that only the use of diesel generators will be allowed at the festival.
25. Applicant will notify vendors of approved locations to access water and electricity.
26. Applicant must make a final follow-up contact with the primary Mountain View Police Officer on duty prior to leaving the event area and also do a final walk-through of event site at conclusion of festival.

FISCAL IMPACT

The total approximate cost for Police, Fire, Streets, Solid Waste Recycling, Community Services, and a 5 percent administration fee is \$16,500, to be paid entirely by the applicant.

CONCLUSION

In summary, the Annual Silicon Valley Irish Festival and Fleadh is proud to bring the traditions of Irish culture to downtown Mountain View. This event has been successful the past three years and is positioned to continue its success under the new applicant. Council is being asked to approve the event due to the change in applicant from Chamber of Commerce to the St. Stephen's Green Irish Foundation. The event itself will remain similar in size and scope as previous years.

ALTERNATIVES

1. Do not approve the event or specific components of the event.
2. Provide other direction.

PUBLIC NOTICING

Agenda posting; notice (Attachment 3—Public Noticing Letter) will be delivered by hand or mailed to all affected businesses and residents.

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JRM/MP/5/CAM
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- Attachments: 1. Resolution
2. Special Event Application
3. Public Noticing Letter