



City of Port Orchard Council Meeting Agenda

October 26, 2021

6:30 p.m.

Mayor:

Rob Putaansuu
Administrative Official

Councilmembers:

Bek Ashby (Mayor Pro-Tempore)
Finance Committee
Economic Development & Tourism Committee
Transportation Committee, **Chair**
KRCC/KRCC PlanPol-alt /KRCC TransPol
PSRC-alt/PSRC TransPOL-Alt/PRTPO

Shawn Cucciardi
Finance Committee
E/D & Tourism Committee, **Chair**
Kitsap Economic Development Alliance

Fred Chang
Economic Development & Tourism Committee
Land Use Committee

Jay Rosapepe
Utilities/Sewer Advisory Committee
Land Use Committee, **Chair**
Transportation Committee
Lodging Tax Advisory Committee, **Chair**
KRCC-alt

John Clauson
Finance Committee, Chair
Utilities/Sewer Advisory Committee
Kitsap Public Health District-alt

Cindy Lucarelli
Festival of Chimes & Lights Committee, **Chair**
Utilities/Sewer Advisory Committee, **Chair**
Kitsap Economic Development Alliance

Scott Diener
Land Use Committee
Transportation Committee

Department Directors:

Nicholas Bond, AICP
Development Director

Mark Dorsey, P.E.
Director of Public Works/City Engineer

Tim Drury
Municipal Court Judge

Noah Crocker, M.B.A.
Finance Director

Matt Brown
Police Chief

Brandy Rinearson, MMC, CPRO
City Clerk

Meeting Location:

Council Chambers, 3rd Floor
216 Prospect Street
Port Orchard, WA 98366

Contact us:

(360) 876-4407
cityhall@cityofportorchard.us

The City is conducting its public meetings remotely to prevent the spread of COVID. The City is providing options for the public to attend through telephone, internet or other means of remote access, and also provides the ability for persons attending the meeting (not in-person) to hear each other at the same time. Therefore;

Remote access only

Link: <https://us02web.zoom.us/j/85710548593>

Zoom Webinar ID: 857 1054 8593

Zoom Call-In: 1 253 215 8782

1. CALL TO ORDER

A. Pledge of Allegiance

2. APPROVAL OF AGENDA

3. CITIZENS COMMENTS

*(Please limit your comments to **3 minutes** for items listed on the Agenda and that are not for a Public Hearing. When recognized by the Mayor, please state your name for the official record. If you are attending remotely via telephone, enter *9 from your keypad to raise your hand.)*

4. CONSENT AGENDA

(Approval of Consent Agenda passes all routine items listed below, which have been distributed to each Councilmember for reading and study. Consent Agenda items are not considered separately unless a Councilmember so requests. In the event of such a request, the item is returned to Business Items.)

A. Approval of Vouchers and Electronic Payments

B. Approval of Payroll and Direct Deposits

C. Approval of a Contract with The Master's Touch, LLC for Utility Bill Printing and Mailing Services (Crocker) **Page 4**

D. Approval of an Interlocal Agreement with Kitsap County for Public Safety Records Management Software (M. Brown) **Page 37**

5. PRESENTATION

6. PUBLIC HEARING

A. Public Hearing on Property Tax Levy and Revenue Sources for 2022 Current Expense Budget 2021-2022 and Satisfying the Requirements of RCW 84.55.120 (Crocker) **Page 68**

B. Public Hearing on an Ordinance for the 2021-2022 Budget Mid-Biennial Review and Modification (Crocker) **Page 83**

C. Public Hearing on Vacating City Right-of-Way, an Intersection of Harrison Avenue and Dekalb Street (Rinearson) **Page 91**

D. Public Hearing on Public Hearing on a Petition to Vacate City Right-of-Way, an Intersection of Harrison Avenue and Kitsap Street (Rinearson) **Page 105**

7. BUSINESS ITEMS

- A. Adoption of an Ordinance Setting the Amount of Property Tax to be Levied for Year 2022 Pursuant to RCW 84.55.120 (Crocker) **Page 119**
- B. Adoption of an Ordinance for Mid-Biennial Review and Modifications Amending the 2021-2022 Biennial Budget (Crocker) **Page 123**
- C. Adoption of an Ordinance Vacating City Right-of-Way, an Intersection of Harrison Avenue and Dekalb Street (Rinearson) **Page 130**
- D. Adoption of an Ordinance Vacating City Right-of-Way, an Intersection of Harrison Avenue and Kitsap Street (Rinearson) **Page 138**
- E. Adoption of an Ordinance Amending Port Orchard Municipal Code Chapter 5.94 Special Events (Rinearson) **Page 146**
- F. Adoption of an Ordinance Authorizing Positions of Senior Planner and Utilities Compliance Specialist (Lund) **Page 385**
- G. Approval of Personnel Policy Update for COVID Vaccination as a Condition for New City Hires (Lund) **Page 390**
- H. Approval of a Road Closure for a Special Event, the Festival of Chimes and Lights (Rinearson) **Page 393**
- I. Approval of the October 12, 2021, City Council Meeting Minutes **Page 418**

8. DISCUSSION ITEMS (No Action to be Taken)

- A. Legislative Agenda (Mayor) **Page 425**

9. REPORTS OF COUNCIL COMMITTEES

10. REPORT OF MAYOR

11. REPORT OF DEPARTMENT HEADS

12. CITIZEN COMMENTS

*(Please limit your comments to 3 minutes for any items not up for Public Hearing. When recognized by the Mayor, please state your name for the official record. If you are attending remotely via telephone, enter *9 from your keypad to raise your hand.)*

- 13. **EXECUTIVE SESSION:** Pursuant to RCW 42.30.110, the City Council may hold an executive session. The topic(s) and the session duration will be announced prior to the executive session.

14. CITY COUNCIL GOOD OF THE ORDER

15. ADJOURNMENT

COMMITTEE MEETINGS

Date & Time

Location

Economic Development and Tourism	November 8, 2021; 9:30am – 2 nd Monday of each month	Remote Access
Utilities	November 9, 2021; 5:00pm	Remote Access
Land Use	TBD, 2021; 4:30pm	Remote Access
Festival of Chimes & Lights	November 1, 2021; 3:30pm	Remote Access
Finance	November 16, 2021; 5:00pm	Remote Access

Please turn off cell phones during meeting and hold your questions for staff until the meeting has been adjourned.

The Council may consider other ordinances and matters not listed on the Agenda, unless specific notification period is required.

Meeting materials are available on the City's website at: www.cityofportorchard.us or by contacting the City Clerk's office at (360) 876-4407.

The City of Port Orchard does not discriminate on the basis of disability. Contact the City Clerk's office should you need special accommodations.

Transportation	October 26, 2021; 5:00pm; 4 th Tuesday of each month	Remote Access
Sewer Advisory	November 1, 2021; 6:30pm	Remote Access
Lodging Tax	October 28, 2021; 4:30pm	Remote Access
Outside Agency Committees	Varies	Varies

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City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.: Consent Agenda 4C
Subject: Approval of a Contract with The Master's
Touch, LLC for Utility Bill Printing and
Mailing Services

Meeting Date: October 26, 2021
Prepared by: Noah Crocker
Finance Director
Atty Routing No.: Finance – Matter 7
Atty Review Date: October 22, 2021

Summary: On August 30, 2021, the city released a Request for Proposals (RFP) for the Utility Billing printing and mailing services. The city received three proposals for the services and selected The Master's Touch, LLC as the apparent winner. The Master's Touch LLC provides complete print and mail service solutions while minimizing costs. The Masters Touch LLC is the current provider to the city and will retain the service after the competitive process. There will be no impact to the customers utility customers.

Relationship to Comprehensive Plan: N/A

Recommendation: Staff recommend approval of the contract with The Master's Touch LLC.

Motion for consideration: "I move to authorize the Mayor to execute a contract with The Master's Touch for utility bill printing and mailing services in a form acceptable to the city attorney."

Fiscal Impact: Up to \$15,000 per year for printing and mailing services in addition the city will pay the actual cost of USPS postage. This is consistent with the budget.

Alternatives: Do not approve and provide alternative guidance.

Attachments: Bid documents and contract.



Port
ORCHARD

**City of
Port Orchard**
**RFP for Utility Bill
Printing and Mailing
Services**

Contact: Jim Coté
(800) 301-1347
masters@themasterstouch.com



(800) 301 - 1347
(509) 326- 7475



www.themastertouch.com
masters@themastertouch.com



Dear Kathy Cain and the City of Port Orchard,

Date: 09/09/2021

The Master's Touch, LLC is pleased to present this response to the City of Port Orchard, WA, based on its request for proposal for Utility Bill Print, Insert, and Mail Services, due September 14, 2021.

TMT is confident that our offering and benefits will continue provide the City and its customers with the greatest value in the market today. In addition to your core requirements, TMT has provided cost savings alternatives and made mention of added features we are able to provide, including our online statement presentment solution and IMb Trace technology.

TMT has been in business since 1994 and provides utility bill printing and mailing services to hundreds of municipalities in 28 states across the country. Our clients range in size from 5,000 to over 1 million statements per year and we printed over 33 million statements in 2020. All of our work is completed in house with no subcontracting whatsoever.

Why Choose The Master's Touch, LLC?

- One of a small handful of mail service providers in the country that are USPS Full Service and Seamless certified, which guarantees the City of Port Orchard the lowest cost presort possible with postage rates that are **never** marked up.
- Ability to provide statements electronically through our secure web-based eNotices portal. This opt-in system, which currently stores some 75 million statements for over 400,000 users across the country, allows City customer service access and provides automated email notifications when statements become available.
- State of the art technology that allows you to update the look and feel of your statements, including the ability to add more color to your logo, along with bolded headlines and colored variable data. With these changes, you can encourage your customers to take action by drawing their attention to critical information, in addition to simplifying document navigation, supporting your branding efforts, and strengthening the aesthetic appeal of your statements at no additional cost! **Even further, TMT is offering all graphics and data revisions required to fully utilize this new opportunity at no charge!**

ADDRESS:

1405 N. Ash Street, Spokane, WA 99201



THE
MASTER'S™
TOUCH, LLC

(800) 301 - 1347
(509) 326 - 7475



www.themasterstouch.com
masters@themasterstouch.com



- No need to order preprinted stock or worry about expensive inventory or product spoilage thanks to our full-color, "White Paper Factory" variable printing capabilities. Now you can print only what is needed rather than preprinting an excess number of forms based upon projections of how many parcels may be in the final data file. You pay only for what you use!
- Our famous "Second Mile" customer service, which includes friendly, timely and personalized guidance from your current Mission Manager, Ann Cote, who will continue to give your jobs special attention to potential cost savings. Anne has decades of experience coordinating the design and printing of utility statement projects, including eight years of experience working with the City of Port Orchard. As a USPS-certified Mail Design Professional, Ann strives to consistently improve customer satisfaction through effective project management, proactive problem solving, and successful resolutions.

TMT is an experienced and proven mail service vendor that provides unequalled technical support. We believe that efficiencies can be improved by introducing new thoughts and ideas. We are proud to say that in 27+ years we have never had a public agency client discontinue services with TMT due to programming, production, quality, customer service, or operational issues. We think that makes us pretty unique in our industry. We firmly believe that continuing our partnership with the City will result in an efficient and cost-effective solution for the people of Port Orchard and we thank you for this opportunity to continue to provide our services.

JIM COTE
President
masters@themasterstouch.com

ADDRESS:

1405 N. Ash Street, Spokane, WA 99201

CITY OF PORT ORCHARD REQUEST FOR PROPOSALS – UTILITY BILL PRINT, INSERT, AND MAIL SERVICES

PROPOSAL RESPONSE CERTIFICATION

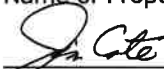
09/09/2021

DATE

The undersigned, as proposer, declares that they have read the Request for Proposals and that the following proposal is submitted on the basis that the undersigned, the company, and its employees or agents, shall meet, or agree to, all specifications contained therein. It is further acknowledged that addenda numbers 1 to 2 have been received and were examined as part of the RFP document.

Jim Coté
Name of Proposer

14-1867056
Tax ID Number


Signature of Proposer

President
Title

The Master's Touch, LLC
Name of Firm

1405 N Ash Street
Street Address

Spokane, WA, 99201
City, State, Zip

(800) 301-1347/ (509) 326-7214
Telephone / Fax Number

masters@themasterstouch.com
E-mail Address

www.themasterstouch.com
Website Address

Washington
State of Incorporation

Business Classification Type (Please check mark if applicable):

- Minority Business Enterprise (MBE)
- Women Owned Business Enterprise (WBE)
- Small Business Enterprise (SBE)
- Veteran Business Enterprise (VBE)
- Disadvantaged Business Enterprise (DBE)

Business Classification Type is used for tracking purposes, not as criteria for award.



(800) 301 - 1347
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www.themastertouch.com
masters@themastertouch.com



TMT has been providing reliable, accurate, and easy to use print and mail services for our customers for over 25 years. What started in 1994 as a small-scale, envelope-stuffing operation in the spare room of our founder's family home has seen us grow into one of the leading mail service providers in the country, with 50 employees spread across our twin production facilities in Spokane, Washington and Tempe, Arizona, along with sales offices in Kaneohe, Hawaii and Des Moines, Iowa. We now have over 700 clients in 29 states and we continue to grow. We're proud of how far we've come, but never lose sight of our core principles and we are excited to prove to you why we're the best fit for your printing and mailing needs.

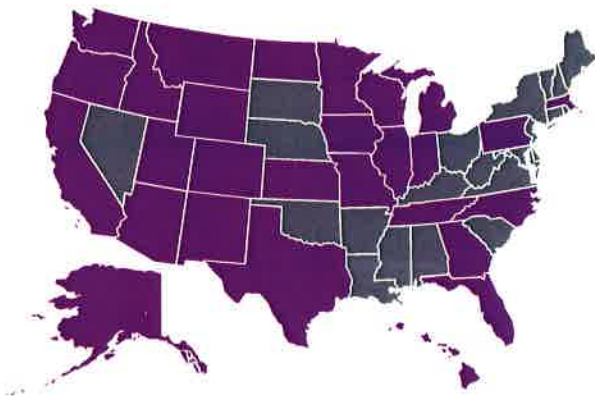


Spokane, WA Headquarters



Tempe, AZ Facility

TMT mail volume has grown every year but one in our 25 year history. In 2020, TMT produced over 33 million statements and we expect to eclipse that number once again this year. TMT also provides its proprietary "eNotice" paperless statement services to over 400,000 users, but our bread and butter is printing and mailing statements for municipal and government entities, which makes up some 85% of our annual workload.



TMT clients include over 700 private and public organizations, including government agencies and municipalities, in 29 states across the country, spanning every time zone.



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Despite TMT's steady growth, we remain committed to ensuring the needs of our current customers are never compromised. Each of TMT's state of the art production facilities can print 160,000 statements per eight-hour shift, for a total of 320,000 per shift between the two locations. Currently, TMT prints and mails an average of 75,000 statements per day per facility, which means we can comfortably maintain volume for the City of Port Orchard while still allowing for continued growth.

TMT mailings involve no subcontracting whatsoever, so the coordination of your project is seamless and without interruptions or delays. TMT's completely self-contained services include graphic design, high-level data processing (including the ability to manipulate data when required), envelope printing at 60,000 per hour, on-demand print of both static and variable data in color at 50,000 bills per hour, mail preparation utilizing the latest 2d barcode technology, electronic statements (eNotices), and PDF fillable forms. All work is performed by TMT employees, with no outsourcing of any part of the work. This is a key reason how and why we can guarantee our mail dates and never miss.

TMT sees itself as a Goldilocks-sized service provider - big enough to manage the largest mailings, but still small enough where we can remain flexible and consistently meet the quick turnaround times that are inevitable in this business. And because 95% of TMT's mail is first class, as opposed to marketing mail, our processes and procedures are specifically tailored for clients like the Village of Hoffman Estates who require a knowledgeable, honest, and diligent printer who can efficiently and accurately print and mail bills and invoices that include confidential and PII data. Your mailings are TMT's top priority, and your mail dates are sacred. In spite of unique challenges, to the best of our knowledge, TMT has never missed your mail date and have every intention of keeping that record spotless!



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Financial Stability

TMT has been in business for over 25 years and is financially stable. All of our bills are paid on time, with payables averaging 20 days for payment. With TMT, you'll never have to worry about economic conditions or pandemics upending the promises we've made to you. A letter of recommendation from our bank can be provided upon request.

USPS Certified Full-Service Mail Services Provider

All print and mail vendors are either Basic Service providers or have been USPS certified as a Full-Service provider. The latter is a USPS-conferred certification that proves a vendor is knowledgeable and in compliance with all USPS procedures and requirements for CASS address validation, NCOA move update compliance, PAVE presort, IMb barcode, Seamless acceptance that will qualify your mail for the deepest automation postage discounts and special services such as IMb Trace to track the mail to the customer and ACS which entitles you to address updates at no charge.

As of 2020, only 88 print and mail companies out of thousands operating nationally have been awarded this prestigious certification. TMT earned it in 2014. Do not be fooled! Basic preparation does not qualify for the same rates! This may be why many Basic preparers lower their prices on the print and mail services to make up for the additional postage they must charge for "Basic" preparation. TMT not only promises you the lowest postage rates but also proves by supplying you with a "receipt" for every mailing. That receipt is the USPS 3600 postage report which is submitted to the USPS for each and every mailing. This report itemizes your postage proving what you actually were charged for each mail piece.

USPS Certified Seamless Provider

TMT also earned the USPS Seamless status two years ago and is proud to be one of only a small handful of mail service providers in the country who have received this prestigious USPS certification. To earn the right to be Seamless, a mail service provider must undergo extensive and rigorous mail preparation testing by official US Postal Service auditors. Every mailing presented over a three-month period is scrutinized and verified for proper mail piece preparation, mail piece counts, barcode and presort accuracy. The vendor must obtain a 99 percent error-free rate for 90 consecutive days in order to earn Seamless status. It is tough, but worth it.



Since near perfection is proven during Seamless testing, your mail is allowed to bypass typical postal clerk verification and is, instead, inducted directly into USPS production lines. TMT's Seamless status provides you with assurance that your mail will always qualify for the lowest postage rates without penalties. Seamless certification is limited to vendors who first certify as a Full-Service mail service provider.

TMT encourages the City of Port Orchard to consider utilizing a Seamless vendor for three critical reasons:

This will become mandatory: The USPS has been steadily moving toward elimination of postal clerks who check in and verify bulk mail. In an ongoing effort to cut costs, eventually the USPS will no longer employ verification clerks at all and will instead make Seamless a requirement for those who wish to mail at discounted automation rates. This means that any vendor without a Seamless certification will receive no postal discounts! And here's the catch: if you are in the middle of your contract with a mail service provider who is not Seamless when this happens, your automation discounted postage rates will disappear. Postage rates for all non-seamless mail will rise by 6 - 7 cents each.

Postage penalties: Seamless is essentially equal to "error free", which means you don't have to worry that your mail will ever be assessed postage penalties. Those who do not mail Seamless must have their mail verified by postal clerks. When an error is detected through spot-checking, the entire mailing is assessed a penalty, which could require forfeiting the automation postage discount - that's as much as 6.2 cents per mail piece! Beware - these penalties are often passed on to the customer unaware and without being itemized as a penalty. Rest assured, if TMT makes an error in preparation that winds up costing more postage than it should have been, TMT pays the penalty!

Delivery time: Seamless acceptance reduces mail delivery by one to two days, since time-consuming postal clerk verification is avoided and your mail is inducted directly onto USPS production equipment. As a result, TMT mail is nearly always delivered in one to three days without respect to delivery destination.



USPS Certified Mail Design Professional (MDP)

Mail Design Professionals, or MDPs, are a critical component of compliance with the USPS Domestic Mail Manual (DMM). This USPS-conferred certification earned by mail service professionals shows expertise with mail preparation and design in compliance with the DMM.

Compliance with DMM standards ensures maximum postage savings and expedited delivery through the USPS system. Small errors and less than thorough mail preparation can prevent mail pieces from delivering on time and reducing the postage discounts your mail may be entitled to.

The USPS offers a rigorous training school for those who wish to become skilled in USPS compliance and requirements. USPS certification requires successfully completing an in-depth training and successful test completion that includes material covering the requirements of a mailable piece vs. a machinable piece, barcode specifications, clearance requirements, address verification, and reflectance testing for machine readability, among other complex USPS concepts.

Most print and mail service providers have no MDP on staff - TMT has 17! TMT's MDPs, who are akin to postal clerks, are trained to inspect and verify each component of your mailing to ensure postal compliance at every step of the production process. TMT has more than one MDP on staff, because if you wish to qualify your mail for maximum postage discounts, you must comply with all USPS requirements outlined in their DMM governing mail piece design and automation processing. Deviation from any postal requirement can reduce postal discounts or incur penalties that could add significant cost to your mailing. MDP oversight helps to ensure accuracy in order to make sure your mail qualifies for the lowest postage rates and gets to its intended destinations quickly and accurately.

USPS Certified Executive Mail Center Management (EMCM)

The USPS offers the Executive Mail Center (EMCM) certification to recognize a mail professional who offers knowledge to increase productivity, reduce costs, and improve safety and security while managing mailing operations. Individuals earn this certification by attending an in-depth training program at the USPS education center in Norman, Oklahoma. TMT's president, Jim Coté, and Tempe production manager, Greg Gallagher, have completed this coveted USPS certification and employ the concepts learned in this course to ensure quality and timely mail at the lowest prices.



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On-Demand Full-Color Printing

TMT has recently purchased new, top of the line technology that will allow the City of Port Orchard to update the look and feel of your statements, including the ability to add more color to your logo, along with bolded headlines and colored variable data. With these changes, you can encourage your customers to take action by drawing their attention to critical information, in addition to simplifying document navigation, supporting your branding efforts, and strengthening the aesthetic appeal of your statements at no additional cost! Even further, TMT is offering all graphics and data revisions required to fully utilize this new opportunity at no charge!

CASS Verification

Only CASS-verified addresses are eligible for significant postage discounts. TMT has invested in the best mailing software available to ensure the highest CASS certification percentages – typically 98-99%. TMT's CASS software goes beyond declaring an address good or bad. It contains algorithms and logic that can actually fix many defective addresses, such as a missing or inaccurate directional or suffix, then adding the appropriate zip+4 that will qualify that piece for a postal discount.

Remember: all non-certified addresses mail at the full retail postage rate (50 or 55 cents), which emphasizes the importance of validating and fixing as many addresses as possible, so you avoid paying full retail price whenever possible. Another significant benefit is that CASS-verified addresses get delivered, while non-CASS verified addresses are most often returned as undeliverable mail.

National Change of Address (NCOA)

Since 2008, the USPS has required "Move Update" on all mail pieces included in a presort mailing. Our NCOA software fulfills this requirement. Most software uses an 18-month look-back period to check for name and address changes, but TMT uses an enhanced NCOA-48 technology which looks back 48 months for these updates, yet another way TMT guarantees accurate mail piece delivery and reduced returned mail.



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Real-time Address Correction Service (ACS)

This service can be provided at a minimal additional charge on your mailings that require the most precision. ACS works in a similar fashion as NCOA, but instead of verifying addresses using directories that are up to 30 days old, it works in real-time. Note that mail prepared Basic Service will cost you 12 cents per correction, but because TMT is a USPS certified Full Service provider, there is no per piece correction fee.

AEC Verification

This optional service helps our clients find the most accurate addresses and corrects those that fail CASS scrutiny. AEC utilizes postal carrier knowledge to correct addresses that could not otherwise be corrected by CASS or ACS. AEC is a terrific USPS service that could help you completely eliminate return mail.

IMb Trace

Would you like to eliminate the "I never received my statement" excuse? Would you like to know when the mail piece reached the post office and when the mail piece was delivered by the local mail carrier? With IMb Trace, TMT can provide that information for you. In conjunction with Full-Service mailing, we include an identifier for each mail piece that is unique and retrievable by the USPS. Because of this technology, we can request the USPS scan our tracking number and retain a copy of the scan for every mail piece at each step of their process.

This means at a minimum, TMT can provide you with with a record of when each mail piece was first processed on USPS equipment and another record for when the mail carrier delivered each mail piece. A very small segment of mail cannot be tracked (i.e. foreign mail), but the vast majority of mail can be followed from induction into the USPS to delivery by the carrier.

Additionally, TMT can provide this same tracking service for your remittance stubs. What that means is that not only can we track each mail piece going out, but we can also track mail pieces that are returned to you, so you can know when the USPS first processed a return payment envelope and when the carrier delivered that mail piece to your processing center.



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eNotices

In 2013 TMT deployed our proprietary eNotices service. To date TMT now has over 400,000 users across the country and is storing over 75 million documents for retrieval. eNotices is an "opt-in" service that allows your customer to choose an electronic bill rather than paper.

This service requires no IT support from you as it is managed completely by TMT. Even ownership changes are handled automatically by our system.

Intelligent 2d Barcode Inserters

Accuracy is a critical part of first class mail. Accidentally insert two statements for different customers into one envelope and one quickly discovers this truth. Since First Class mail remains 95% of all mail TMT processes, we made the decision to secure inserters that read 2d barcodes. This revolutionary technology virtually eliminates the possibility for multiple or wrong statements to be accidentally included in a common envelope. The 2d technology allows us to uniquely identify every piece of paper in your entire mailing and to ensure that only those pieces unique to each envelope are inserted. Our IT staff programs into every 2d barcode the unique notice number and the page within that notice set so that the inserter can "read" when pages are out of sequence and will cause the inserter to stop processing until the error is corrected. OMR or 3 of 9 marks are still used by many in the mailing industry, but only 2d technology can claim a zero error rate. These "intelligent" inserters are the only equipment TMT trusts to insert your statements.

Equipment

TMT places premium value on our equipment. We invest in the latest technology and once acquired, TMT keeps it up to date. TMT maintains a robust spare parts cabinet. Machine parts most vulnerable to wear and tear are kept on the shelf and replaced immediately upon use. It is not "if" but rather "when" a part fails, so we believe in being prepared. As a result, downtime is rare and if it does occur, it is almost never more than two to four hours. TMT maintains factory trained on-staff technicians who attend to maintenance and repair, which eliminates the expense and wait time for vendor repair personnel to fly in from other parts of the country. Most important, TMT utilizes the power of redundancy to ensure uptime is 99 percent. Every step of the mailing process is supported by a minimum of at least two of the same make and model equipment.

PROJECT TEAM



MANAGEMENT APPROACH

TMT's highly experienced personnel are a key reason for the company's continued success. TMT's Second Mile customer service values are upheld by the dedicated employees here who will always go above and beyond to exceed your expectations during every phase of your experience with us.

TMT will continue to provide Port Orchard with one of our most experienced Mission Managers: Ann Cote, who is an expert on the specifications, quirks, and nuances of your mailings, so you can be assured that you will be in safe hands.

Furthermore, as an MDP-certified expert, she will continue to offer insights and her expertise to capture maximum postage discounts while avoiding common issues and obstacles. As the USPS offers new services, you can count on her to recommend those that may work well for Port Orchard. Often, these new services will help improve delivery times and lower postage costs, which is just another example of our Second Mile service in action.

All of TMT's telephones are answered by a live person - no automated recordings - so immediate help and answers are always available right when you need them. TMT's policy is to respond to calls and emails as quickly as practical, but



Jim Coté

President / Contract Manager

Jim is the founder of TMT and offers 30 years of experience in the print and mailing industry. He will act as the designated coordinator for this contract and manage staff every step of the way, from file download to mailing. Jim has earned certifications from the USPS, including Executive Mail Center Manager (EMCM) and Mail Design Professional (MDP). He also holds certifications in address management and Intelligent Mail Barcode. As a well-known and respected leader in the industry, Jim also speaks at seminars around the country, where he addresses many topics concerning the printing and mailing of statements and important government notices, including reducing undeliverable mail, adopting electronic billing, and securing obscure postage discounts.



Ven Artemov

Vice President, Information Systems

Ven started with TMT in 2006 and, as a USPS-certified Mail Design Professional, offers a firm grasp of mailing requirements and data management. Ven will coordinate all graphics and data processing. Ven is adept at accommodating the preferences of our clients while still meeting postal requirements for discounts and effectively managing our technological resources. Ven is no stranger to hard work; when he received his Bachelor of Science in Electronics Engineering, he made the President's List for Outstanding Academic Achievement.

never longer than 4 hours after the receipt of your request.

Fortunately, problems are rare, but when they do occur, you can count on prompt and complete resolution from our team. TMT's policy is that, when in doubt, the customer is right. If the fault lies with TMT, even if it is uncertain, you can expect us to cover the cost to fix it. The process for handling problems that may arise follows:

1. The issue is brought to the attention of the Mission Manager. Immediately, research into the matter will begin. Port Orchard can expect a call back right away on a serious issue or within 24 hours if the issue is not serious. The definition of serious, as always, rests with Port Orchard.

2. If the Mission Manager is unable to determine the reason for the issue and/or is unable to determine a solution, the issue will be brought to the attention of the President. Again, problems are always resolved in the favor of the customer. Even in situations where the fault lies squarely with the customer, TMT will do everything possible to minimize consequences, including covering as much financial damage as practical. It is not uncommon for TMT to reproduce a mailing at a significant discount in order to help customers through an unforeseen and challenging situation.

At the end of the day, TMT values our relationships with our customers above all else and will do everything possible to meet and exceed your expectations.



Pat Hulett

Vice President, Production

Pat manages production once clients issue final approval of proofs. This includes printing, inserting, sorting, and all mail processing up to and including delivery to the USPS Sectional Center Facility for mailing. With over 20 years of experience in the industry, Pat is extremely conscientious in verifying all necessary elements to ensure mailings go out on time. Pat, along with every lead in his department, is a USPS certified Mail Design Professional and prides himself on keeping his team working in a coordinated effort to process mail quickly while monitoring quality and ensuring 100% accuracy.



Ann Cote

Mission Manager

Ann coordinates the design and printing of assessment, tax, and utility statement projects. As a USPS-certified Mail Design Professional, Ann strives to consistently improve customer satisfaction through effective project management, proactive problem solving, and successful resolutions. Ann works closely with county and municipal governments and will personally work closely with Port Orchard through each specific detail of the print and mail process.

CITY OF PORT ORCHARD REQUEST FOR PROPOSALS
UTILITY BILL PRINT, INSERT, AND MAIL SERVICES

9/10/2021

DATE

		<u>UNIT PRICE</u>	<u>MONTHLY PRICE</u>
Monthly Volume	per unit price	\$ <u>.24/each</u>	\$ <u>624.00 (for 2,600)</u>

Submit pricing on the basis of a volume of 2,600 bills per month and specifications listed in detail in the RFP, including a statement (perforated) on 8.5 x 11 white paper, multicolor print on front, single color on back. Including a No. 10 custom printed single window envelope and No. 9 single window return envelope. Price will also include laser imaging, processing, CASS/PAVE Certification, folding, logic inserting, metering and delivery to USPS.

	<u>UNIT PRICE</u>	<u>MONTHLY PRICE</u>
Other Fees and Charges		
Postage price per unit	\$ <u>.38 - 5 digit presort</u>	\$ <u>988 (assuming 2,600)</u>
One-time programming/setup charge	\$ <u>None</u>	\$ <u>None</u>
Programming Changes per hour	\$ <u>110.00</u>	\$ _____
Inserts		
Client Supplied Inserts	\$ <u>.005</u>	\$ <u>13 (assuming 2,600)</u>
Vendor Supplied Inserts		
One sided, 1/3 page, print, insert	\$ <u>.015</u>	\$ <u>39 (assuming 2,600)</u>
One sided, print, fold, insert	\$ <u>.035/each</u>	\$ <u>91 (assuming 2,600)</u>
Two sided, print, fold, insert	\$ <u>.04/each</u>	\$ <u>104 (assuming 2,600)</u>

Please itemize all other applicable charges

Please note: Postage is an estimate and will vary depending on presort

CITY OF PORT ORCHARD REQUEST FOR PROPOSALS – UTILITY BILL PRINT, INSERT, AND MAIL SERVICES

CLIENT REFERENCES

Client Reference #1

Client Name	Clark County Regional Wastewater District, Washington
Contact Name	Vikki Rowe
Title	Customer Account Supervisor
Phone Number	(360) 993-8805
Email Address	vrowe@crwwd.com
Type of Services Provided	TMT provides printing and mailing services of utility bills for the Clark County Regional Wastewater District
Does the client currently use Tyler Incode 10 software?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Client Reference #2

Client Name	City of Grand Junction, CO
Contact Name	Debi Overholt
Title	Customer Service Supervisor
Phone Number	(970) 244-1520
Email Address	debbieo@gjcity.org
Type of Services Provided	TMT provides electronic statement, printing and mailing services of statements and bills for the City of Grand Junction
Does the client currently use Tyler Incode 10 software?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Client Reference #3

Client Name	Murray City, Utah
Contact Name	Brooke Smith
Title	Recorder
Phone Number	(801) 264-2662
Email Address	bsmith@murray.utah.gov
Type of Services Provided	TMT provides printing and mailing services of statements and bills for Murray City
Does the client currently use Tyler Incode 10 software?	<input type="checkbox"/> Yes <input type="checkbox"/> No

While we can not disclose specific clients software systems, we can share that we have worked closely with several clients who use the Tyler Incode 10 software

NON-COLLUSION DECLARATION

I, by signing the proposal, hereby declare, under penalty of perjury under the laws of the United States that the following statements are true and correct:

1. That the undersigned person(s), firm, association or corporation has (have) not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the project for which this proposal is submitted.
2. That by signing the signature page of this proposal, I am deemed to have signed and agreed to the provisions of this declaration.

By:  _____
(Authorized Signature)

Title: President



CITY OF PORT ORCHARD
 216 Prospect Street
 Port Orchard, WA 98366
 (360) 876-5139
 www.cityofportorchard.us

Account Number	AMOUNT DUE
12-345-67	\$537.85
Due Date	Penalty Date
x/x/2021	x/x/2021
Service Period	
x/x/2021 to x/x2021	
Service Address	
111 Service Address	



1*1**G50**0.548**1/2*****AUTOALL FOR AADC 990

NAME
 ADDRESS

CITY STATE ZIP



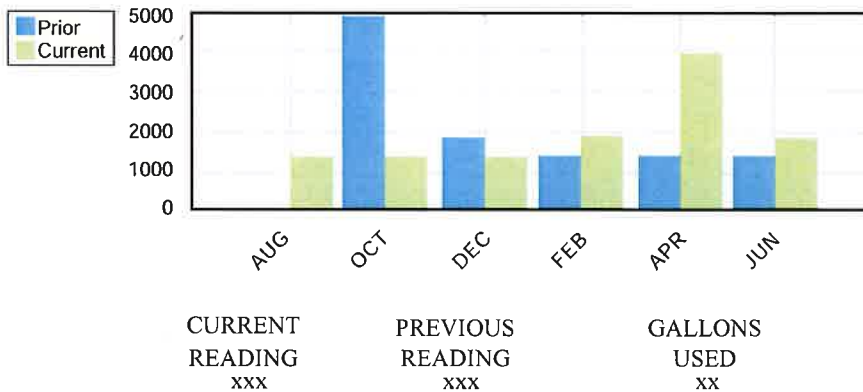
Payments are delinquent 25 days from the due date.
 To enroll in automatic payments, complete reverse side.



CITY OF PORT ORCHARD
 216 Prospect Street
 Port Orchard, WA 98366-5326

CUSTOMER ACCOUNT INFORMATION - RETAIN FOR YOUR RECORDS

Name		Service Address		Account Number	
CUSTOMER NAME		111 Service Address		12-345-67	
Status	Read Dates		Bill Date	Penalty Date	Due Date
	From	To			
Active	x/x/2021	x/x2021	x/x/2021	x/x/2021	x/x/2021



PREVIOUS BALANCE	\$0.00
PAYMENTS	(\$0.00)
ADJUSTMENTS	\$0.00
PENALTIES	\$0.00
PAST DUE AMOUNT	\$0.00
Water Service	0.00
Sewer Service	0.00
Storm Drainage	0.00
CURRENT BILL	\$0.00
AMOUNT DUE	\$537.85

On 7/31/2021, unless otherwise extended, late fees and penalties will resume on any outstanding balances.

COVID-19 Utility Customer Support Program

Governor Inslee has issued Proclamation 20-23, pertaining to Utility Ratepayer Assistance and Preservation of Essential Services. The City of Port Orchard is committed to keeping our customers connected to essential services during the COVID-19 pandemic emergency. If you are experiencing hardship as a result of the COVID-19 pandemic, you may be eligible for support, including long-term payment arrangements or bill assistance. This Proclamation does not relieve customers from the obligation to pay for utility services. To apply please go to the city's website and click the link for COVID-19 Utility Support Program. There you will find the Governor's proclamation, utility billing assistance information and resources.

To view the City and McCormick Woods water quality reports, please visit our website at www.cityofportorchard.us.

The amount billed includes a tax of 5% calculated on the gross revenue of the provided utilities and/or assessments.

Request for Proposals Addendum No. 1
City of Port Orchard
Utility Bill Print, Insert, and Mail Services

Date of Issue: September 2, 2021
Response Date: September 14, 2021

Notice To All Planholders:

Addendum No. 1 contains the following answers to questions pertaining to the Request for Proposal (RFP) for Utility Bill Print, Insert, and Mail Services. It shall be attached to the RFP and shall be taken into consideration by the Bidders in submitting their bids. All conditions and provisions not affected by this addendum shall remain unchanged. Failure to do so may subject the Bidder to disqualification of their bid.





- 1) What is the term of agreement?
 - a. The initial term of agreement for Utility Bill Print, Insert, and Mail Services, if awarded, shall be a minimum of three (3) years, commencing on or about November 1, 2021. The term of this agreement may, if mutually agreed upon in writing, be extended in one (1) year increments for a total of five (5) additional years, provided written notice of each extension is given to the proposer at least thirty (30) days prior to the expiration date of such term or extension. In the event funding approval is not obtained by the City, this agreement shall become null and void effective the date of the renewal. During extension periods, all terms and conditions of the agreement shall remain in effect.
- 2) What data system does the City of Port Orchard currently use?
 - a. Tyler Incode 10
- 3) Who currently has the contract?
 - a. The Master's Touch
- 4) Is there issues with the current vendor or is this a periodic request for proposals?
 - a. This is a periodic RFP
- 5) Can the #10 envelopes have two windows, one for the sender as well and the customer rather than only the customer address window?
 - a. No
- 6) Can the perforated billing paper stock have the reverse side of the billing statement pre-printed to avoid duplex printing from the PDF?
 - a. Yes
- 7) What program does the City use to transfer the PDFs from?
 - a. Currently the City uses WeTransfer, but we are flexible with use of other platforms.
- 8) Can the City also provide data instead of PDFs?
 - a. The City prefers to send PDFs rather than sending data.

9) Do the past due statements receive a backer?

a. No

10) What are the process colors in the city logo?



				
CMYK	Port: 76 C 20 Y	Orchard: 79 C 52 Y	Wave Green: 36 C 7 M 94 Y 1 K	Wave Aqua: 57 C
RGB	Port: 0 R 160 G 219 B	Orchard: 61 R 117 G 186 B	Wave Green: 173 R 195 G 64 B	Wave Aqua: 82 R 202 G 245 B
PANTONE	Port: PMS 2995U	Orchard: PMS 300U	Wave Green: PMS 397U	Wave Aqua: PMS 305U

Request for Proposals Addendum No. 2
City of Port Orchard
Utility Bill Print, Insert, and Mail Services

Date of Issue: September 8

Response Date: September 14, 2021

Notice To All Planholders:

Addendum No. 1 contains the following answers to questions pertaining to the Request for Proposal (RFP) for Utility Bill Print, Insert, and Mail Services. It shall be attached to the RFP and shall be taken into consideration by the Bidders in submitting their bids. All conditions and provisions not affected by this addendum shall remain unchanged. Failure to do so may subject the Bidder to disqualification of their bid.

- 1) Does the vendor need to be in the state of Washington?
 - a. The city has no local preference requirement. Preference will be given to vendors who can meet the expectation of delivery to customers within 1-2 days. This preference is based on the time sensitivity of delinquent notices.
- 2) Can you confirm if custom envelopes are a requirement?
 - a. At this time the City is requiring the #10 envelope to have one window and be custom printed.
- 3) The form for submitting pricing "Attachment B- Pricing Schedule" has been revised to correct an error, all bidders must submit on the updated submittal form (see attached).

CITY OF PORT ORCHARD PROFESSIONAL SERVICES AGREEMENT

THIS Agreement is made effective as of the ____ day of _____ 2021, by and between the City of Port Orchard, a municipal corporation, organized under the laws of the State of Washington, whose address is:

CITY OF PORT ORCHARD, WASHINGTON (hereinafter the “CITY”)
216 Prospect Street
Port Orchard, Washington 98366

Contact: Mayor Robert Putaansuu Phone: 360.876.4407 Fax: 360.895.9029

and _____, a corporation, organized under the laws of the State of Washington, doing business at:

_____ (hereinafter the “CONSULTANT”)

Contact: _____ Phone: _____ Fax: _____

for professional services in connection with the following Project:

Utility Bill Print, Insert, and Mailing Services

TERMS AND CONDITIONS

1. Services by Consultant.

A. The Consultant shall perform the services described in the Scope of Work attached to this Agreement as Exhibit “_A_.” The services performed by the Consultant shall not exceed the Scope of Work without prior written authorization from the City. In performing such services, the Consultant shall at all times comply with all Federal, State, and local laws and regulations applicable to the performance of such services. The Consultant shall perform the services diligently and completely in accordance with professional standards of conduct and performance for Consultant’s profession.

B. The City may from time to time require changes or modifications in the Scope of Work. Such changes, including any decrease or increase in the amount of compensation, shall be agreed to by the parties and incorporated in written amendments to the Agreement.

2. Schedule of Work.

A. The Consultant shall perform the services described in the Scope of Work in accordance with the tasks identified within Exhibit “_A_” and the terms of this Agreement. If delays beyond the Consultant's reasonable control occur, the parties will negotiate in good faith to determine whether an extension is appropriate.

City of Port Orchard and _____
Professional Service Agreement Contract No. _____

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Rev 7/18/2019

B. The Consultant is authorized to proceed with services upon receipt of a written Notice to Proceed.

3. **Terms.** This Agreement shall commence on _____ (“Commencement Date”) and shall terminate _____ unless extended or terminated in writing as provided herein. **The City reserves the right to offer five (5) one-year extensions prior to contract expiration to retain the selected company’s services.**

4. **Compensation.**

LUMP SUM. Compensation for these services shall be a Lump Sum of \$ _____.

TIME AND MATERIALS NOT TO EXCEED. Compensation for these services shall not exceed \$ _____ per calendar year without written authorization and will be based on the list of billing rates and reimbursable expenses attached hereto as Exhibit “_A_.” In addition to the per calendar cap, the City of Port Orchard will prepay a postage account in the amount \$1,500 with The Master’s Touch for postage costs charged by USPS for City of Port Orchard customers at the time of mailing. The city will then replenish the account for the cost of actual postage paid to USPS monthly.

5. **Payment.**

A. The Consultant shall maintain time and expense records and provide them to the City monthly after services have been performed, along with monthly invoices in a format acceptable to the City for work performed to the date of the invoice.

B. All invoices shall be paid by City warrant within thirty (30) days of receipt of a proper invoice. If the City objects to all or any portion of any invoice, it shall so notify the Consultant of the same within fifteen (15) days from the date of receipt and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion.

C. The Consultant shall keep cost records and accounts pertaining to this Agreement available for inspection by City representatives for three (3) years after final payment unless a longer period is required by a third-party agreement. Copies shall be made available on request.

D. On the effective date of this Agreement (or shortly thereafter), the Consultant shall comply with all federal and state laws applicable to independent contractors, including, but not limited to, the maintenance of a separate set of books and records that reflect all items of income and expenses of the Consultant’s business, pursuant to Revised Code of Washington (RCW) 51.08.195, as required by law, to show that the services performed by the Consultant under this Agreement shall not give rise to an employer-employee relationship between the parties, which is subject to Title 51 RCW, Industrial Insurance.

E. If the services rendered do not meet the requirements of the Agreement, the Consultant will correct or modify the work to comply with the Agreement. The City may withhold payment for such work until the work meets the requirements of the Agreement.

6. **Discrimination and Compliance with Laws**

City of Port Orchard and _____
Professional Service Agreement Contract No. _____

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Rev 7/18/2019

A. The Consultant agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

B. Even though the Consultant is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right of inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state and municipal laws, rules and regulations that are now effective or become applicable within the term(s) of this Agreement to the Consultant's business, equipment and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

C. The Consultant shall obtain a City of Port Orchard business license prior to commencing work pursuant to a written Notice to Proceed.

D. Violation of this Paragraph 6 shall be a material breach of this Agreement and grounds for cancellation, termination, or suspension of the Agreement by the City, in whole or in part, and may result in ineligibility for further work for the City.

7. Relationship of Parties. The parties intend that an independent contractor-client relationship will be created by this Agreement. As the Consultant is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-consultant of the Consultant shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the City. In the performance of the work, the Consultant is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees, including but not limited to compensation, insurance, and unemployment insurance, are available from the City to the employees, agents, representatives or sub-consultants of the Consultant. The Consultant will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

8. Suspension and Termination of Agreement

A. Termination without cause. This Agreement may be terminated by the City at any time for public convenience, for the Consultant's insolvency or bankruptcy, or the Consultant's assignment for the benefit of creditors.

B. Termination with cause. This Agreement may be terminated upon the default of the Consultant and the failure of the Consultant to cure such default within a reasonable time after receiving written notice of the default.

C. Rights Upon Termination.

1. *With or Without Cause.* Upon termination for any reason, all finished or unfinished documents, reports, or other material or work of the Consultant pursuant to this Agreement shall be submitted to the City, and the Consultant shall be entitled to just and equitable compensation for any satisfactory work completed prior to the date of termination, not to exceed the total compensation set forth herein. The Consultant shall not be entitled to any reallocation of cost, profit or overhead. The Consultant shall not in any event be entitled to anticipated profit on work not performed because of such termination. The Consultant shall use its best efforts to minimize the compensation payable under this Agreement in the event of such termination. Upon termination, the City may take over the work and prosecute the same to completion, by contract or otherwise.

2. *Default.* If the Agreement is terminated for default, the Consultant shall not be entitled to receive any further payments under the Agreement until all work called for has been fully performed. Any extra cost or damage to the City resulting from such default(s) shall be deducted from any money due or coming due to the Consultant. The Consultant shall bear any extra expenses incurred by the City in completing the work, including all increased costs for completing the work, and all damage sustained, or which may be sustained, by the City by reason of such default.

D. Suspension. The City may suspend this Agreement, at its sole discretion. Any reimbursement for expenses incurred due to the suspension shall be limited to the Consultant's reasonable expenses, and shall be subject to verification. The Consultant shall resume performance of services under this Agreement without delay when the suspension period ends.

E. Notice of Termination or Suspension. If delivered to the Consultant in person, termination shall be effective immediately upon the Consultant's receipt of the City's written notice or such date as stated in the City's notice of termination, whichever is later. Notice of suspension shall be given to the Consultant in writing upon one week's advance notice to the Consultant. Such notice shall indicate the anticipated period of suspension. Notice may also be delivered to the Consultant at the address set forth in Section 15 herein.

9. Standard of Care. The Consultant represents and warrants that it has the requisite training, skill and experience necessary to provide the services under this Agreement and is appropriately accredited and licensed by all applicable agencies and governmental entities. Services provided by the Consultant under this Agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances.

10. Ownership of Work Product.

A. All data, materials, reports, memoranda, and other documents developed under this Agreement whether finished or not shall become the property of the City, shall be forwarded to the City at its request and may be used by the City as it sees fit. Upon termination of this Agreement pursuant to paragraph 8 above, all finished or unfinished documents, reports, or other material or work of the Consultant pursuant to this Agreement shall be submitted to the City. Any reuse or modification of such documents, reports or other material or work of the Consultant for purposes other than those intended by the Consultant in its scope of services under this Agreement shall be at the City's risk.

B. All written information submitted by the City to the Consultant in connection with the services performed by the Consultant under this Agreement will be safeguarded by the Consultant to at least the same extent as the Consultant safeguards like information relating to its own business. If such

information is publicly available or is already in the Consultant's possession or known to it, or is rightfully obtained by the Consultant from third parties, the Consultant shall bear no responsibility for its disclosure, inadvertent or otherwise. The Consultant is permitted to disclose any such information only to the extent required by law, subpoena or other court order.

11. Work Performed at the Consultant's Risk. The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents and sub-consultants in the performance of the work hereunder, and shall utilize all protection necessary for that purpose. All work shall be done at the Consultant's own risk, and the Consultant shall be responsible for any loss of or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

12. Indemnification. The Consultant shall defend, indemnify and hold the City, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, including all legal costs and attorneys' fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries or damages caused by the sole negligence of the City.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, agents and volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence. The provisions of this section shall survive the expiration or termination of this Agreement.

IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES THE CONSULTANT'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER.

13. Insurance. The Consultant shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

A. Minimum Scope of Insurance

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named by endorsement as an additional

insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
4. Professional Liability insurance appropriate to the Consultant's profession.

B. Minimum Amounts of Insurance

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Workers' Compensation Employer's Liability each accident \$1,000,000, Employer's Liability Disease each employee \$1,000,000, and Employer's Liability Disease – Policy Limit \$1,000,000.
4. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

C. Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Consultant's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.
2. The Consultant shall provide the City with written notice of any policy cancellation, within two business days of their receipt of such notice.
3. The City will not waive its right to subrogation against the Consultant. The Consultant's insurance shall be endorsed acknowledging that the City will not waive their right to subrogation. The Consultant's insurance shall be endorsed to waive the right of subrogation against the City, or any self-insurance, or insurance pool coverage maintained by the City.
4. If any coverage is written on a "claims made" basis, then a minimum of a three (3) year extended reporting period shall be included with the claims made policy, and proof of this extended reporting period provided to the City.

D. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

E. Verification of Coverage

The Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

14. Assigning or Subcontracting. The Consultant shall not assign, transfer, subcontract or encumber any rights, duties, or interests accruing from this Agreement without the express prior written consent of the City, which consent may be withheld in the sole discretion of the City.

15. Notice. Any notices required to be given by the City to the Consultant or by the Consultant to the City shall be in writing and delivered to the parties at the following addresses:

Robert Putaansuu
Mayor
216 Prospect Street
Port Orchard, WA 98366

CONSULTANT

Phone: 360.876.4407
Fax: 360.895.9029

Phone: _____
Fax: _____

16. Resolution of Disputes and Governing Law.

A. Should any dispute, misunderstanding or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the Mayor, who shall determine the term or provision’s true intent or meaning. The Mayor shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

B. If any dispute arises between the City and the Consultant under any of the provisions of this Agreement which cannot be resolved by the Mayor’s determination in a reasonable time, or if the Consultant does not agree with the Mayor’s decision on a disputed matter, jurisdiction of any resulting litigation shall be filed in Kitsap County Superior Court, Kitsap County, Washington.

C. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In any suit or action instituted to enforce any right granted in this Agreement, the substantially prevailing party shall be entitled to recover its costs, disbursements, and reasonable attorneys’ fees from the other party.

17. General Provisions.

A. Non-waiver of Breach. The failure of either party to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein contained in one or more instances, shall not be construed to be a waiver or relinquishment of said covenants, agreements, or options, and the same shall be in full force and effect.

B. Modification. No waiver, alteration, modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and the Consultant.

C. Severability. The provisions of this Agreement are declared to be severable. If any provision of this Agreement is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other provision.

D. Entire Agreement. The written provisions of this Agreement, together with any Exhibits attached hereto, shall supersede all prior verbal statements of any officer or other representative of the City, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner whatsoever, the Agreement or the Agreement documents. The entire agreement between the parties with respect to the subject matter hereunder is contained in this Agreement and the Exhibits attached hereto, which may or may not have been dated prior to the execution of this Agreement. All of the above documents are hereby made a part of this Agreement and form the Agreement document as fully as if the same were set forth herein. Should any language in any of the Exhibits to this Agreement conflict with any language contained in this Agreement, then this Agreement shall prevail.

18. Title VI

The City of Port Orchard, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation subtitle A, Office of the Secretary, Part 21, nondiscrimination in federally assisted programs of the Department of Transportation issued pursuant to such Act, must affirmatively insure that its contracts comply with these regulations.

Therefore, during the performance of this Agreement, the Consultant, for itself, its assignees, and successors in interest agrees as follows:

1. **Compliance with Regulations:** The Consultant will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this Agreement.
2. **Nondiscrimination:** The Consultant, with regard to the work performed by it during this Agreement, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Consultant will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix A, attached hereto and incorporated herein by this reference, including employment practices when this Agreement covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the Consultant for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Consultant of the Consultant's

obligations under this Agreement and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.

4. **Information and Reports:** The Consultant will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of the Consultant is in the exclusive possession of another who fails or refuses to furnish the information, the Consultant will so certify to the City or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the Consultant's noncompliance with the Non-discrimination provisions of this Agreement, the City will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 1. withholding payments to the Consultant under the Agreement until the contractor complies; and/or
 2. cancelling, terminating, or suspending the Agreement, in whole or in part.
6. **Incorporation of Provisions:** The Consultant will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Consultant will take action with respect to any subcontract or procurement as the City or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Consultant becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Consultant may request the City to enter into any litigation to protect the interests of the City. In addition, the Consultant may request the United States to enter into the litigation to protect the interests of the United States.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth above.

CITY OF PORT ORCHARD,
WASHINGTON

CONSULTANT

By: _____
Robert Putaansuu, Mayor

By: _____

Name: _____

ATTEST/AUTHENTICATE:

Title: _____

By: _____
Brandy Rinearson, MMC
City Clerk

APPROVED AS TO FORM:

By: _____
Charlotte A. Archer, City Attorney

APPENDIX A

During the performance of this Agreement, the Consultant, for itself, its assignees, and successors in interest agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 C.F.R. Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 C.F.R. Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC§ 471, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.P.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to -ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.: Consent Agenda 4D
Subject: Approval of an Interlocal Agreement with
Kitsap County for Public Safety Records
Management Software

Meeting Date: October 26, 2021
Prepared by: Matt Brown
Chief of Police
Atty Routing No.: 366922-0012 – Police
Atty Review Date: October 22, 2021

Summary: Kitsap County, the municipalities of Bainbridge Island, Bremerton, Port Orchard, and Poulsbo, as well as the Suquamish Tribe, have maintained a shared public safety records management software (RMS) for over two decades. These agency partners spent several years in a collaborative and competitive process to evaluate and replace the current system for improved functionality. Executive Information Services (EIS) was selected to replace the current RMS and Jail Records Management Software.

Legal representatives from these partner agencies have been negotiating a long-term agreement to govern the use of EIS, and associated support services. Per the proposed ILA, the partners would share costs dependent upon each partner's anticipated usage, and modifications to the ILA and cost-sharing would require action by each partner's elected body. Staff recommends adoption of the ILA to govern the EIS system.

Recommendation: Staff recommends the Council authorize the Mayor to sign the Interlocal Agreement with Kitsap County regarding Public Safety Records Management Software.

Relationship to Comprehensive Plan: N/A

Motion for consideration: I move to authorize the Mayor to execute an Interlocal Agreement with Kitsap Count regarding Public Safety Records Management Software.

Fiscal Impact: This software upgrade has been anticipated and budgeted. There are no anticipated additional fiscal impacts.

Alternatives: Do no approve the ILA and provide alternative guidance.

Attachments: KC 529-21 Interlocal Agreement for Public Safety Records Management Software.

KC -529-21
INTERLOCAL AGREEMENT FOR
PUBLIC SAFETY RECORDS MANAGEMENT SOFTWARE

THIS INTERLOCAL AGREEMENT FOR PUBLIC SAFETY RECORDS MANAGEMENT SOFTWARE (“Agreement”) is entered this December 1, 2021 (“Effective Date”) by and between Kitsap County, a political subdivision of Washington state (“County”) and the City of Bainbridge Island, the City of Bremerton, the City of Port Orchard, the City of Poulsbo, all Washington state municipal corporations, and the Suquamish Tribe, a federally recognized tribe in Washington state whose duly authorized governing body is the Suquamish Tribal Council (collectively “Agency Partners”). The County, cities, and tribe will be collectively referred to as the “parties” and individually as a “party”.

RECITALS

WHEREAS, the Interlocal Cooperation Act, chapter 39.34 RCW authorizes Washington public agencies as defined by RCW 39.34.020, to enter into cooperative agreements to jointly provide governmental services, activities, or other undertakings, which each are authorized to perform by law,

WHEREAS, the County and the Agency Partners have traditionally shared in the use and associated costs of Public Safety Records Management Software and related interfaces used by their respective law enforcement agencies as a multi-jurisdictional collaboration, combining resources to promote cost savings and share information,

WHEREAS, the County and the Agency Partners have been working collaboratively to evaluate and review available options to replace the current Public Safety Records Management Software and Jail Records Management Software to improve system functionality and meet the collective needs of the parties,

WHEREAS, the County issued a Request for Proposal KC 2019-147 for Public Safety and Jail Records Management Software (“RMS”) and intends to execute a contract with Executive Information Services, Inc (“EIS”), the successful vendor chosen through the competitive process, to license, implement, maintain, and support multi-Agency Public Safety Records Management Software and Jail Records Management Software and related interfaces for the benefit of the County and Agency Partners, and

WHEREAS, the parties desire to execute this Agreement to address their respective proportionate financial obligations and other responsibilities related to the RMS.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, and mutual promises and obligations, the parties agree as follows:

SECTION 1. DEFINITIONS

1.1 The following definitions will apply for all purposes, unless otherwise provided herein.

1. “Access” means the authority granted by the System Administrator to a party for its respective Authorized Users to review or receive information from the RMS by way of any type of interface (e.g., graphical user interface or browser user interface). Access will be provided to any employee of a party at the designated permission levels authorized by that party for Access to the Software by way of any type of interface.
2. “ACCESS” means a Central Computerized Enforcement Service System and refers to the statewide law enforcement telecommunications system operated by the Washington State Patrol (WSP). ACCESS provides telecommunications linkage to law enforcement and other criminal justice agencies and a means for a party to query multiple state and national databases to include information systems provided by the Department of Corrections, Department of Licensing, Washington Crime Information Center and Washington State Identification Section. ACCESS provides for national and international queries through the International Justice and Public Safety Information Sharing Network (NLETS) switch to include Interstate Identification Index and the National Crime Information Center (NCIC) provided by the Federal Bureau of Investigation (FBI). NLETS provides responses from the Canadian Police Information Centre, Interpol, and other state hot file and licensing information. ACCESS usage is limited to criminal justice purposes as outlined by FBI standards, and as audited by WSP and the FBI.
3. “Agency Administrator” means one or more specially trained Authorized Users assigned by the Chief Law Enforcement Officer of each party to perform RMS administrative functions on behalf of that party, such as adding and removing Users from the RMS, establishing User IDs, setting up Users with Authorized Uses, and the like. The Agency Administrator may or may not be the Agency Lead.
4. “Agency Lead” means the person and their designee assigned by the Chief Law Enforcement Officer of each party to participate as a member of the User Board on behalf of the assigning party.
5. “Agency Partners” means the City of Bremerton, the City of Bainbridge Island, the City of Port Orchard, the City of Poulsbo, and the Suquamish Tribe, on behalf of their respective law enforcement agencies.
6. “Allocated Proportion” means the percentage of the total amount due from each party for its proportionate financial share of all costs associate with the RMS for the life of the RMS, which include, without limitation, RMS Costs, EIS Fees, County Support Services Fees, and other fees and costs related to the RMS.
7. “Authorized Use” means the functions and capabilities a User is assigned and able to perform based on the User identifications and passwords set by the Agency Administrator and in compliance with WSP ACCESS and CJIS Security Policies.

8. “Authorized User” means any User who has passed the RMS authentication process and is authorized by a party to use the RMS functions and components based on the permissions established by that User’s credentials (e.g., User identification and password) and incompliance with the restrictions for the Authorized Use.
9. “Network Connectivity” means the capacity of the County network used to transmit data to and from a party for access to and use of the RMS by the Agency Partner as identified by the County IS.
10. “Change Management Process” means the process adopted by the User Board for requesting, reviewing, and approving any requested change to the RMS and allocating payment.
11. “Chief Law Enforcement Officer” means the Kitsap County Sheriff and the Chiefs of Police for each law enforcement agency of each Agency Partner.
12. “Confidential Information” means the Software and any information disclosed that related to the Software under this Agreement, whether such information is in oral, written, graphic or electronic form, which: is (i) marked "Confidential," "Restricted," or "Proprietary Information" or other similar marking, (ii) known by the receiving party to be considered confidential or proprietary, such as the Software, or (iii) which should be known or understood to be confidential or proprietary by an individual exercising reasonable commercial judgment in the circumstances. Confidential Information does not include information to the extent that such information: (i) is or becomes generally known to the public by any means other than a breach of the obligations of a receiving party hereunder; (ii) was previously known to the receiving party as evidenced by its written records; (iii) is rightly received by the receiving party from a third party who is not under an obligation of confidentiality; or (iv) is independently developed by the receiving party’s employees or independent contractors who have not had access to or use of the other party's Confidential Information which such independent development can be established by evidence that would be acceptable to a court of competent jurisdiction.
13. “County IS” means the Kitsap County Information Services Department.
14. “County IS Director” means the Director of the Kitsap County Information Services Department.
15. “County Support Services” means the County IS technology and administrative maintenance and support services, use of the server, network connectivity, unplanned expenses, and administrative processing services provided by the County to the Agency Partners, subject to the County’s receipt of payment of all monies when due under this Agreement.

16. "County Support Services Fees" means the true and full value of the County Support Services for the RMS and assessed to the parties in accordance with their respective Allocated Proportion and identified in this Agreement. RCW 43.09.210.
17. "Criminal History Record Information" means information collected by criminal justice agencies which are stored and available through the RMS such as identifiable descriptions, notations of arrests, detentions, indictments, information, or other formal criminal charges, and dispositions arising therefrom (e.g., sentencing, correctional supervision, release, and the like).
18. "CJI" means the criminal justice information collected by criminal justice agencies for their legally authorized use in performance of their duties, including Criminal History Record Information and Intelligence and Investigative Information. It does not include a party's personnel or administrative records.
19. "CJIS Security Policies" means the CJI Services Security Policies or published standards of the FBI, in effect during the term of this Agreement, related to the exchange of CJI information and intended to protect the full lifecycle of CJI, whether at rest or in transit, relating to the creation, viewing, modification, transmission, dissemination, storage, and destruction of CJI. The requirements of CJIS Security Policies apply to every individual with access to CJI including, without limitation, contractors, private entities, noncriminal justice agency representatives, or members of a criminal justice entity.
20. "Documentation" means user guides, operating manuals, educational materials, product descriptions and specifications, technical manuals, supporting materials, and other information regarding the Software, regardless of the media on which it is provided, that have been provided by and/or generated by or on behalf of EIS or the County for the Agency Partners which may be amended from time to time.
21. "EIS" means Executive Information Services, Inc., the Software vendor that has executed the Public Safety Records and Jail Records Management Software Contract KC-528-21 with the County.
22. "EIS Contract" means the Public Safety Records and Jail Records Management Software Contract KC-528-21 executed by the County and EIS, and all associated attachments, schedules, exhibits, and the like, identified as Exhibit A and all subsequent amendments thereto, which are incorporated in full by this reference.
23. "EIS Fees" means all fees charged by EIS for licensing, EIS Support Services, and other services, modules and the like charged or collected by EIS related to RMS during the term of this Agreement.
24. "EIS Support Services" means the Software maintenance and support services identified in the EIS Contract.

25. "Equipment" means any machinery, device, tool, computer, computer components, computer system or other high-technology equipment, including add-ons, or peripherals of tangible form together with the necessary supplies for upkeep and maintenance, and other apparatus necessary for the proper execution, installation, and acceptable completion of the RMS project.
26. "Intelligence and Investigative Information" means information of record collected by or prepared by or at the direction of a criminal justice agency or kept in the custody of a criminal justice agency for criminal investigation purposes.
27. "Interface" means a point of interaction between RMS components or the device or code which enables such interaction, applicable to both Equipment and Software.
28. "JMS" means the Jail Records Management Software provided by EIS for use by the Kitsap County Sheriff's Office Jail. The County, as the sole user of the JMS, is financially responsible for the JMS direct costs and maintenance.
29. "KCSO" means the Kitsap County Sheriff's Office.
30. "Law" means all applicable federal, state, and local laws including without limitation data privacy, security, and protection laws, labor standards, ordinances, orders, decrees, policies, procedures, and regulations of any public authority having jurisdiction.
31. "Lead Agency" means the Kitsap County Sheriff's Office.
32. "LEDS" means Law Enforcement Data Systems, a database created for law enforcement records such as warrants, protection orders, stolen property, criminal histories, and other vital investigative files.
33. "Material Breach" means any breach of this Agreement that causes or may cause substantial harm to a non-breaching party or EIS, or one that substantially deprives a non-breaching party of the benefit it reasonably expected under this Agreement.
34. "MCT" means a commercial grade mobile computer terminal operated in a law enforcement vehicle, or otherwise not connected via a local or wide area network, capable of Accessing the RMS servers via a network connection compliant with CJIS Security Policies.
35. "PC" means commercial grade desktop or laptop computers capable of Accessing the RMS servers via a connection compliant with CJIS Security Policies.
36. "RMS" means the Public Safety Records Management Software and associated interfaces acquired for use by the County and the Agency Partners.
37. "RMS Costs" means any additional software, equipment, expenses, change

requests, upgrades, updates, and other associated costs and fees for the RMS for the life of the RMS.

38. "RMS Lead" means the individual assigned by KCSO to function as the law enforcement liaison between the Agency Partners and EIS.
39. "Software" means the Software products listed in Schedule "A" of the EIS Contract, Sales, Service and License Agreement in object format and includes any Updates and Upgrades (as defined in the EIS SSLA) that have been provided to the County as provided in the EIS Contract.
40. "System Administrator" means the individual designated by the County IS Director to manage and assist in the daily operation of the RMS and JMS.
41. "TAC" means the individual and their designee selected by each party who is qualified to function as their respective terminal agency coordinator to serve as the point of contact for matters relating to access to CJI. The TAC administers internal CJI system programs and oversees the party's compliance with CJIS Security Policies.
42. "Use" means the Access assigned to a party's Users and their designated permission levels for Access to the RMS and/or JMS, and designated authority to enter and/or receive data and information from the same.
43. "User" means any person employed by or working on behalf of a party, including any person or entity authorized to provide services requiring Use of the RMS. All Users will be bound by confidentiality requirements at least as protective as required by this Agreement.
44. "User Board" means the board created under this Agreement to serve as an advisory group to make recommendations to the County and the Agency Partners regarding the RMS as identified in the Agreement. The User board may make decisions regarding the RMS which do not involve allocation of financial resources.

SECTION 2. PURPOSE, ORGANIZATION, ADMINISTRATOR, PROPERTY

- 2.1 Purpose. The purpose of this Agreement is to provide for the joint and cooperative undertaking of the County and the Agency Partners to engage in cooperative planning and coordination of an interoperable records management system, to decrease individual operating costs, provide for data sharing, identify the authority and responsibilities of each party, and define and allocate true and full proportionate costs and responsibilities as contemplated in RCW 39.34.030 and RCW 43.09.210.
- 2.2 Organization. No separate legal or administrative entity is created by this Agreement nor do the parties intend to create through this Agreement a separate legal or administrative entity subject to suit.

- 2.3 Administrator. The Lead Agency will administrator of the RMS and JMS in coordination and cooperation with the Agency Partners subject to the provisions of RCW 36.32.120 and RCW 43.09.210. By functioning in this capacity, the County is not assuming responsibility or liability for the actions or failures to act by its Agency Partners and their respective employees, representatives or agents nor will this be considered an allocation of liability to the KCSO under RCW 10.93.040.
- 2.4 Property. The parties do not anticipate the acquisition of property for the performance of this Agreement, other than the EIS license which is subject to the terms and conditions of the EIS Contract. Any property acquired by a party for purposes of this Agreement will be returned to the acquiring party, unless otherwise agreed in writing.

SECTION 3. TERM, RENEWAL, FILING

- 3.1 Term/Effective Date. This Agreement will commence on the Effective Date and remain in effect for five (5) years, until midnight on November 30, 2026 (“Initial Term”), unless terminated or extended pursuant to Section 3.2. Should fewer than all named Agency Partners execute this Agreement, the Agreement when filed as provided herein will be effective as between the County and the Agency Partner(s) that have executed the Agreement to the same extent as if no other Agency Partners had been named.
- 3.2 Renewal. This Agreement may be renewed for additional consecutive five (5) year terms, subject to the appropriation of funds by each party to this Agreement. All renewals must be in writing and will be subject to all terms and conditions and financial obligations set forth herein, unless otherwise agreed in writing by the parties. Should a new agreement not be reached by the expiration date the terms of this Agreement shall remain effective until such time as a new Agreement is entered or terminated.
- 3.3 Filing. Prior to entry into force, this Agreement will be filed with the Kitsap County Auditor’s Office or, alternatively, listed by subject on a public agency’s web site or other electronically retrievable public source in compliance with RCW 39.34.040.

SECTION 4. TERMINATION

- 4.1 The Agreement may not be terminated during the initial term unless agreed to by all parties to the Agreement. Any party may terminate their participation in this Agreement, after the Initial Term, for any reason, upon 180-days prior written notice to the other parties as provided in Section 18. Notice may be given 180-days in advance of the expiration of the initial term. If the Agreement is terminated, the monies paid by the terminating party for that year will not be refunded. The termination of a party will not automatically result in dissolution of this Agreement as to the remaining parties.
- 4.2 The terminating party will have 180-days from the notice of termination to work collaboratively with the System Administrator to obtain a copy of its data. All costs associated with copying of data will be the responsibility of the terminating party.

- 4.3 The terminating party will remain liable for all financial obligations incurred up to and including the date of termination. Upon termination, the terminating party will immediately pay the County all monies due under this Agreement and for all work performed by EIS and the County prior to the effective date of termination.
- 4.4 A terminated party assumes no responsibility for the acts or omissions occurring after the termination effective date but will remain liable for acts or omissions occurring prior to the termination effective date.

SECTION 5. USER BOARD, LEADS, VOTING, RESPONSIBILITIES

- 5.1 Creation and Purpose. A User Board is created to serve as an advisory group to make recommendations to the parties regarding RMS related issues including, without limitation, the purchase, implementation, planning, funding, operations, maintenance, upgrades, change requests, transition planning, training, equipment, uniform data entry, federal and state compliance reporting, data integrity, operational efficiencies, backups and redundancy, security issues, and the like. The User board may make administrative decisions regarding the RMS which do not involve allocation of financial resources.
- 5.2 User Board Composition. The User Board will have eight (8) members (Leads) consisting of one member from each Agency Partner and two members from the County (one member on behalf of KCSO and one member on behalf of the KCSO Jail). The System Administrator will be an ex-officio non-voting member of the User Board.
- 5.3 Leads. Leads are User Board members. The Chief Law Enforcement Officer for each party is responsible for the selection of its Lead and their designee. Each serves at the pleasure of the appointing party and must remain employed by the appointing party while serving as a member of the User Board. Unless removed by the appointing party, there is no limit on the number of terms a person may serve as a User Board member. Each User Board member and their designees will remain for all purposes employees of the appointing party. Each appointing party will be responsible for the conduct of their respective User Board members and designees and will handle all complaints, investigations, and disciplinary actions.
- 5.4 Meetings, Minutes, Chair. The User Board will meet two times per year or more often as deemed appropriate by the Chair of the User Board or as requested by any party, with appropriate notice provided to the parties by personal service or email. The User Board secretary will keep minutes of each meeting and will cause a copy of the minutes to be forwarded to the Chair of the User Board and User Board members. The RMS Lead will function as the Chair of the User Board.
- 5.5 Voting, Quorum. A majority of the then appointed User Board members will constitute a quorum for the transaction of business. Unless otherwise required by this Agreement, the affirmative vote of a quorum present at the time of the vote will be the act of the User Board. Each party will have one vote. Only in the event of a tie, will the County have two

votes (one vote on behalf of KCSO and one vote on behalf of the KCSO Jail).

- 5.6 Proxy. A User Board member may grant by proxy its voting rights to another User Board member. All such grants must be in writing, limited in duration, and meeting specific. A proxy is automatically revoked if the User Board member granting the proxy appears at the meeting for which the proxy was granted.
- 5.7 Electronic Participation, Compensation. User Board members may participate in meetings by telephone call, video conferencing, or similar communication equipment by which all board members can hear each other at the same time. Such participation will constitute presence in person for purpose of a quorum and voting. All parties will participate in the User Board meetings at their own cost, time, and expense.
- 5.8 User Board Responsibilities. The User Board will do the following:
1. review and recommend changes for the strategic plan, objectives, and work plans necessary to maintain the viability and efficiency of the RMS.
 2. work cooperatively to identify, develop, and establish a coordinated long-term plan for capital improvements and operational funding of the RMS.
 3. facilitate decision making.
 4. establish and comply with a Change Management Process.
 5. establish and comply with guidelines and standard operating procedures for the operation, maintenance, and business continuity of the RMS.
 6. comply with the technical standards for the operation and business continuity of the RMS developed by the System Administrator.
 7. establish and comply with RMS operational and maintenance procedures for County-owned assets to resolve operational interface issues with each Agency Partner's local assets.
 8. work cooperatively in the initial implementation and deployment of the RMS as well as future upgrades, updates, extensions, and enhancements.
 9. establish subcommittees as necessary to ensure the interests of each party is represented and to ensure operational, technical, and financial issues are thoroughly researched. Each subcommittee will have at least one User Board member and such other persons the User Board deems appropriate.

SECTION 6. KITSAP COUNTY RESPONSIBILITIES

- 6.1 The County IS will provide the Agency Partners with the following County Support Services subject to receipt of all monies due and available resources:
1. enable Agency Partners to Access the RMS via Equipment, including PCs, MCTs, and other handheld devices for Authorized Use by Authorized Users.
 2. maintain and administer user authentication system processes and governance in compliance with the County IS User Management policy.
 3. provide appropriate Access in procedural, technological, and infrastructure design and maintenance consistent with the requirements of CJIS Security Policies.

4. provide appropriate Access in procedural, technological, and infrastructure design and maintenance consistent with the requirements of ACCESS.
 5. make available to the Agency Partners procedures, instructions, and other documents regarding available methods and minimum requirements for network connections for Access via the County's network demarcation points.
 6. Provide agency specific custom report programming services and module implementation, at an additional charge.
 7. maintain and administer County-owned Equipment and network infrastructure according to County IS technology policies and procedures, to include:
 - A. maintain and update physical and virtual servers and storage devices hosted within the County's environment, operating Software and system updates and security patches, and anti-virus, spam, and malware protection.
 - B. provide planned replacement of servers at the end of service life.
 - C. manage, monitor, and service the SQL databases.
 - D. manage and maintain routine backup of servers and databases. In the unlikely event of a major system failure that requires a system reload, the data will be restored from the most recent daily backup.
 - E. management and monitor disk space.
 - F. manage and maintain the network infrastructure within the County's domain, including the provision of NetMotion access for MCTs and other mobile devices.
 - G. implement application Software upgrades and patches.
 - H. work collaboratively with EIS, to supervise, monitor, and perform the implementation of upgrades, updates, and patches provided by EIS to the production server.
 - I. other tasks and responsibilities deemed appropriated by County IS.
- 6.2 The County agrees to use commercially reasonable efforts, within its reasonable control, to provide the Agency Partners with uninterrupted access to the RMS at a level of performance acceptable in common business computer applications.
- 6.3 The parties understand there will be occasions when the RMS will not be available for reasons such as hardware and Software maintenance, internet outages, and the like. The County will provide 48 hours advance written notice by email to the Agency Administrators and Agency Leads when conducting planned maintenance and/or administrative activities that will result in a known system outage.
- 6.4 The System Administrator is to: (i) provide updates on an as needed basis to the affected Agency Administrators regarding hardware or network downtime during the week, including root cause, duration, magnitude and resolution, or observations that, left unaddressed, may lead to future outages and/or disruptions, if known; (ii) schedule outages and planned maintenance; and (iii) function as a liaison with EIS for updates, upgrades, additional modules, and maintenance provided by EIS

- 6.5 County IS will monitor, audit, and trouble-shoot the connections necessary to upload information from the RMS to NCIC, and other interfaced crime and public safety databases and systems including, without limitation, LinX Northwest.
- 6.6 County IS will control and maintain the global tables in the RMS unless an Agency Partner expressly agrees in writing to share responsibility over this functionality.
- 6.7 County IS will assist EIS in coordinating the training of Agency Administrators to perform limited administrative functions such as adding and removing Users, establishing User IDs and passwords, setting up User's Authorized Uses, and resetting passwords.
- 6.8 Notwithstanding the foregoing, THE COUNTY MAKES NO WARRANTIES REGARDING THE SOFTWARE, INTERFACES, EIS AND COUNTY IS SUPPORT SERVICES, DOCUMENTATION, AND OTHER MATERIALS AND SERVICES PROVIDED BY EIS OR THE COUNTY. ALL OF WHICH ARE PROVIDED "AS IS" WITH NO WARRANTIES, REPRESENTATIONS, OR CONDITIONS, EXPRESS OR IMPLIED, WRITTEN OR ORAL, ARISING BY STATUTE, OPERATION OF LAW, COURSE OF DEALING, USAGE OF TRADE OR OTHERWISE, REGARDING THEM OR ANY OTHER PRODUCT, SERVICES OR MATERIAL PROVIDED HEREUNDER OR IN CONNECTION HERewith INCLUDING, WITHOUT LIMITATION, WARRANTIES OF MERCHANTABILITY, DURABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE. FURTHER, THE COUNTY IS NOT RESPONSIBLE FOR ANY IMPACT IN FUNCTIONALITY OR PERFORMANCE TO ANY SOFTWARE OR INTERFACE RUNNING ON AN AGENCY PARTNER'S END-USER WORKSTATIONS ARISING FROM OR RELATED TO THE INSTALLATION OF THE SOFTWARE, INTERFACES, OR CONNECTION TO THE COUNTY'S NETWORK.

SECTION 7. ACCESS, USE, RESPONSIBILITIES

- 7.1 Access. Agency Partners are provided Access and Use of the RMS, subject to the terms and conditions of this Agreement and the EIS Contract. Agency Partners agree to comply with all applicable terms and conditions of this Agreement and EIS Contract in consideration for such Access and Use, violation of the same may be considered a material breach of this Agreement.
- 7.2 RMS Authorized Use. The parties agree that their Users will only Access or Use the RMS for Authorized Uses. Permission to Access the RMS or information available in or through the RMS other than as authorized in this Agreement must be obtained in writing from the RMS Lead prior to any such use.
- 7.3 Modification of RMS. The parties agree that its Users will not modify through computer programming, or other techniques, the functions, capabilities, or operations of the RMS without prior written authorization from the System Administrator. Further, the parties will not allow or authorize, directly or indirectly, any person or entity to:
 - 1. decompile, disassemble, or otherwise reverse engineer any of the Software or use any similar means to discover the source code or trade secrets contained therein.

2. modify, translate or create derivate works of the Software or Documentation or merge all or any part of the Software with another program, give away, rent, lease, lend, sell, sublicense, distribute, transfer, assign, or use the Software for timesharing or bureau use or to publish or host the Software for use by any third party;
3. take any actions that would cause the Software to become subject to any opensource license or quasi-opensource license agreement;
4. use the Software in any manner for purposes of: (i) developing, using, or providing a competing software product or service; (ii) copying any ideas, features, functionality, or graphics of the Software; or
5. export the Software into any country prohibited by the United States Export Administration Act and the regulations thereunder.

7.4 Agency Administrators

1. The Chief Law Enforcement Officer of each party will designate at least one Agency Administrator to be responsible for creating User identifications and establishing Authorized Uses of the RMS for its Users in compliance with this Agreement.
2. The Agency Administrator may request assistance from the System Administrator only after first attempting to solve the RMS issue(s) as much as possible using its own staff and resources. Only if the Agency Administrator is unable to resolve the issue with the RMS, should the System Administrator be contacted for assistance.
3. The Agency Administrator, after receipt of training, will be provided the ability to create and maintain custom reports. All such activities shall comply with User Board report writing policies and procedures.

7.5 Equipment. Each party is responsible for providing, installing, and configuring, in a manner that complies with the minimum requirements of the RMS, their own Equipment, which includes without limitation their PCs, MCTs, printers, scanners, image capture devices, and other peripherals required or necessary for their Users to Access and Use the RMS.

7.6 Network. Each party is responsible for having: (i) secure network access that meets the requirements of CJIS Security Policies and enables the Equipment to reach the County's network demarcation points; (ii) network connectivity from their primary site to their partition at the other site; and (iii) space, power, and an appropriate operating environment at their primary site to accommodate networking equipment such as switches or security devices for the other Agency Partners.

7.7 LInX Northwest. Each party authorizes the release of its public records category data contained in the RMS to LInX Northwest for access and authorized use by LInX Northwest users. The County IS will coordinate such release and access.

7.8 Software Ownership. Each party acknowledges that the County does not have ownership of the Software and therefore the County does not control EIS changes, updates, upgrades, interruptions, or other Software issues not under the County's reasonable

control.

SECTION 8. GENERAL RESPONSIBILITIES

- 8.1 Strategic Plan, Equipment Replacement and Upgrade Fund. Each party agrees to work cooperatively to develop and implement a strategic plan for the RMS which includes establishing an equipment replacement and upgrade fund to accommodate planned upgrades, maintenance, and future replacement of the RMS, data storage, and other items identified by the User Board for inclusion.
- 8.2 Other Funding Sources. Each party agrees to work cooperatively to identify and apply for grants and other funding sources which may be beneficial to the parties under this Agreement.
- 8.3 RMS Changes and/or Modifications. Each party agrees that requests for any change or modification which to the RMS or related interfaces must comply with the Change Management Process established and approved by the User Board.
- 8.4 Cooperation and Coordination. Each party agrees to work cooperatively and in good faith to coordinate all actions required to smoothly transition from the current records management software to the new RMS and facilitate subsequent Software updates and upgrades, to ensure minimal disruption in functionality and services.
- 8.5 Further Assurances. Each party agrees to take all further action reasonably necessary or appropriate to obtain the necessary funding approvals and carry out the intent of this Agreement.
- 8.6 EvidenceOnQ. Each party agrees to establish and maintain its own FileOnQ. EIS will Interface with each party separately for the configuration. It is the responsibility of each party to coordinate this process with EIS. County IS will not participate in or be responsible for this process.

SECTION 9. SECURITY, USER AUDIT, BREACH

- 9.1 Security Issues. Each party will promptly report to the System Administrator any Software security-related incidents, Software breach, or other incident relating to Software integrity, such as a computer virus, that may or could affect the RMS. The County reserves the right to suspend services in the event of a security breach. Failure to comply with the security and Access specifications contained in the Agreement may, as necessary to protect the data of the parties, result in the partial or full suspension of a party's Access or its Users' Access to the RMS until such failures are corrected.
- 9.2 Physical Security. Each party is responsible for maintaining the physical security of all Equipment and devices authorized to Access the RMS, as well as any printout or RMS Documentation that may permit unauthorized Access to or Use of the RMS.

9.3 On-line Security. Each party is responsible for issuing individual RMS User identification to its respective Users, which will not be shared. Each party agrees that its Users will be required to enter RMS User identifications before gaining Access to the RMS, including functions and data

9.4 CJIS Security Policies

1. Each party will comply with all CJIS Security Policy requirements in effect during the term of this Agreement which include those pertaining to the creation, viewing, modification, transmission, dissemination, storage, and destruction of CJI. Requirements include, without limitation, verifying identification, performing a state of residency and national fingerprint-based record check within 30-days of assignment for all personnel who have direct access to CJI through the Software for those employees or contractors who have direct responsibility to configure and maintain computer systems and networks with direct access to CJI through the Software. Each party will deny or terminate Access to any prospective or current User found to be in violation of the current CJIS Security Policies.
2. Each party will designate a TAC responsible for ensuring its Equipment, network access points, and Users with Access to the RMS comply with current CJIS and ACCESS Security Policies. The breaching party is responsible for timely curing any problems and violations, including those identified in a WSP or FBI audit.

9.5 Deactivate Users. Each party agrees to immediately deactivate Authorized Users no longer requiring Access to the RMS or that breach (or is suspected of having breached) any security requirement of the County IS User Management policy or User Board.

9.6 User Audit. Each Agency Partner agrees to annually provide the System Administrator with a full and complete list of its Authorized Users. The System Administrator will perform an annual audit of all Authorized Users.

9.7 Breach Notification. In the event of a security breach, the parties responsible for such breach will comply, at their sole expense, with all applicable requirements identified in RCW 42.56.590 or RCW 19.255.010, or other applicable law, rule, or regulation. If the breach is not attributable or attributable to all parties, the parties will work collaboratively to meet all legal requirements with the costs of compliance shared by all parties according to their respective Allocated Proportions.

SECTION 10. CONFIDENTIALITY, DATA, PUBLIC RECORDS

10.1 Confidentiality. The parties will treat as confidential any Confidential Information that has been made known or available or that has been received, learned, heard, or observed; or to which a party has or had access. Confidential Information will be used exclusively for the benefit of the parties and in furtherance of the intent of this Agreement. Except as may be expressly authorized in writing by the parties, in no event will a party publish, use, discuss or cause or permit to be disclosed to any other person such Confidential Information. The parties will (i) limit disclosure of Confidential Information to those

directors, officers, employees and agents who need to know the Confidential Information, (ii) exercise reasonable care with respect to the Confidential Information, at least to the same degree of care as it employs with respect to protecting its own proprietary and confidential information, and (iii) upon request, immediately return to EIS or the party that provided the information, all Confidential Information in whatever form, in the party's possession, custody, or control. The parties acknowledge that unauthorized disclosure of Confidential Information will result in irreparable harm to one or more of parties to this Agreement and/or EIS.

- 10.2 Data Ownership, Responsibilities. Each party retains sole ownership and sole responsibility for the information it contributes to the RMS including, without limitation, the accuracy of the information. The RMS clearly creates a separate database for each party's data, segregating its data from the other parties on the RMS. Certain data will be considered "shared data records" that will not be restricted from viewing by another party, such as the data in the Names, Locations, Property, and Employee's data sets. The parties understand and agree that the information entered in the RMS remains the sole property of the party entering the data, except for the shared data. All shared data may be disclosed by a party pursuant to state and federal law.
- 10.3 Limitation on Dissemination. All dissemination by a party of CJI which is available in or through the RMS will comply with CJIS policies and procedures and applicable laws.
- 10.4 Data Conversion. Each party consents to the sharing and release of its owned data for the purpose of RMS implementation, data conversion, and as necessary for the implementation and maintenance of the Interfaces.
- 10.5 Removal or Expungement of Records. As part of the design of data updates, each party will define the period in which a record deletion, removal, expungement, or other edit is transferred to the repository from the source system. If a party requires that one or more of its records be edited, removed, or otherwise changed in a timely manner, that party is responsible for arranging for this change to be manually processed by its Agency Administrator.
- 10.6 Information Control and Responsibility. Additions, modifications, and deletions of information or data stored in the RMS will be restricted to being performed by the party owning the information or data. Changes may be made by the County at the request of the party owning the data. All such changes will be restricted to specifically authorized Users and devices in accordance with CJIS Security Policies and consistent with each party's scope of responsibility in providing Access.
- 10.7 Public Records Requests
 1. Notwithstanding any provisions of this Agreement to the contrary, to the extent any record including any electronic, audio, paper or other media, is required to be kept or indexed as a public record in accordance with the Washington Public Records Act, chapter 42.56 RCW ("Act"), each party agrees to maintain those records

constituting public records. Each party agrees that for proper dissemination all public records requests will be processed by the party owning the data requested.

2. If a party receives a request under the Act to inspect or copy Confidential Information, that party will provide notice to EIS, of the request and the date that such Confidential Information will be released unless EIS obtains a court order to enjoin disclosure.

10.8 Records Retention. Each party agrees to maintain the records relating to the performance of this Agreement by that party as required by law. Such records will be available for review by the other parties upon reasonable request. The parties agree that they will make best efforts to achieve a resolution of potential confidentiality issues to enable disclosure of sufficient information to conduct an appropriate records review.

SECTION 11. LICENSE, FINANCIAL RESPONSIBILITIES

11.1 License. The County will execute a contract in its own name with EIS to purchase the RMS as identified in the EIS Contract for Use by the parties, in accordance with the laws and regulations governing such purchases by the Kitsap County. Each party will be granted a full site license for the RMS in exchange for the County's receipt of payment of all fees identified herein.

11.2 Financial Responsibilities. The County will serve as the fiscal agent for the parties and collect the Allocated Proportion due from each party. Each party agrees to timely pay the County their respective Allocated Proportion of all monies due under this Agreement, which includes EIS Fees, County Support Services Fees, and RMS Costs. Each party agrees to pay its Allocated Proportion of the EIS Fees in the amounts, and intervals, identified in the EIS Contract, Exhibit A.

11.3 Allocated Proportion. The Allocated Proportion due from each party is based on its number users.

- Kitsap County: 47 percent
- Bremerton: 22 percent
- Bainbridge Island: 9 percent
- Port Orchard: 9 percent
- Poulsbo: 8 percent
- Suquamish: 5 percent

11.4 Annual Invoice. After final acceptance of the Software, the County will invoice the Agency Partners annually for the EIS Fees, County Support Services Fees, and RMS Costs due under this Agreement. Each invoice will identify the fees for each item. Each Agency will pay its respective invoice as provided herein.

11.5 Invoice Due Date. Each Agency Partner agrees to pay the County invoice within 30-days of the invoice date. Failure to pay the invoice when due may result in the suspension of

that Agency Partner's access to the RMS. Prior to suspension, the County will provide the Agency Partner written notice of the pending suspension and 30-days to cure.

- 11.6 Separate Module Purchases - Change Requests and costs. All cost and fees associated with any future additional module(s), software, or change requested by a party that is not available for use or will not be used by all parties will be paid in full by the party (or parties) that will be using the module(s), software, or change, as identified in the Change Management Process.
- 11.7 Unplanned Expenses. The Agency Partners will be notified should an unplanned event occur which requires funding for additional resources, such as a malicious viral network attack regarding emergency support resources.

SECTION 12. ADDING AND REMOVING AGENCY PARTNERS

- 12.1 Adding Agency Partners. A unanimous vote of the Chief Law Enforcement Officers is required prior to the addition of any new agency to this Agreement. All new agency partners approved by unanimous vote of the Chief Law Enforcement Officers will be bound by the terms and condition of this Agreement, with the Allocated Proportion due from each party reapportioned accordingly.
- 12.2 Removing Agency Partners. Any Agency Partner may be removed from participation in this Agreement for a Material Breach of this Agreement or by majority vote of the Chief Law Enforcement Officers for good cause. Upon removal of the Agency Partner, the Allocated Proportion due from each party will be reapportioned to the remaining parties.

SECTION 13. DISPUTE RESOLUTION

- 13.1 The parties agree to work cooperatively to appropriately resolve all claims and controversies which arise under this Agreement. Any claim or controversy will be submitted to the Sheriff or the Sheriff's designee and the Police Chiefs or the Police Chief's designee for resolution, if possible.
- 13.2 The parties may continue to Use the RMS without any interruption or delay during the pendency of any dispute resolution and will continue to make all payments, that are not in dispute, in accordance with the Agreement. Notwithstanding the foregoing, an Agency Partner's Access may be suspended pending dispute resolution if deemed appropriate by (i) majority vote of the Sheriff and Chiefs or (ii) the County due to a material breach of this Agreement.
- 13.3 Should any dispute arise between the parties concerning this Agreement not be resolved by mutual agreement within 30 calendar days, or such other time as mutually agreed upon, it is agreed that such dispute will be submitted to mandatory mediated negotiation prior to any party commencing litigation. In such an event, the parties to this Agreement agree to participate in good faith in a mediation process. The mediator will be selected by mutual agreement of the parties, but in the absence of such agreement each party will select a

temporary mediator and those mediators will jointly select the permanent mediator. All costs of mediation will be borne equally by the parties. Each party will bear its own expenses for witnesses, depositions, other costs incurred and attorney's fees.

SECTION 14. INDEPENDENT CAPACITY

- 14.1 Each party and its respective employees or agents will act as an independent contractor and continue to be the employees or agents of that party, which will be solely and exclusively responsible for their employees and agents. Employees and agents of one party will not be considered for any purpose whatsoever under this Agreement to be employees or agents of another party to this Agreement. No party will have the authority to bind another party, absent a written agreement of the parties, nor the authority to control the employees, agents, or contractors of another party to this Agreement. All rights, duties and obligations of the employer will remain with the employing party. Each party agrees to indemnify, defend, and hold harmless the other parties in any action arising from or related to the negligence of its own employees, including all costs of defense and attorney's fees.
- 14.2 Each party will be solely and exclusively responsible for all compensation, benefits, training expenses, equipment, and all other costs and expenses whatsoever of its employees related to this Agreement. Each party will be responsible for ensuring its compliance with all applicable Laws, collective bargaining agreements, and civil service rules and regulations regarding its own employees.

SECTION 15. INDEMNIFICATION

- 15.1 Indemnification. To the extent of its comparative liability, each party agrees to indemnify, defend and hold the other party, its appointed and elected officials, employees, agents, subcontractors, and volunteers, harmless from and against all liability, claims, damages, losses, costs, and expenses, including but not limited to court costs, attorney fees, and alternative dispute resolution costs, for any personal injury, for any bodily injury, sickness, disease or death or for any damage to or destruction of any property (including loss of use resulting therefrom) which are alleged or proven to be caused by an act or omission, negligent or otherwise, of the party, its elected or appointed officials, employees, agents, subcontractors, or volunteers. In the event of any concurrent act or omission of the parties, negligent or otherwise, these indemnity provisions will be valid and enforceable only to the extent of each party's comparative liability.
- 15.2 Participation in Defense, No Waiver. All parties reserve the right, but have no obligation, to participate in the defense of any claim, damages, losses or expenses and such participation will not constitute a waiver of a party's indemnity obligations under this Agreement.
- 15.3 Indemnity by Subcontractors. In the event a party executes subcontracts under this Agreement, that party's subcontractors will indemnify the other parties and EIS on a basis equal to or exceeding the party's indemnity obligations in this Agreement.

SECTION 16. INSURANCE

16.1 During the term of this Agreement, each party will maintain in force at its own expense the insurance requirements identified below, or the equivalent participation in a risk pool that meets these obligations:

1. Commercial General Liability. Each party warrants they have commercial general liability insurance of not less than \$1,000,000 per occurrence and \$5,000,000 annual aggregate under this Agreement. Coverage will include personal injury, bodily injury, and property damage for premise-operations liability, products/completed operations, personal/advertising injury, contractual liability, independent contractor liability, and stop gap/employer's liability. Coverage will not exclude or contain sub-limits less than the minimum limits required herein. The certificate of insurance for the CGL policy will expressly cover the indemnification obligations required by the Agreement.
2. Network Security/Cyber Liability (Cyber Protection). Each party warrants they have network security/cyber liability coverage. The coverage shall be written with limits no less than \$1,000,000 per claim, \$1,000,000 policy aggregate for network security and privacy coverage, and \$100,000 per claim for cyber extortion coverage. Such insurance will include, but not be limited to, coverage for third party claims and losses with respect to network risks (such as data breaches, unauthorized access or use, identification theft, theft of data) and invasion of privacy regardless of the type of media involved in the loss of private information crisis management and identity theft response costs. This should also include breach notification costs, credit remediation and credit monitoring, defense and claims expenses, regulatory defense costs plus fines and penalties, cyber extortion, computer program and electronic data restoration expenses coverage (data asset protection), network business interruption, computer fraud coverage, and funds transfer loss.
3. Automobile Insurance. Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than one million dollars (\$1,000,000) each occurrence with respect to each party's owned, hired, and non-owned vehicles on the premises. The policy will contain a severability of interests' provision.
4. Workers' Compensation and Employer Liability. Each party will maintain workers' compensation insurance as required under the Title 51 RCW (Industrial Insurance), or the equivalent, for all staff eligible for such coverage.
5. Policy Change. Each party is required to give the other parties 30-days prior notice of any cancellation, material change, reduction of limits or intent not to renew any insurance coverage. The insurance coverage limits identified herein are minimum requirements only and do not in any manner limit or qualify the liabilities or obligations of the parties under the Agreement.

SECTION 17. GOVERNING LAW, SOVERIGN IMMUNITY LIMITED WAIVER

- 17.1 Governing Law, Venue. This Agreement has been and will be liberally construed as having been made and delivered within the State of Washington. This Agreement will be governed in all respects by the laws of the State of Washington, both as to interpretation and performance, without regard to choice of law or conflicts of law provisions.
- 17.2 Limited Waiver of Sovereign Immunity. The Tribe hereby grants a limited waiver of sovereign immunity to suit solely with respect to claims made against it by another party relating to or arising under this Agreement. This limited waiver of sovereign immunity applies only between the parties to this Agreement. It does not extend to any other person or entity. This limited waiver of sovereign immunity includes all judicial actions for money damages, injunctive relief, and/or declaratory relief, whether based upon breach of contract or tort law or otherwise. Any such claim, action, or proceeding may be brought and maintained only in the U.S. District Court for the Western District of Washington. If for any reason the U.S. District Court for the Western District of Washington lacks jurisdiction, the claim, action, or proceeding may be brought and maintained in either the Kitsap County Superior Court or in Tribal Court.

SECTION 18. NOTICE

- 18.1 Unless otherwise provided herein, all notices under this Agreement will be in writing and may be personally delivered or mailed (including first class) to the business address for each party's Chief Law Enforcement Officer. Mailed notices will be deemed to have been given on the second business day following the date of mailing, if properly mailed and addressed with postage prepaid. Notices sent by certified or registered mail will be deemed to have been given on the day following the date of mailing, if properly mailed and addressed with postage prepaid. For all types of mail, the postmark affixed by the United States Postal Service will be conclusive evidence of the date of mailing.

SECTION 19. NONDISCRIMINATION

- 19.1 No party will discriminate against any person on the basis of race, color, creed, religion, national origin, age, sex, marital status, familial status, sexual orientation (including gender expression or gender identity), honorably discharged veteran or military status, presence of any sensory, mental, or physical disability, use of a service animal by a person with disabilities, or other circumstance prohibited by federal, state, or local law, and will comply with Title VI of the Civil Rights Act of 1964, P.L. 88-354 and Americans with Disabilities Act of 1990 in the performance of this Agreement.

SECTION 20. FORCE MAJEURE

- 20.1 Force Majeure. No party will be liable to the other parties or be deemed to be in breach of this Agreement by reason of any default, delay, or failure to perform any of their respective obligations in relation to the Agreement (other than a failure to pay any amounts owing under this Agreement), if the delay or failure is due to any cause beyond

that party's reasonable control and without fault or negligence. Circumstances deemed to be beyond reasonable control include, without limitation, acts of God or of the public enemy, insurrection, change in law, acts of the federal government or any unit of state or local government in either sovereign or contractual capacity, fires, floods, earthquakes, epidemics, quarantine restrictions, strikes, or other similar circumstance. The party so affected will promptly give notice to the other parties and will do everything reasonably possible to resume performance as soon as practicable.

SECTION 21. GENERAL PROVISIONS

- 21.1 Compliance with Laws. Each party will exercise their rights and perform their respective obligations under this Agreement in full compliance with all applicable Laws.
- 21.2 Further Assurances. Each party will execute all further documents and take all further action reasonably necessary or appropriate to carry out the intent of this Agreement.
- 21.3 Implied Contract Terms. Each provision of law and any terms required by law to be in the Agreement are made a part of the Agreement as if fully stated in it.
- 21.4 Time of Performance. Time is of the essence with respect to the terms and provisions of this Agreement.
- 21.5 Integration. This Agreement contains all terms and conditions agreed upon by the parties, except necessary operational agreements between the parties in furtherance hereof and supersedes any other agreement or understanding of the parties relating to the subject matter of this Agreement. No other understanding, oral or otherwise, regarding the subject matter of this Agreement will be deemed to exist or to bind the parties.
- 21.6 Amendment. This Agreement may be amended from time to time as deemed appropriate by the parties, provided, any such amendment will not become effective unless written and signed by all parties to this Agreement with the same formality as this Agreement.
- 21.7 Disclaimer. Except as otherwise provided, this Agreement will not be construed in any manner that would limit a party's authority or powers under law.
- 21.8 No Third-Party Beneficiary. The parties expressly agree that nothing contained in the Agreement will create any legal right or inure to the benefit of any third party, except for those rights afforded to EIS. This Agreement is for the benefit of the parties. Except as set forth herein, nothing in this Agreement will be construed as giving any benefits, rights, remedies, or claims to any other person, firm, corporation, or other entity including, without limitation, the public or any member thereof, or to authorize anyone not a party to this Agreement to maintain a suit for breach of contract, personal injuries, property damage, or any other relief in law or equity in connection with this Agreement.
- 21.9 Assignment. The rights and obligations of a party under this Agreement may not be assigned in whole or in part, without the written consent of the User Board. Any

attempted assignment will be null and void, and a Material Breach of this Agreement.

- 21.10 Waiver. A failure by any party to exercise its rights under this Agreement will not preclude that party from subsequent exercise of such rights and will not constitute a waiver of any other rights under this Agreement unless identified in writing signed by an authorized representative of the party.
- 21.11 Remedies. The remedies provide in this Agreement are cumulative and may be exercised concurrently or separately. The exercise of any one remedy will not constitute an election of one remedy to the exclusion of any other.
- 21.12 Severability. The provisions of this Agreement are severable. If a court of competent jurisdiction holds any provision of the Agreement to be illegal, invalid, or unenforceable, in whole or in part, the validity of the remaining provisions will not be affected, and the provision will be deemed modified to the extent necessary in order to render such provision valid and enforceable while giving effect to the intentions of the parties provided that if such provision may not be so saved, it will be severed and the remainder of this Agreement will remain in full force and effect.
- 21.13 Headings/Captions. Headings and captions used are for convenience only and are not a part of the Agreement and do not in any way limit or amplify the terms and provisions hereof.
- 21.14 No Party the Drafter. The Agreement is the product of negotiation between the parties, and no party is deemed the drafter of the Agreement.
- 21.15 Survival. The rights and obligations of the parties will survive the term of this Agreement to the extent that any performance is required under this Agreement after the expiration or termination of this Agreement, or extension thereof to include, without limitation, Sections 4 (Termination), 7 (Access, Use, Responsibilities), 9 (Security, User Audit, Breach), 10 (Confidentiality, Data, Public Records), 11 (License, Financial Responsibilities), 13 (Dispute Resolution), 14 (Independent Capacity), 15 (Indemnification), 17 (Governing Law, Sovereign Immunity Limited Waiver), and 21 (General Provisions).
- 21.16 Counterparts. The Agreement may be executed in several counterparts each of which will be deemed an original but all of which together will constitute one and the same agreement.
- 21.17 Entire Agreement. This Agreement contains the entire understanding of the parties and supersedes any other agreement or understanding of the parties relating to the subject matter of this Agreement.
- 21.18 Authorization. Each party warrants and represents to the other parties that the person signing below has been properly authorized and empowered to execute this Agreement

on behalf of the party for whom they sign and, if applicable, to waive sovereign immunity as required by this Agreement.

DATED THIS __ DAY OF _____, 2021.

KITSAP COUNTY SHERIFF'S OFFICE

JOHN GESE, SHERIFF

DATED THIS __ DAY OF _____, 2021.

BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

ROBERT GELDER, CHAIR

EDWARD E. WOLFE, COMMISSIONER

CHARLOTTE GARRIDO, COMMISSIONER

ATTEST:

DANA DANIELS, CLERK OF THE BOARD

DATED THIS __ DAY OF _____, 2021.

CITY OF BAINBRIDGE ISLAND

JOE CLARK, CHIEF OF POLICE

RASHAM NASSAR, MAYOR

APPROVED AS TO FORM:

ATTEST:

JOE LEVAN, CITY ATTORNEY

_____, CITY CLERK

DATED THIS __ DAY OF _____, 2021.

CITY OF BREMERTON

TOM WOLFE, CHIEF OF POLICE

GREG WHEELER, MAYOR

APPROVED AS TO FORM:

ATTEST:

KYLIE FINNELL, CITY ATTORNEY

ANGELA HOOVER, CITY CLERK

DATED THIS __ DAY OF _____, 2021.

CITY OF PORT ORCHARD

MATT BROWN, CHIEF OF POLICE

ROBERT PUTAANSUU, MAYOR

APPROVED AS TO FORM

ATTEST

CHARLOTTE ARCHER, CITY ATTORNEY

BRANDY RINEARSON, CITY CLERK

DATED THIS __ DAY OF _____, 2021.

CITY OF POULSBO

BY: _____
RON HARDING, CHIEF OF POLICE

BY: _____
BECKY ERICKSON, MAYOR

APPROVED AS TO FORM

ATTEST

ALEXIS FOSTER, CITY ATTORNEY

RHIANNON FERNANDEZ, CITY CLERK

DATED THIS __ DAY OF _____, 2021.

SUQUAMISH TRIBE

APPROVED:

APPROVED:

MIKE LASNIER, CHIEF OF POLICE

LEONARD FORSMAN, CHAIRMAN

APPROVED AS TO FORM:

TIM WOOLSEY, ATTORNEY

EXHIBIT A

PUBLIC SAFETY RECORDS AND JAIL RECORDS MANAGEMENT SOFTWARE
CONTRACT KC -528-21



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.:	<u>Public Hearing 6A</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Public Hearing on Property Tax Levy and</u>	Prepared by:	<u>Noah D. Crocker</u>
	<u>Revenue Sources for 2022 Current</u>		<u>Finance Director</u>
	<u>Expense Budget 2021-2022 and</u>	Atty Routing No.:	<u>N/A</u>
	<u>Satisfying the Requirements of RCW</u>	Atty Review Date:	<u>N/A</u>
	<u>84.55.120</u>		

Summary: The City legislative body is required to hold a Revenue Sources Public Hearing on current expense budget revenue sources for the coming year’s budget, including consideration of possible increases in property tax revenues, per RCW 84.55.120. The hearing is required before the legislative body votes on a property tax levy for the upcoming year. The deadline for setting the levy for property tax collection for 2022 is November 30, 2021.

This Hearing is a part of the public process that leads to the adoption of an Ordinance setting the property tax levy, which is then forwarded to the Kitsap County Assessor along with a Levy Certification, in order to set the property tax levy for collection in the 2022 tax year.

The Hearing will include a presentation of revenue sources and estimates for 2022. The Hearing relates to setting the 2022 levy for property tax collection in the second year of the 2021-2022 biennium.

“Current expense budget” means that budget which is primarily funded by taxes and charges and reflects the provision of ongoing services. It does not mean the capital, enterprise, or special assessment budgets.

Relationship to Comprehensive Plan: N/A

Recommendation: Open and conduct the Public Hearing.

Fiscal Impact: Leads to the setting of the property tax levy for collection in the 2022 tax year.

Alternatives: None. Required.

Attachments: Presentation.

City of Port Orchard

2021 Revenue Sources Presentation

October 26, 2021

A Requirement of RCW 84.55.120

- ▶ Current expense budget means that budget which is primarily funded by taxes and charges and reflects the provision of ongoing services.
- ▶ Current expense budget does not mean the capital, enterprise, or special assessment budgets.

General Fund 2021-2022 Biennial Budget - Tax Revenue

TOTAL TAX REVENUE = \$20,858,100

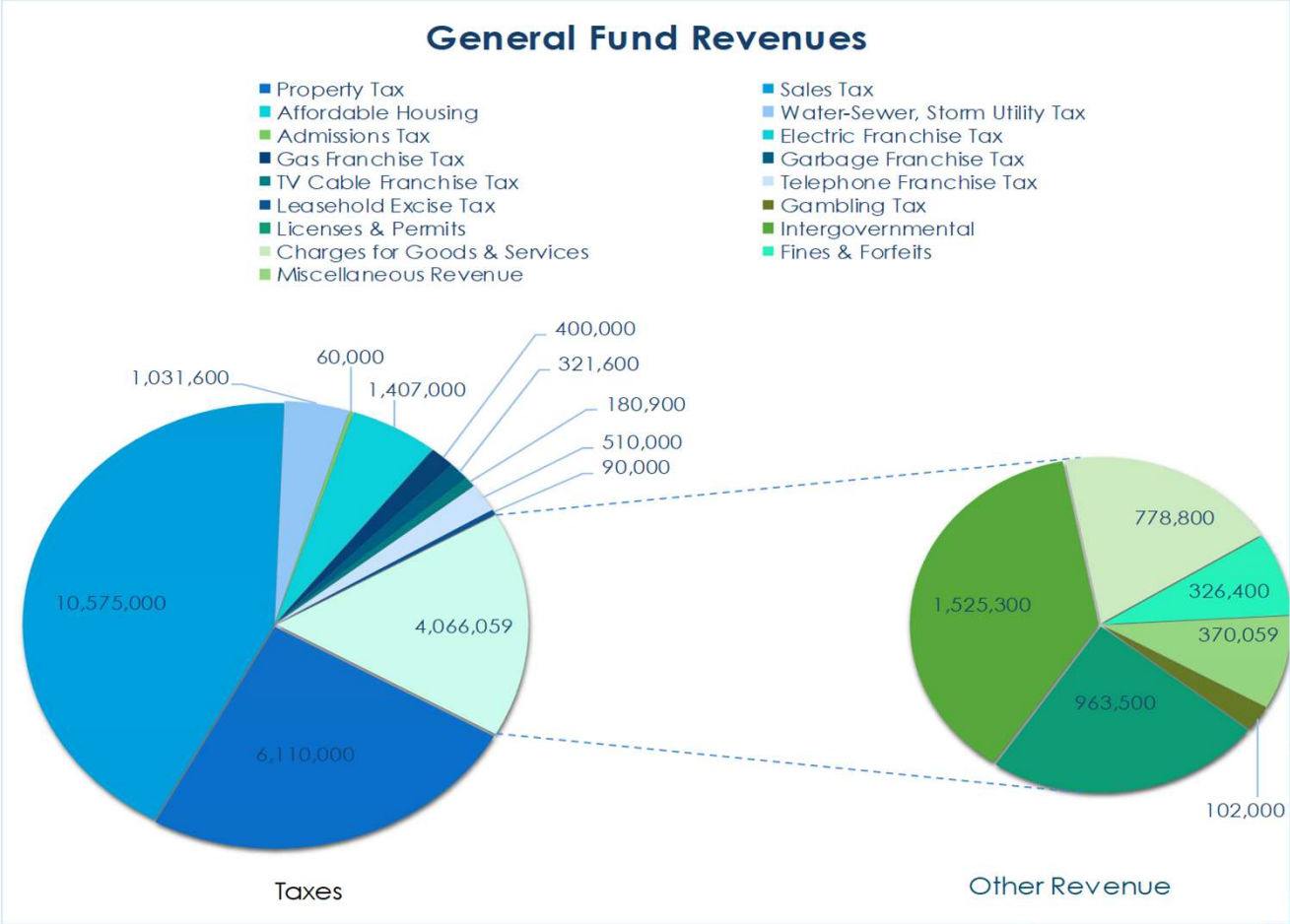


General Fund

2021-2022 Biennial Budget Tax Revenue

Budgeted	2021	2022	Biennium Total	% of Budgeted Tax
Retail Sales & Use Tax	5,235,000	5,340,000	10,575,000	50.7%
Property Tax	3,040,000	3,070,000	6,110,000	29.3%
<i>Other taxes</i>	2,080,000	2,093,100	4,173,100	20.0%
<i>Affordable Housing</i>	35,000	35,000	70,000	0.4%
<i>Electric</i>	700,000	707,000	1,407,000	6.8%
<i>Telephone</i>	260,000	250,000	510,000	2.5%
<i>Utilities</i>	514,000	517,600	1,031,600	5.0%
<i>Garbage</i>	160,000	161,600	321,600	1.5%
<i>TV Cable</i>	90,000	90,900	180,900	0.9%
<i>Natural Gas</i>	200,000	200,000	400,000	1.9%
<i>Gambling</i>	51,000	51,000	102,000	0.5%
<i>Admissions</i>	25,000	35,000	60,000	0.3%
<i>Leasehold Excise</i>	45,000	45,000	90,000	0.4%
TOTAL	10,355,000	10,503,100	20,858,100	100.00%

General Fund 2021-2022 Biennial Budgeted Revenue - All Sources \$24,822,300



General Fund Biennial Budget vs 2021 Actual (YTD) Revenue Comparison

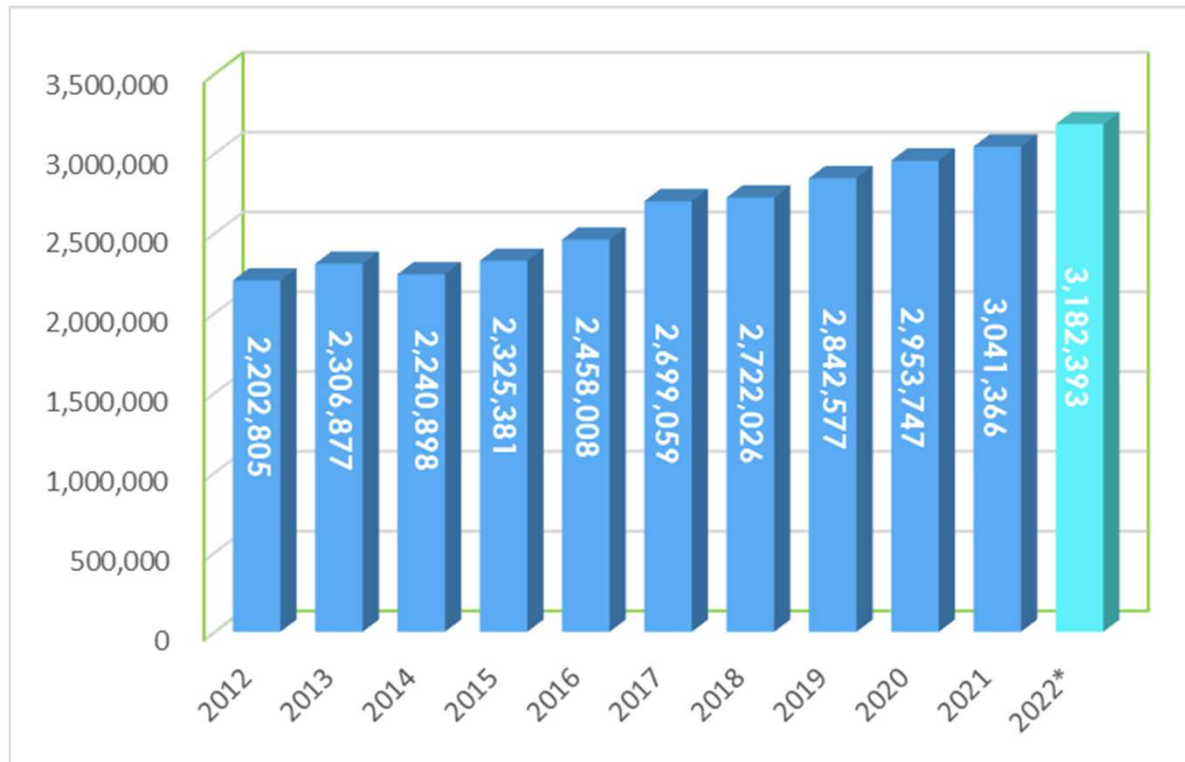
Revenue by Category	2021 Actuals (as of 9/30/21)	2021-2022 Budget	% of Budget Received
Sales Tax	5,090,221	10,575,000	48.13%
Property Taxes	1,746,138	6,110,000	28.58%
Other Taxes	1,903,159	4,173,100	45.61%
Tax Revenue	8,739,518	20,858,100	41.90%
License & Permits	786,572	963,500	81.64%
Intergovernmental Revenue	2,199,971	1,525,300	144.23%
Charges for Services	642,620	778,800	82.51%
Fines & Penalties	124,928	326,400	38.27%
Miscellaneous Revenues	194,643	370,200	52.58%
Other Revenues	3,948,734.75	3,964,200	99.61%
Totals	12,688,253	24,822,300	51.12%

Property Tax History

Levy Year	Assessed Valuation	Levy Rate	Levied Property Taxes
2017	1,532,610,083	1.7611	2,699,059
2018	1,631,598,525	1.6683	2,722,026
2019	1,849,694,593	1.5368	2,842,577
2020	2,072,895,477	1.4247	2,953,747
2021	2,235,542,403	1.3535	3,041,366
2022*	2,506,254,993	1.2652	3,182,393

* Projected rate until Fire & Library District final levys are known

Property Tax Collection History



Property Tax Comparison 2021 to 2022

Levy Rate - 1.35353		2021
Levy Amount	\$	2,953,332
0.326039 % increase	\$	9,629
New Construction	\$	62,913
Annexation	\$	-
Utilites	\$	10,000
Refunds	\$	15,492
Total Taxes	\$	3,051,366

Levy Rate - 1.26515		2022
Levy Amount	\$	3,041,366
0.48554 % increase	\$	14,767
New Construction	\$	114,655
Annexation	\$	-
Utilites	\$	10,000
Refunds	\$	11,605
Total Taxes	\$	3,192,393

Retail Sales & Use Tax Revenue

Equally as important as Property Tax.

The City of Port Orchard receives a 0.84% Sales Tax

Sales Tax Collection

- ▶ Year to Date Sales Tax Revenue is exceeding expectations for 2021

Year-to-date
97%

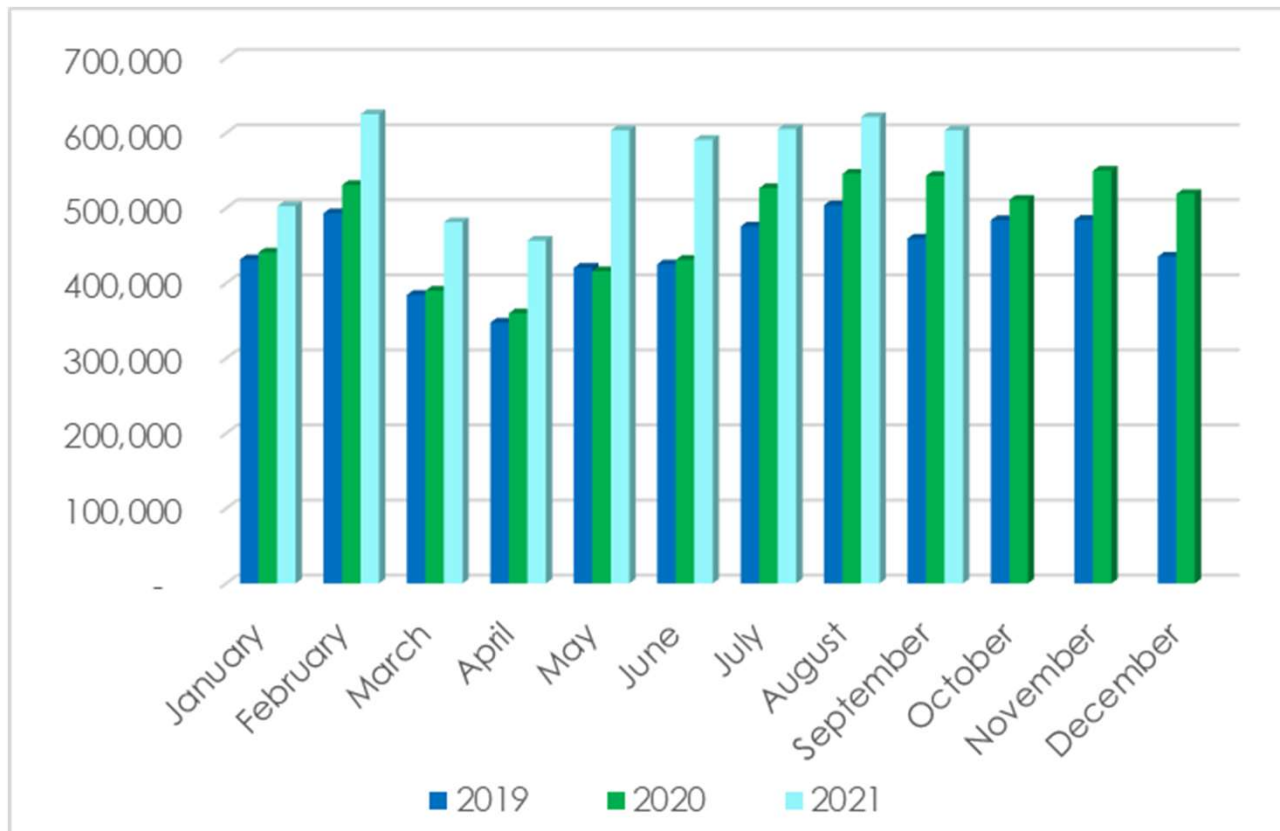
Year	Actual	Estimated
2016	4,536,118	As of 9/30/21
2017	4,725,746	
2018	5,088,978	
2019	5,344,307	5,060,000
2020	5,763,046	5,085,000
2021	5,090,221	5,235,000
2022		5,340,000

Sales Tax Revenue Received by Month

- ▶ YTD measured against 2020 shows a growth rate of 21%
- ▶ This growth rate is up significantly from the prior year over the same time period.

Year	2016	2017	2018	2019	2020	2021	Annual Growth Rate
January	347,041	351,549	386,354	431,657	440,828	502,448	13.98%
February	449,948	461,703	496,351	493,079	530,599	625,058	17.80%
March	309,322	321,753	360,538	384,364	389,996	481,233	23.39%
April	326,635	328,165	347,330	347,428	359,821	456,673	26.92%
May	363,892	388,621	441,283	420,458	415,936	603,566	45.11%
June	390,487	367,611	399,207	425,069	431,044	590,896	37.08%
July	374,767	408,585	453,650	475,469	526,489	605,455	15.00%
August	411,062	453,577	453,487	503,789	545,861	621,368	13.83%
September	398,665	403,185	441,406	459,433	542,819	603,523	11.18%
October	397,959	421,304	447,624	483,935	511,099		
November	406,541	427,841	451,629	484,346	549,714		
December	359,797	391,854	410,120	435,279	518,839		
Total	4,536,118	4,725,746	5,088,978	5,344,307	5,763,046	5,090,221	

Sales Tax Collection 2019 to 2021



Thank You...

This concludes my
remarks.

Questions?



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.:	<u>Public Hearing 6B</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Public Hearing on an Ordinance</u>	Prepared by:	<u>Noah D. Crocker</u>
	<u>for the 2021-2022 Budget Mid-</u>		<u>Finance Director</u>
	<u>Biennial Review and Modification</u>	Atty Routing No:	<u>366922-0007 - Finance</u>
		Atty Review Date:	<u>October 19, 2021</u>

Summary: As established by RCW 35A.34.130, a mid-biennial review and modification of the City's biennial budget is required. This review shall occur no sooner than eight months after the start of the first year of the fiscal biennium (September 1), and no later than the close of the fiscal year (December 31). The Finance Department has consulted and reviewed possible modifications of the Biennial Budget with all City Departments and the Mayor. The Finance Committee met and reviewed the proposed modifications to the budget prior to Council work study on October 12th. The city held a public hearing on the mid-biennial review on October 19th during the Council work study, which allowed the City Council to review the proposed modifications to the city budget, receive public comment, and provided additional direction.

The city has focused its criteria for mid-year modification to those items that are necessary corrections, are required, and have large capital and operational budgetary impacts.

The proposed Budget Amendment Ordinance provides for additional expenditure authority of \$33,669,120, as identified in the Budget Amendment Table included with the Ordinance. The Budget amendment adds new positions in the city, and accordingly increases the FTE count, as identified in Exhibit A-Personnel list. The budget amendment provides for six additional vehicles to the ERR fleet. The budget amendment also reflects additional revenue received, adjustments to beginning fund balance, and recognizes anticipated loan and grant proceeds.

Relationship to Comprehensive Plan: N/A

Recommendation: Staff recommends the mayor open the public hearing on the mid-year budget review and amendment.

Fiscal Impact: The 2021–2022 Biennial Budget amendment increases expenditure authority by \$33,669,120.

Alternatives: N/A

Attachments: Ordinance (redline and final).

ORDINANCE NO. **-21

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, AMENDING ORDINANCE NO. 035-20, THE BIENNIAL BUDGET FOR THE YEARS 2021–2022, FOR THE MID-BIENNIAL REVIEW TO RECOGNIZE EXPENDITURES AND REVENUES NOT ANTICIPATED AT THE TIME OF THE ADOPTION OF THE 2021–2022 BIENNIAL BUDGET; PROVIDING FOR TRANSMITTAL TO STATE; PROVIDING FOR PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orchard adopted its 2021 – 2022 Biennial Budget via Ordinance No. 035-20, which was previously amended by Ordinance No. 015-21 and Ordinance No. 032-21; and

WHEREAS, the City desires to keep current on necessary budget amendments; and

WHEREAS, per RCW 35.34.130, the City has conducted a timely mid-biennial review of the biennial budget; and

WHEREAS, the City Finance Committee met on October 12, 2021, to review the Mayor’s proposed budget modifications and made recommendations; and

WHEREAS, the City Finance Committee met on October 19, 2021, to review the revenues sources and property tax presentation; and

WHEREAS, the City Council held a comprehensive work study session and public hearing on the 2021-2022 mid-biennial budget on October 19, 2021 and made recommendations to the budget; and

WHEREAS, the City Council held a second public hearing on the proposed amendments to the biennial budget, and an associated public hearing on revenue sources, at its public meeting on October 26, 2021; and

WHEREAS, the City Council acted to adopt the 2022 Property Tax Levy at its public meeting on October 26, 2021;

WHEREAS, the amendment modifies the Equipment Rental Revolving Fund budget to add six additional vehicles to the City’s fleet; and

WHEREAS, the amendment makes necessary adjustments to accounts and/or Funds, by means of appropriation adjustments, that could not have been anticipated at the time of passage of the 2021 – 2022 Biennial Budget, as provided in RCW 35A.33.120; and

WHEREAS, the City evaluated its personnel needs for the 2021-2022 Biennium and this amendment modifies Exhibit A to Ordinance No. 035-20, as amended by Ordinance No. 015-21 and by Ordinance No. 032-21, to modify personnel positions and salary table; and

WHEREAS, the City identified the need to create a new Senior Planner position and fund 1 Full Time Equivalent (1 FTE); and

WHEREAS, the City identified the need to defund 1 Full Time Equivalent (1 FTE) Associate Planner position; and

WHEREAS, the City identified the need to create a new Utilities Compliance Specialist position and fund 1 Full Time Equivalent (1 FTE); and

WHEREAS, the City identified the need to add and fund a 1 Full Time Equivalent (1 FTE) Public Works Mechanic; and

WHEREAS, the City identified the need to add and fund a 1 Full Time Equivalent (1 FTE) Accounting Assistant II; and

WHEREAS, the City identified the need to add and fund a 1 Full Time Equivalent (1 FTE) Records Evidence Specialist; and

WHEREAS, the City desires to adjust budgeted beginning fund balances to reflect more closely the actual beginning fund balances as of January 1, 2021; and

WHEREAS, the City desires to adjust all ending fund balances by incorporating changes in beginning fund balance, revenues, and expense; and

WHEREAS, the Council desires to adjust the budget for additional revenues identified for funds 001, 002, 109, 111, 302, 304, 413, 433, 500; and

WHEREAS, the Council desires to provide additional expenditure authority and appropriations consistent with the mid-biennial review and modifications as presented, now, therefore;

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The 2021 – 2022 Biennial Budget, and enabling Ordinance no. 035-20, as amended by Ordinance No. 015-21 and by Ordinance No. 032-21, is hereby amended to reflect the following:

2021-2022 Biennial Budget

Fund No.	Fund Name	Type	Ordinance-035-20	Adjustment	Ordinance-XXX-21
001	Current Expense Fund	Revenue	\$ 26,069,100	\$ 7,210,101	\$ 33,279,201
		Expense	\$ 26,069,100	\$ 7,210,101	\$ 33,279,201
002	City Street	Revenue	\$ 5,131,900	\$ 2,469,271	\$ 7,601,171
		Expense	\$ 5,131,900	\$ 2,469,271	\$ 7,601,171
003	Stabilization	Revenue	\$ 2,300,000	\$ 393,687	\$ 2,693,687
		Expense	\$ 2,300,000	\$ 393,687	\$ 2,693,687
103	Criminal Justice	Revenue	\$ 760,900	\$ 108,608	\$ 869,508
		Expense	\$ 760,900	\$ 108,608	\$ 869,508
104	Special Investigative Unit	Revenue	\$ 102,000	\$ 3,797	\$ 105,797
		Expense	\$ 102,000	\$ 3,797	\$ 105,797
107	Community Events	Revenue	\$ 400,000	\$ 12,002	\$ 412,002
		Expense	\$ 400,000	\$ 12,002	\$ 412,002
108	Paths & Trails	Revenue	\$ 12,900	\$ 196	\$ 13,096
		Expense	\$ 12,900	\$ 196	\$ 13,096
109	Real Estate Excise Tax	Revenue	\$ 4,854,000	\$ 1,339,992	\$ 6,193,992
		Expense	\$ 4,854,000	\$ 1,339,992	\$ 6,193,992
111	Impact Fee	Revenue	\$ 2,282,500	\$ 1,723,967	\$ 4,006,467
		Expense	\$ 2,282,500	\$ 1,723,967	\$ 4,006,467
206	Bond Redemption Fund	Revenue	\$ 598,200	\$ -	\$ 598,200
		Expense	\$ 598,200	\$ -	\$ 598,200
302	Capital Construction	Revenue	\$ 620,000	\$ 2,986,707	\$ 3,606,707
		Expense	\$ 620,000	\$ 2,986,707	\$ 3,606,707
304	Street Capital Projects	Revenue	\$ 4,328,100	\$ 2,950,748	\$ 7,278,848
		Expense	\$ 4,328,100	\$ 2,950,748	\$ 7,278,848
401	Water-Sewer Utilities	Revenue	\$ -	\$ -	\$ -
		Expense	\$ -	\$ -	\$ -
403	Water-Sewer Cumulative Reserve	Revenue	\$ -	\$ -	\$ -
		Expense	\$ -	\$ -	\$ -
411	Water - Operations	Revenue	\$ 8,504,400	\$ 1,189,663	\$ 9,694,063
		Expense	\$ 8,504,400	\$ 1,189,663	\$ 9,694,063
412	Water - Stabilization	Revenue	\$ 917,000	\$ 33,216	\$ 950,216
		Expense	\$ 917,000	\$ 33,216	\$ 950,216
413	Water - Capital Projects	Revenue	\$ 6,964,200	\$ 455,554	\$ 7,419,754
		Expense	\$ 6,964,200	\$ 455,554	\$ 7,419,754
414	Water - Debt Service	Revenue	\$ 840,250	\$ -	\$ 840,250
		Expense	\$ 840,250	\$ -	\$ 840,250
421	Storm Drainage - Operations	Revenue	\$ 5,076,900	\$ 275,220	\$ 5,352,120
		Expense	\$ 5,076,900	\$ 275,220	\$ 5,352,120
422	Storm Drainage - Stabilization	Revenue	\$ 503,300	\$ 30,631	\$ 533,931
		Expense	\$ 503,300	\$ 30,631	\$ 533,931
423	Storm Drainage - Capital Projects	Revenue	\$ 30,100	\$ 69,013	\$ 99,113
		Expense	\$ 30,100	\$ 69,013	\$ 99,113
424	Storm Drainage - Debt Service	Revenue	\$ 355,300	\$ -	\$ 355,300
		Expense	\$ 355,300	\$ -	\$ 355,300
431	Sewer - Operations	Revenue	\$ 12,659,200	\$ 1,052,101	\$ 13,711,301
		Expense	\$ 12,659,200	\$ 1,052,101	\$ 13,711,301
432	Sewer - Stabilization	Revenue	\$ 1,355,050	\$ 66,966	\$ 1,422,016
		Expense	\$ 1,355,050	\$ 66,966	\$ 1,422,016
433	Sewer - Capital Projects	Revenue	\$ 9,612,100	\$ 10,954,050	\$ 20,566,150
		Expense	\$ 9,612,100	\$ 10,954,050	\$ 20,566,150
434	Sewer - Debt Service	Revenue	\$ 550,000	\$ -	\$ 550,000
		Expense	\$ 550,000	\$ -	\$ 550,000
500	ER&R	Revenue	\$ 4,927,400	\$ 343,630	\$ 5,271,030
		Expense	\$ 4,927,400	\$ 343,630	\$ 5,271,030
Grand Total		Revenue	\$ 99,754,800	\$ 33,669,120	\$ 133,423,920
Grand Total		Expense	\$ 99,754,800	\$ 33,669,120	\$ 133,423,920

SECTION 2. Amended Salary Schedule. Exhibit A to Ordinance No. 035-20, as amended by Ordinance No. 015-21 and No. 032-21, for authorized positions, is amended as attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 3. Transmittal. The City Clerk shall transmit a complete, certified copy of the amended budget as adopted to the state auditor and to the Association of Washington Cities per RCW 35.34.130.

SECTION 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance shall be published by an approved summary consisting of the title. A summary of this Ordinance may be published in lieu of the entire ordinance, as authorized by State Law.

SECTION 6. Effective Date. This ordinance shall be in full force and effect five (5) days after posting and publication as required by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this 26th day of October 2021.

Rob Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

Sponsored by:

Charlotte Archer, City Attorney

John Clauson, Councilmember

PUBLISHED:

EFFECTIVE DATE:

Exhibit A to Ordinance No. XX-21

Personnel Position Listing			
Elected Officials		Positions	Wages
Mayor		1	Hourly 52.96
Council		7	Monthly 1,000
Total Elected		8.00	
Personnel Positions		FTE	Minimum Maximum
City Clerk		1	45.18 52.38
Chief of Police		1	67.24 77.97
Community Development Director		1	62.67 72.68
Finance Director		1	62.67 72.68
Human Resources Manager		1	46.94 54.44
Public Works Director/City Engineer		1	62.67 72.68
Total Mayoral Direct Reports		6.00	
Deputy City Clerk		1	30.46 35.31
HR Specialist		1	29.03 33.66
Office Assistant II - Admin		0	24.68 28.63
Total Administration		2.00	
Assistant Finance Director		1	46.94 54.44
Accounting Assistant II		5	27.48 31.86
Accounting Assistant III		2	32.04 37.16
Accounting Assistant III / IT Specialist		1	33.19 38.48
Network Administrator		1	41.61 48.26
IT Support Specialist		1	32.99 38.25
Total Finance/IT		11.00	
Permit Center Manager		1	35.27 40.90
Permit Tech (1FT)		1	27.65 32.07
Permit Clerk (2FT)		2	24.68 28.63
Associate Planner		1	36.28 42.08
Associate Planner Long Range		1	40.04 46.43
Senior Planner		1	40.04 46.43
Assistant Planner		1	29.03 33.66
Building Inspector		1	34.07 39.51
Building Official		1	43.13 50.02
Code Enforcement Officer		1	33.19 38.48
Total Community Development		11.00	
Municipal Court Judge		0.8	62.85 62.85
Court Administrator		1	46.94 54.44
Lead Clerk		1	28.33 33.86
Court Clerk		2.6	23.93 28.58
Total Judicial		5.40	
Deputy Police Chief		1	58.59 67.96
Community Health Navigator		1	33.19 38.48
Public Service Officer / Parking Enforcement Officer (2 PT)		1	26.21 30.40
Office Manager - Police		1	31.56 37.70
Records Evidence Specialist (3FT, 1PT) addtl FTE 7/1/22		3.7	23.60 28.17
Sergeant		4	46.19 51.14
Patrol Officer		17	30.99 42.55
Total Police Department		28.70	
Assistant City Engineer		1	51.51 59.73
Operations Manager		1	45.18 52.38
Utility Manager		1	45.18 52.38
Utilities Compliance Specialist		1	33.19 38.48
Civil Engineer I		1	36.28 42.08
Civil Engineer II		1	43.13 50.02
Stormwater Program Manager		1	37.80 43.84
GIS Specialist/Development Review Assistant		1	37.80 43.84
Public Works Procurement Specialist		1	35.27 40.90
Office Assistant II - Public Works		1	24.68 28.63
Public Works Foreman		1	39.93 39.93
City Mechanic		2	31.37 34.96
City Electrician		1	31.37 34.96
Public Works Personnel		12	25.13 33.94
WA/SW/Storm Coordinators		3	29.79 35.96
Public Works Laborer		2	19.83 23.00
Total Public Works		31.00	
Seasonal Worker		Hourly	15.00 20.00
Intern		Hourly	15.00 20.00
Temporary Employee		Hourly	15.00 20.00
Grand Totals		95.10	

Personnel Position Listing			
Elected Officials	Positions	Wages	
Mayor	1	Hourly	52.96
Council	7	Monthly	1,000
Total Elected	8.00		
Personnel Positions	FTE	Minimum	Maximum
City Clerk	1	45.18	52.38
Chief of Police	1	67.24	77.97
Community Development Director	1	62.67	72.68
Finance Director	1	62.67	72.68
Human Resources Manager	1	46.94	54.44
Public Works Director/City Engineer	1	62.67	72.68
Total Mayoral Direct Reports	6.00		
Deputy City Clerk	1	30.46	35.31
HR Specialist	1	29.03	33.66
Office Assistant II - Admin	0	24.68	28.63
Total Administration	2.00		
Assistant Finance Director	1	46.94	54.44
Accounting Assistant II	4.0	27.48	31.86
Accounting Assistant II	5	27.48	31.86
Accounting Assistant III	2	32.04	37.16
Accounting Assistant III / IT Specialist	1	33.19	38.48
Network Administrator	1	41.61	48.26
IT Support Specialist	1	32.99	38.25
Total Finance/IT	11.00		
Permit Center Manager	1	35.27	40.90
Permit Tech (1FT)	1	27.65	32.07
Permit Clerk (2FT)	2	24.68	28.63
Associate Planner	2	36.28	42.08
Associate Planner	1	36.28	42.08
Associate Planner Long Range	1	40.04	46.43
Senior Planner	1	40.04	46.43
Assistant Planner	1	29.03	33.66
Building Inspector	1	34.07	39.51
Building Official	1	43.13	50.02
Code Enforcement Officer	1	33.19	38.48
Total Community Development	11.00		
Municipal Court Judge	0.8	62.85	62.85
Court Administrator	1	46.94	54.44
Lead Clerk	1	28.33	33.86
Court Clerk	2.6	23.93	28.58
Total Judicial	5.40		
Deputy Police Chief	1	58.59	67.96
Community Health Navigator	1	33.19	38.48
Public Service Officer / Parking Enforcement Officer (2 PT)	1	26.21	30.40
Office Manager - Police	1	31.56	37.70
Records Evidence Specialist (3FT, 1PT) add'l FTE 7/1/22	3.7	23.60	28.17
Records Evidence Specialist (2FT, 1PT)	2.7	23.60	28.17
Sergeant	4	46.19	51.14
Patrol Officer	17	30.99	42.55
Total Police Department	28.70		
Assistant City Engineer	1	51.51	59.73
Operations Manager	1	45.18	52.38
Utility Manager	1	45.18	52.38
Utilities Compliance Specialist	1	33.19	38.48
Civil Engineer I	1	36.28	42.08
Civil Engineer II	1	43.13	50.02
Stormwater Program Manager	1	37.80	43.84
GIS Specialist/Development Review Assistant	1	37.80	43.84
Public Works Procurement Specialist	1	35.27	40.90
Office Assistant II - Public Works	1	24.68	28.63
Public Works Foreman	1	39.93	39.93
City Mechanic	4	31.37	34.96
City Mechanic	2	31.37	34.96
City Electrician	1	31.37	34.96
Public Works Personnel	12	25.13	33.94
WA/SW/Storm Coordinators	3	29.79	35.96
Public Works Laborer	2	19.83	23.00
Total Public Works	31.00		
Seasonal Worker	Hourly	15.00	20.00

Personnel Position Listing			
Elected Officials	Positions	Wages	
Intern	Hourly	15.00	20.00
Temporary Employee	Hourly	15.00	20.00
Grand Totals		95.10	



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
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Agenda Staff Report

Agenda Item No.:	<u>Public Hearing 6C</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Public Hearing on Vacating City Right-of-Way, an intersection of Harrison Avenue and Dekalb Street</u>	Prepared by:	<u>Brandy Rinearson, MMC City Clerk</u>
		Atty Routing No:	<u>N/A</u>
		Atty Review Date:	<u>N/A</u>

Summary: Petitioner, Noel and Dena Larsen, owner of 821 Dekalb Street, submitted a petition to vacate City right-of-way (ROW). The ROW is an intersection of Harrison Avenue and Dekalb Street and is adjacent to their parcel. The area to be vacated is approximately 7,854 square feet. The adjacent property owner, Kymberly Phillips, who together with the Petitioner own more than two thirds of the abutting property, has signed the petition, as required by RCW 35.79.010 and POMC 12.08.010.

At the August 4, 2021, Land Use Committee meeting, the committee and staff expressed support of the vacation.

On September 28, 2021, the Council adopted Resolution No. 067-21, setting a public hearing on this petition to vacate the City’s ROW.

On October 6, 2021, the City posted the required public notice in a conspicuous place in the alley sought to be vacated, and on October 5th and 6th, 2021 placed a copy of the adopted Resolution in three of the most public places in the City: (1) City Hall Bulletin Board, (2) Kitsap County Administrative Building Bulletin Board, and (3) Port Orchard Library Bulletin Board. In addition, on October 5, 2021, the City mailed letters notifying the abutting property owners of the petition and the public hearing. These actions meet the required posting and noticing requirements as outlined in RCW 35.79.020 and POMC 12.08.020.

As of today, staff has not received any written objections to this proposed vacation. Pursuant to RCW 35.79.020 and POMC 12.08.030(1), the Council is prohibited from proceeding with the Public Hearing if fifty percent (50%) of the abutting property owners file written objection to the proposed vacation with the Clerk, prior to the time of the hearing; therefore, with no written objections, the Council shall proceed with the Public Hearing.

Recommendation: Staff recommends the Mayor open the public hearing to take public testimony on the petition to vacate a portion of City ROW, an interstation of Harrison Avenue and Dekalb Street.

Attachments: Petition, Resolution No. 067-21, and Ordinance.

RESOLUTION NO. 067-21

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, FIXING THE DATE OF PUBLIC HEARING ON A PETITION TO VACATE A PORTION OF HARRISON AVENUE, UNOPENED CITY RIGHT-OF-WAY LOCATED AT INTERSECTION OF HARRISON AVENUE AND DEKALB STREET.

WHEREAS, the petitioners, Noel and Dena Larsen, submitted a petition to vacate a portion of unopened City right-of-way, a portion of Harrison Avenue between Dekalb Street and Kitsap Street; and

WHEREAS, the petitioners own the parcel at 821 Deklab Street, Kitsap County Tax Parcel No. 4053-007-010-001, located directly to the west of the proposed portion of unopened right-of-way proposed for vacation, and are joined by the owner of the parcel at 905 Dekalb Street, Kitsap County Tax Parcel No. 4053-008-015-0004, located directly to the east of the portion of unopened right-of-way; and

WHEREAS, the petitioners have submitted an application, copy attached hereto as Exhibit A and incorporated herein by this reference, which meets the requirements set out in Port Orchard Municipal Code (POMC) 12.08.010, and have paid the applicable fees required by the City; and

WHEREAS, the petitioners constitute the owners of more than two-thirds (2/3) of the property abutting the area proposed for vacation pursuant to RCW 35.79.010; and

WHEREAS, the petitioners have requested that proceedings be had hereon for the vacation of said portion of the city right-of-way in the manner prescribed by RCW 35.79; and

WHEREAS, the proposed area for vacation is approximately 7,854 square feet, legally described as follows and depicted in the survey contained in Exhibit A hereto:

BEGINNING AT the southeast corner of Lot 10, Block 7, Plat of First Addition to Sidney recorded in Book 1, at Page 10 of Plats, Kitsap County, Washington; Thence East to the southwest corner of Lot 16 of Block 8 of said plat; Thence north to the northwest corner of Lot 15 of Block 8 of said plat; Thence West to the northeast corner of Lot 6 of Block 7 of said plat; Thence South to the Point of Beginning.

WHEREAS, the street vacation is requested to reflect existing structures in the unopened right of way, including fencing, and so that the petitioners will maintain this greenbelt as private property; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution.

THAT: A Public Hearing upon said proposed street vacation shall be held via the online platform zoom and by telephone on Tuesday, October 26, 2021, at 6:30 p.m., at which hearing all persons interested in said street vacation are invited to appear telephonically or via the zoom platform. Access information including the telephone number and zoom information shall be included in the notices required herein.

THAT: The City Clerk is directed to post notice of the petition in three of the most public places in the city and a like notice in a conspicuous place on the street sought to be vacated, pursuant to RCW 35.79.020. The Clerk shall also post the notice on the City's website.

THAT: The Resolution shall take full force and effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the City Clerk in authentication of such passage on this 28th day of September 2021.



Robert Putaansuu, Mayor

ATTEST:



Brandy Rinearson, MMC, City Clerk





City of Port Orchard
 City Clerk's Office
 216 Prospect Street, Port Orchard, WA 98366
 (360) 876-4407 • FAX (360) 895-9029 • cityhall@cityofportorchard.us
 www.cityofportorchard.us

RECEIVED
 JUL 09 2021

CITY OF PORT ORCHARD
CITY CLERK'S OFFICE

PETITION TO VACATE CITY RIGHT-OF-WAY APPLICATION

(POMC 12.08 / Resolution No. 030-17)

Property Owner's Name(s): Noel and Dena Larsen

Mailing Address: 821 Dekalb St, Port Orchard, WA 98366
 Street City State Zip

Contact Information: 360-731-2119 noel.larsen@gmail.com
 Phone Email

Address of Requested Vacation: Harrison Ave and Dekalb St
 Street or nearest cross street

Parcel Number of Requested Vacation: Unopened Right of Way between parcels 4053-007-010-0001 and 4053-008-015-0004

1. The undersigned, owners of more than two-thirds of the real property abutting upon that public street described below, do hereby petition the City of Port Orchard to vacate said street/alley, described as follows (you may attach a separate sheet containing the legal description):

Legal description of the requested right-of-way prepared by a licensed surveyor:

See Attached *"ROAD VACATION # 1"*


all situated in the City of Port Orchard, County of Kitsap, State of Washington, and request that said City Council by Resolution fix a time and place when this petition shall be heard and determined by that authority, which time shall not be more than sixty (60) days nor less than twenty (20) days after passage of such Resolution (RCW 35.79.010)

2. What is the proposed use of the vacated right-of-way: Vacated right-of-way to be split 50/50 by adjacent homeowners and incorporated into and maintained as side yards of existing homes.

3. Please provide a map of the proposed right-of-way area to be vacated with the following information:
- a. Approximate width of the area to be vacated
 - b. Approximate length of the area to be vacated
 - c. Approximate total square footage of the area to be vacated

I declare under penalty of perjury and the laws of the State of Washington that I/We are the true and correct owner(s) of the property seeking a street vacation.

The information on this form is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.



 Signature of Applicant

7/8/2021

 Date



 Signature of Applicant

7/8/2021

 Date

When submitting this application, please make sure the following requirements and documents are completed:

- Neighboring petition signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated;
- New legal description to include the requested right-of-way;
- Documentation supporting the fair market value of the street or alley sought to be vacated, if applicable;
- Documentation supporting the Non-User Statue applies, if applicable
- Dimensions of area proposed to be vacated;
- Map of the proposed right-of-way to be vacated outlined or highlighted;
- Application processing fee of \$120; and
- \$500 appraisal fee refundable deposit (Petitioner shall pay the actual cost of the appraisal, upon Council approval).

FOR CITY CLERK'S OFFICE USE ONLY

\$120 Street Vacation Fee Received Yes No Receipt No.: _____

\$500 Street Vacation Appraisal Fee (Refundable Deposit) Yes No Receipt No.: _____

Petitions Received from Adjacent Property Owners Yes No

Public Hearing Date: _____

Notices Posted by: _____ Date of Noticing: _____

Approved by the Council Yes No

Petition to Vacate City Right of Way: "Harrison Avenue" Unopened ROW Between Dekalb Street and Kitsap Street

Summary:

For this Petition to Vacate the public right-of-way, unimproved and unopened Harrison Ave, between Kitsap Way and Dekalb St, it is our understanding that we, the abutting property owners, Noel and Dena Larsen, Kymberly Phillips, Dana Harmon and John Phillips and Geraldine Harmon, own the fee title to the centerline of the public right-of-way. It is also our understanding that the fee title is encumbered by the City of Port Orchard with an easement for a public right-of-way.

We believe this public right-of-way was established around 1888 under the original platting. It appears that in the time since it was established the right-of-way has remained unopened and unimproved.

Additionally, in the next block to the north, the Harrison Ave right-of-way between Bay St and Kitsap Way has already been vacated by the City of Port Orchard thus isolating this public right-of-way to between Dekalb St and Kitsap Way.

We believe the City of Port Orchard has no current or future need of or plans for this public right-of-way.

It is our understanding of the law that, as unimproved and unopened public right-of-way, we can currently use the right-of-way as we can the rest of our property, subject to the possibility of it being opened and improved at some point in the future.

Given that we, the owners of the abutting properties already hold fee title to the areas to be vacated, we ask the city to unencumber the fee title held by us in these properties by removing the public right-of-way easement associated with our properties, to extinguish the public easement allowing us to regain unencumbered title to the property and we ask the city to do so for a nominal amount, we propose a total of \$4000 (four thousand dollars).



City of Port Orchard
 City Clerk's Office
 216 Prospect Street, Port Orchard, WA 98366
 (360) 876-4407 • FAX (360) 895-9029 • cityhall@cityofportorchard.us
 www.cityofportorchard.us

**STREET VACATION
 PETITION TO NEIGHBORING PROPERTY OWNERS**

The information on this form is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner Seeking Vacation (Petitioner): Noel and Dena Larsen
 First and Last Name

Contact Information: 360-731-2119 noel.larsen@gmail.com
 Phone Email

Street or Nearest Cross Street of Requested Vacation: Harrison Ave and Dekalb St

Parcel Number of Requested Vacation: Unopened Right of Way

Signatures of neighboring property owners (Note: all persons who have an ownership interest must sign the petition. This includes co-owner(s) and/or spouse.

Kymberly Phillips
 Home Owner No. 1-First and Last Name (printed)

[Handwritten Signature]
 (Signature)

Home Owner No. 2-First and Last Name (printed)

(Signature)

905 Dekalb St, Port Orchard, WA 98366 4053-008-015-0004
 Property Address Tax Parcel Number

Mailing Address: 905 Dekalb St, Port Orchard, WA 98366
 Street City State Zip

Contact Information: 253-678-2739 kymberlyp67@yahoo.com
 Phone Email

Road vacation #1

BEGINNING AT the southeast corner of Lot 10, Block 7, Plat of First Addition to Sidney recorded in Book 1, at Page 10 of Plats, Kitsap County, Washington;

Thence East to the southwest corner of Lot 16 of Block 8 of said plat;

Thence north to the northwest corner of Lot 15 of Block 8 of said plat;

Thence West to the northeast corner of Lot 6 of Block 7 of said plat;

Thence South to the Point of Beginning.

Road vacation #2

BEGINNING AT the southeast corner of Lot 5, Block 7, Plat of First Addition to Sidney recorded in Book 1, at Page 10 of Plats, Kitsap County, Washington;

Thence East to the southwest corner of Lot 1 of Block 8 of said plat;

Thence north to the northwest corner of Lot 2 of Block 8 of said plat;

Thence West to the northeast corner of Lot 5 of Block 7 of said plat;

Thence South to the Point of Beginning.

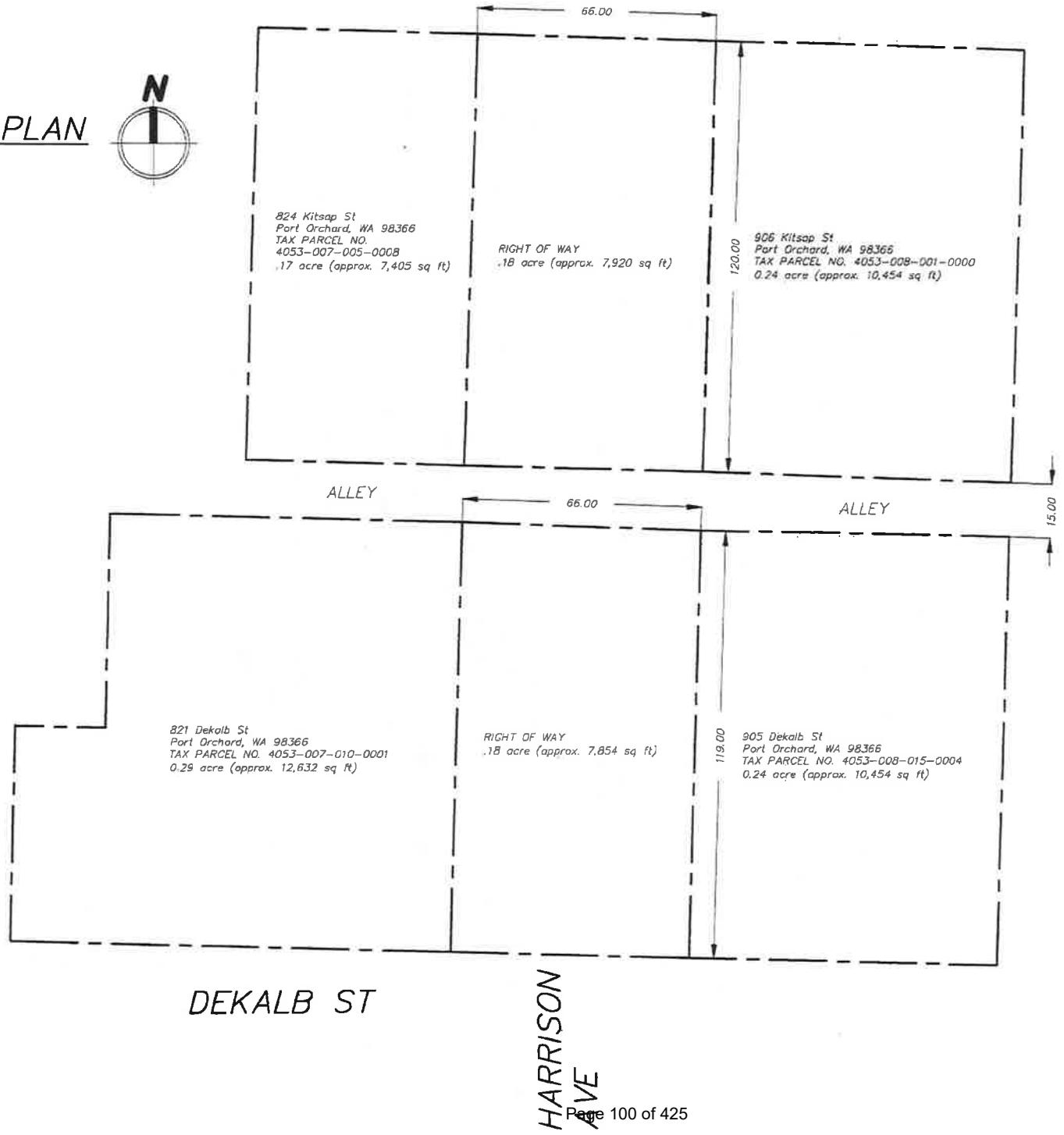


5/5/21

KITSAP ~~WAY~~ STREET

SITE PLAN

1"=40'-0"





BROKERS PRICE OPINION

RE: Vacating Harrison Ave.
Kitsap St. to DeKalb Street
Port Orchard, WA.

October 29, 2021

Subject Properties:	Noel Larsen & Dena 851 Dekalb St.	Phillip & Dana Harmon 824 Kitsap St.
	Phillips Kymberly A. 905 Dekalb St.	Geraldine R. Harmon 906 Kitsap St.

Criteria: Specific analysis and value attrition is given to the current community need and/or municipal use or development of the ROW property since November, 1888. Similar size property(ies) pending and/or closed sales over the previous 12-month period within a 2-mile radius of subject property that are inside the city limits of Port Orchard. There are only 3 properties that meet this criterion.

	ADDRESS	PRICE	CDOM	SERVICES	SF PRICE
<i>Pending Feasibility</i>	1667 SE Crawford Rd	\$67,000	245	No Sewer	\$13.98
<i>Sold:</i>	3752 SE Rhapsody Dr	\$65,000	1	No sewer	\$ 6.34
	0000 Dekalb	\$91,500	69	Full Service	\$12.20

Summary: The Harrison Ave extension that is subject of this BPO has been in existence, the city has never been inclined to use or develop the property as a public right of way since the original plat date of November, 1888. Additionally, Harrison Ave between Bay Street and Prospect Alley and Prospect Alley to Kitsap St has previously been vacated.

The topography of the subject Harrison Ave. property, also, presents steep incline challenges that preclude the right of way property being developed into a usable right of way.

Value: Primarily the deficiencies of the subject properties as use as right of way, the lack of demand for development into a usable ROW and the City of Port Orchard's hesitancy to incur the cost to develop a less than needed ROW supports a value of \$4,000 for vacating and transferring ownership of the Harrison Ave. right of way from Kitsap St. to DeKalb St. to the listed owners, above.

Respectfully Submitted,

Donn Hughes
Designated Broker / Principal

Vacant Land Thumbnail



1667 SE Crawford Rd, Port Orchard, WA 98366

MLS#: 1617505 Status: PF Stat Dt: 02/27/2021 L Price: \$67,000
 Area: 143 Lot #: O Price: \$67,000
 Lot Size: .110 ac/4,792 sf Pr/Lot SF: \$13.98 CDOM: 245
 Sub Prop: Vacant Land Office: Century 21 Northwest
 Style: 40 - Res-Less thn 1 Ac Broker: Carrie Leinum
 Comnty: South Kitsap
 Lot Dtls: Dead End Street, Paved Street
 Recent: 02/27/2021 : Pending : A->PF



3752 SE Rhapsody Dr, Port Orchard, WA 98366

MLS#: 1635442 Status: S Stat Dt: 09/22/2020 S Price: \$69,000
 Area: 143 Lot #: 21 L Price: \$65,000
 Lot Size: .250 ac/10,890 sf Pr/Lot SF: \$6.34 O Price: \$65,000
 Sub Prop: Vacant Land Office: John L. Scott, Inc.
 Style: 40 - Res-Less thn 1 Ac Broker: Deborah Bonneville
 Comnty: Port Orchard
 Project: Melody Village
 Zone Class: Residential
 Lot Dtls: Cul-de-sac, Paved Street



DeKalb St, Port Orchard, WA 98366

MLS#: 1551422 Status: S Stat Dt: 06/09/2020 S Price: \$85,000
 Area: 143 Lot #: L Price: \$91,950
 Lot Size: .160 ac/6,970 sf Pr/Lot SF: \$12.20 O Price: \$91,950
 Sub Prop: Vacant Land Office: G Anderson Group LLC
 Style: 40 - Res-Less thn 1 Ac Broker: Gary Anderson
 Comnty: Port Orchard
 Zone Class: Business, Multi-Family, Residential
 Lot Dtls: Alley, Paved Street

Information Deemed Reliable But Cannot Be Guaranteed. Lot Size and Square Footage Are Estimates. 3/12/2021 3:37:56 PM.

General

Parcel #: 4053-007-010-0001

821 DEKALB ST
PORT ORCHARD, WA 98366

Taxpayer Name LARSEN NOEL & DENA JTROWS

Mailing Address 821 DEKALB ST
PORT ORCHARD, WA 98366

Parcel No. 4053-007-010-0001

Account ID 1508423

Site Address 821 DEKALB ST
PORT ORCHARD, WA 98366

Status Active

Property Class 111 - Single family residence

General

Parcel #: 4053-008-015-0004

905 DEKALB ST
PORT ORCHARD, WA 98366

Taxpayer Name PHILLIPS KYMBERLY A

Mailing Address 905 DEKALB ST
PORT ORCHARD, WA 98366

Parcel No. 4053-008-015-0004

Account ID 1508563

Site Address 905 DEKALB ST
PORT ORCHARD, WA 98366

Status Active

Property Class 111 - Single family residence



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.:	<u>Public Hearing 6D</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Public Hearing on Vacating City Right-of-Way, an intersection of Harrison Avenue and Kitsap Street</u>	Prepared by:	<u>Brandy Rinearson, MMC City Clerk</u>
		Atty Routing No:	<u>N/A</u>
		Atty Review Date:	<u>N/A</u>

Summary: Petitioner, Dana Harmon and John Phillips, owner of 824 Kitsap Street, submitted a petition to vacate City right-of-way (ROW). The ROW is an intersection of Harrison Avenue and Kitsap Street and is adjacent to their parcel. The area to be vacated is approximately 7,920 square feet. The adjacent property owner, Geraldine Harmon, who together with the Petitioner own more than two thirds of the abutting property, has signed the petition, as required by RCW 35.79.010 and POMC 12.08.010.

At the August 4, 2021, Land Use Committee meeting, the committee and staff expressed support of the vacation.

On September 28, 2021, the Council adopted Resolution No. 068-21, setting a public hearing on this petition to vacate the City's ROW.

On October 6, 2021, the City posted the required public notice in a conspicuous place in the alley sought to be vacated, and on October 5th and 6th, 2021 placed a copy of the adopted Resolution in three of the most public places in the City: (1) City Hall Bulletin Board, (2) Kitsap County Administrative Building Bulletin Board, and (3) Port Orchard Library Bulletin Board. In addition, on October 5, 2021, the City mailed letters notifying the abutting property owners of the petition and the public hearing. These actions meet the required posting and noticing requirements as outlined in RCW 35.79.020 and POMC 12.08.020.

As of today, staff has not received any written objections to this proposed vacation. Pursuant to RCW 35.79.020 and POMC 12.08.030(1), the Council is prohibited from proceeding with the Public Hearing if fifty percent (50%) of the abutting property owners file written objection to the proposed vacation with the Clerk, prior to the time of the hearing; therefore, with no written objections, the Council shall proceed with the Public Hearing.

Recommendation: Staff recommends the Mayor open the public hearing to take public testimony on the petition to vacate a portion of City ROW, an interstation of Harrison Avenue and Kitsap Street.

Attachments: Petition, Resolution No. 068-21, and Ordinance.

RESOLUTION NO. 068-21

A RESOLUTION OF THE CITY OF PORT ORCHARD, WASHINGTON, FIXING THE DATE OF PUBLIC HEARING ON A PETITION TO VACATE A PORTION OF HARRISON AVENUE, UNOPENED CITY RIGHT-OF-WAY LOCATED AT INTERSECTION OF HARRISON AVENUE AND KITSAP STREET.

WHEREAS, the petitioners, Dana Harmon and John Phillips, submitted a petition to vacate a portion of unopened City right-of-way, a portion of Harrison Avenue between Dekalb Street and Kitsap Street; and

WHEREAS, the petitioners own the parcel at 824 Kitsap Street, Kitsap County Tax Parcel No. 4053-007-005-008, located directly to the west of the proposed portion of unopened right-of-way proposed for vacation, and are joined by the owner of the parcel at 906 Kitsap Street, Kitsap County Tax Parcel No. 4053-008-001-0000, located directly to the east of the portion of unopened right-of-way; and

WHEREAS, the petitioners have submitted an application, copy attached hereto as Exhibit A and incorporated herein by this reference, which meets the requirements set out in Port Orchard Municipal Code (POMC) 12.08.010, and have paid the applicable fees required by the City; and

WHEREAS, the petitioners constitute the owners of more than two-thirds (2/3) of the property abutting the area proposed for vacation pursuant to RCW 35.79.010; and

WHEREAS, the petitioners have requested that proceedings be had hereon for the vacation of said portion of the city right-of-way in the manner prescribed by RCW 35.79; and

WHEREAS, the proposed area for vacation is approximately 7,920 square feet, legally described as follows and depicted in the survey contained in Exhibit A hereto:

BEGINNING AT the southeast corner of Lot 5, Block 7, Plat of First Addition to Sidney recorded in Book 1, at Page 10 of Plats, Kitsap County, Washington; Thence East to the southwest corner of Lot 1 of Block 8 of said plat; Thence north to the northwest corner of Lot 2 of Block 8 of said plat; Thence West to the northeast corner of Lot 5 of Block 7 of said plat; Thence South to the Point of Beginning.

WHEREAS, the street vacation is requested so that the petitioners will maintain this greenbelt as private property; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

THAT: It is the intent of the Port Orchard City Council that the recitals set forth above are hereby adopted and incorporated as findings in support of this Resolution.

THAT: A Public Hearing upon said proposed street vacation shall be held via the online platform zoom and by telephone on Tuesday, October 26, 2021, at 6:30 p.m., at which hearing all persons interested in said street vacation are invited to appear telephonically or via the zoom platform. Access information including the telephone number and zoom information shall be included in the notices required herein.

THAT: The City Clerk is directed to post notice of the petition in three of the most public places in the city and a like notice in a conspicuous place on the street sought to be vacated, pursuant to RCW 35.79.020. The Clerk shall also post the notice on the City's website.

THAT: The Resolution shall take full force and effect upon passage and signatures hereon.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the City Clerk in authentication of such passage on this 28th day of September 2021.



Robert Putaansuu, Mayor

ATTEST:



Brandy Rinearson, MMC, City Clerk





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**PETITION TO VACATE CITY RIGHT-OF-WAY
 APPLICATION**

(POMC 12.08 / Resolution No. 030-17)

RECEIVED
 JUL 09 2021
 CITY OF PORT ORCHARD
 CITY CLERKS OFFICE

Property Owner's Name(s): Dana Harmon and John Phillips

Mailing Address: 824 Kitsap St, Port Orchard, WA 98366
 Street City State Zip

Contact Information: _____
 Phone Email

Address of Requested Vacation: Kitsap St
 Street or nearest cross street

Parcel Number of Requested Vacation: Unopened Right of Way between parcels 4053-007-005-0008 and 4053-008-001-0000

1. The undersigned, owners of more than two-thirds of the real property abutting upon that public street described below, do hereby petition the City of Port Orchard to vacate said street/alley, described as follows (you may attach a separate sheet containing the legal description):

Legal description of the requested right-of-way prepared by a licensed surveyor:

See Attached *"Road Vacation # 2"*

all situated in the City of Port Orchard, County of Kitsap, State of Washington, and request that said City Council by Resolution fix a time and place when this petition shall be heard and determined by that authority, which time shall not be more than sixty (60) days nor less than twenty (20) days after passage of such Resolution (RCW 35.79.010)

2. What is the proposed use of the vacated right-of-way: Vacated right-of-way to be split 50/50 by adjacent homeowners and incorporated into and maintained as side yards of existing homes.

3. Please provide a map of the proposed right-of-way area to be vacated with the following information:

- a. Approximate width of the area to be vacated
- b. Approximate length of the area to be vacated
- c. Approximate total square footage of the area to be vacated

I declare under penalty of perjury and the laws of the State of Washington that I/We are the true and correct owner(s) of the property seeking a street vacation.

The information on this form is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

John Phillips
Signature of Applicant

5-28-2021
Date

Dana Harmon
Signature of Applicant

5/28/2021
Date

When submitting this application, please make sure the following requirements and documents are completed:

- Neighboring petition signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated;
- New legal description to include the requested right-of-way;
- Documentation supporting the fair market value of the street or alley sought to be vacated, if applicable;
- Documentation supporting the Non-User Statute applies, if applicable
- Dimensions of area proposed to be vacated;
- Map of the proposed right-of-way to be vacated outlined or highlighted;
- Application processing fee of \$120; and
- \$500 appraisal fee refundable deposit (Petitioner shall pay the actual cost of the appraisal, upon Council approval).

FOR CITY CLERK'S OFFICE USE ONLY

\$120 Street Vacation Fee Received ___ Yes ___ No

Receipt No.: _____

\$500 Street Vacation Appraisal Fee (Refundable Deposit) ___ Yes ___ No

Receipt No.: _____

Petitions Received from Adjacent Property Owners ___ Yes ___ No

Public Hearing Date: _____

Notices Posted by: _____ Date of Noticing: _____

Approved by the Council ___ Yes ___ No



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 www.cityofportorchard.us

STREET VACATION PETITION TO NEIGHBORING PROPERTY OWNERS

The information on this form is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

Property Owner Seeking Vacation (Petitioner): Dana Harmon and John Phillips
 First and Last Name

Contact Information: 360-473-8614 _____
 Phone Email

Street or Nearest Cross Street of Requested Vacation: Kitsap St

Parcel Number of Requested Vacation: Unopened Right of Way

Signatures of neighboring property owners (Note: all persons who have an ownership interest must sign the petition. This includes co-owner(s) and/or spouse.

Geraldine Harmon

Home Owner No. 1-First and Last Name (printed)

Geraldine Harmon

(Signature)

Home Owner No. 2-First and Last Name (printed)

(Signature)

906 Kitsap St, Port Orchard, WA 98366
 Property Address

4053-008-001-0000
 Tax Parcel Number

Mailing Address: 906 Kitsap St, Port Orchard, WA 98366
 Street City State Zip

Contact Information: 360-473-8613 _____
 Phone Email

Road vacation #1

BEGINNING AT the southeast corner of Lot 10, Block 7, Plat of First Addition to Sidney recorded in Book 1, at Page 10 of Plats, Kitsap County, Washington;

Thence East to the southwest corner of Lot 16 of Block 8 of said plat;

Thence north to the northwest corner of Lot 15 of Block 8 of said plat;

Thence West to the northeast corner of Lot 6 of Block 7 of said plat;

Thence South to the Point of Beginning.

Road vacation #2

BEGINNING AT the southeast corner of Lot 5, Block 7, Plat of First Addition to Sidney recorded in Book 1, at Page 10 of Plats, Kitsap County, Washington;

Thence East to the southwest corner of Lot 1 of Block 8 of said plat;

Thence north to the northwest corner of Lot 2 of Block 8 of said plat;

Thence West to the northeast corner of Lot 5 of Block 7 of said plat;

Thence South to the Point of Beginning.



5/5/21



BROKERS PRICE OPINION

RE: Vacating Harrison Ave.
Kitsap St. to DeKalb Street
Port Orchard, WA.

October 29, 2021

Subject Properties: Noel Larsen & Dena
851 Dekalb St. Phillip & Dana Harmon
824 Kitsap St.
Phillips Kymberly A.
905 Dekalb St. Geraldine R. Harmon
906 Kitsap St.

Criteria: Specific analysis and value attrition is given to the current community need and/or municipal use or development of the ROW property since November, 1888. Similar size property(ies) pending and/or closed sales over the previous 12-month period within a 2-mile radius of subject property that are inside the city limits of Port Orchard. There are only 3 properties that meet this criterion.

Table with 5 columns: ADDRESS, PRICE, CDOM, SERVICES, SF PRICE. Rows include Pending Feasibility (1667 SE Crawford Rd) and Sold (3752 SE Rhapsody Dr, 0000 Dekalb).

Summary: The Harrison Ave extension that is subject of this BPO has been in existence, the city has never been inclined to use or develop the property as a public right of way since the original plat date of November, 1888. Additionally, Harrison Ave between Bay Street and Prospect Alley and Prospect Alley to Kitsap St has previously been vacated.

The topography of the subject Harrison Ave. property, also, presents steep incline challenges that preclude the right of way property being developed into a usable right of way.

Value: Primarily the deficiencies of the subject properties as use as right of way, the lack of demand for development into a usable ROW and the City of Port Orchard's hesitancy to incur the cost to develop a less than needed ROW supports a value of \$4,000 for vacating and transferring ownership of the Harrison Ave. right of way from Kitsap St. to DeKalb St. to the listed owners, above.

Respectfully Submitted,

[Handwritten signature]

Donn Hughes
Designated Broker / Principal

Petition to Vacate City Right of Way: "Harrison Avenue" Unopened ROW Between Dekalb Street and Kitsap Street

Summary:

For this Petition to Vacate the public right-of-way, unimproved and unopened Harrison Ave, between Kitsap Way and Dekalb St, it is our understanding that we, the abutting property owners, Noel and Dena Larsen, Kymberly Phillips, Dana Harmon and John Phillips and Geraldine Harmon, own the fee title to the centerline of the public right-of-way. It is also our understanding that the fee title is encumbered by the City of Port Orchard with an easement for a public right-of-way.

We believe this public right-of-way was established around 1888 under the original platting. It appears that in the time since it was established the right-of-way has remained unopened and unimproved.

Additionally, in the next block to the north, the Harrison Ave right-of-way between Bay St and Kitsap Way has already been vacated by the City of Port Orchard thus isolating this public right-of-way to between Dekalb St and Kitsap Way.

We believe the City of Port Orchard has no current or future need of or plans for this public right-of-way.

It is our understanding of the law that, as unimproved and unopened public right-of-way, we can currently use the right-of-way as we can the rest of our property, subject to the possibility of it being opened and improved at some point in the future.

Given that we, the owners of the abutting properties already hold fee title to the areas to be vacated, we ask the city to unencumber the fee title held by us in these properties by removing the public right-of-way easement associated with our properties, to extinguish the public easement allowing us to regain unencumbered title to the property and we ask the city to do so for a nominal amount, we propose a total of \$4000 (four thousand dollars).

Vacant Land Thumbnail



1667 SE Crawford Rd, Port Orchard, WA 98366

MLS#: **1617505** Status: **PF** Stat Dt: **02/27/2021** L Price: **\$67,000**
 Area: **143** Lot #: O Price: **\$67,000**
 Lot Size: **.110 ac/4,792 sf** Pr/Lot SF: **\$13.98** CDOM: **245**
 Sub Prop: **Vacant Land** Office: **Century 21 Northwest**
 Style: **40 - Res-Less thn 1 Ac** Broker: **Carrie Leinum**
 Commtly: **South Kitsap**
 Lot Dtls: **Dead End Street, Paved Street**
 Recent: **02/27/2021 : Pending : A->PF**



3752 SE Rhapsody Dr, Port Orchard, WA 98366

MLS#: **1635442** Status: **S** Stat Dt: **09/22/2020** S Price: **\$69,000**
 Area: **143** Lot #: **21** L Price: **\$65,000**
 Lot Size: **.250 ac/10,890 sf** Pr/Lot SF: **\$6.34** O Price: **\$65,000**
 Sub Prop: **Vacant Land** Office: **John L. Scott, Inc.** CDOM: **1**
 Style: **40 - Res-Less thn 1 Ac** Broker: **Deborah Bonneville**
 Commtly: **Port Orchard**
 Project: **Melody Village**
 Zone Class: **Residential**
 Lot Dtls: **Cul-de-sac, Paved Street**



DeKalb St, Port Orchard, WA 98366

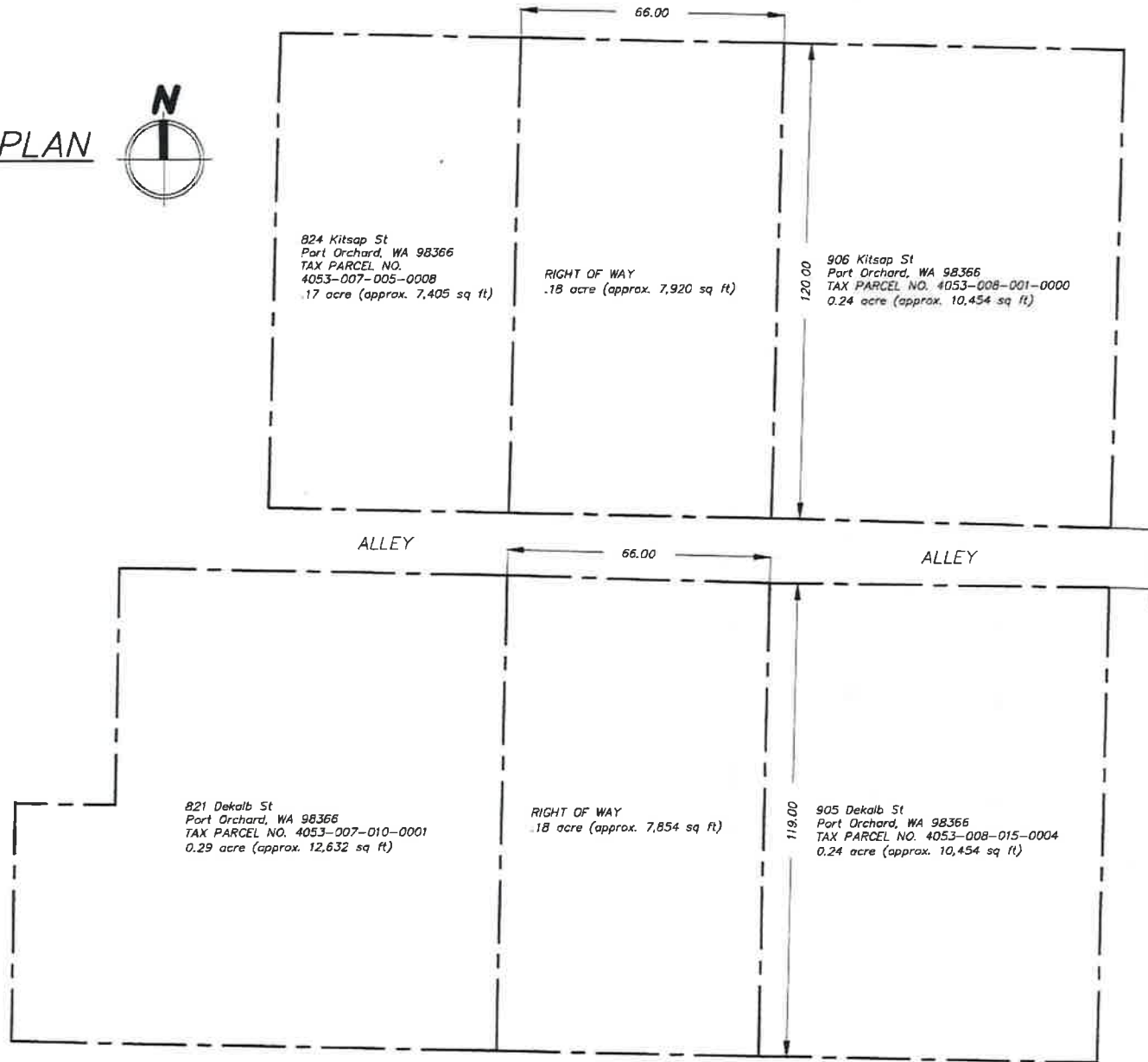
MLS#: **1551422** Status: **S** Stat Dt: **06/09/2020** S Price: **\$85,000**
 Area: **143** Lot #: L Price: **\$91,950**
 Lot Size: **.160 ac/6,970 sf** Pr/Lot SF: **\$12.20** O Price: **\$91,950**
 Sub Prop: **Vacant Land** Office: **G Anderson Group LLC** CDOM: **69**
 Style: **40 - Res-Less thn 1 Ac** Broker: **Gary Anderson**
 Commtly: **Port Orchard**
 Zone Class: **Business, Multi-Family, Residential**
 Lot Dtls: **Alley, Paved Street**

Information Deemed Reliable But Cannot Be Guaranteed. Lot Size and Square Footage Are Estimates. 3/12/2021 3:37:56 PM.

KITSAP WAY STREET

SITE PLAN

1"=40'-0"



824 Kitsap St
 Port Orchard, WA 98366
 TAX PARCEL NO. 4053-007-005-0008
 .17 acre (approx. 7,405 sq ft)

RIGHT OF WAY
 .18 acre (approx. 7,920 sq ft)

906 Kitsap St
 Port Orchard, WA 98366
 TAX PARCEL NO. 4053-008-001-0000
 0.24 acre (approx. 10,454 sq ft)

ALLEY

ALLEY

821 Dekalb St
 Port Orchard, WA 98366
 TAX PARCEL NO. 4053-007-010-0001
 0.29 acre (approx. 12,632 sq ft)

RIGHT OF WAY
 .18 acre (approx. 7,854 sq ft)

905 Dekalb St
 Port Orchard, WA 98366
 TAX PARCEL NO. 4053-008-015-0004
 0.24 acre (approx. 10,454 sq ft)

DEKALB ST

HARRISON DRIVE

General

Parcel #: 4053-007-005-0008

824 KITSAP ST
PORT ORCHARD, WA 98366

Taxpayer Name PHILLIPS J & HARMON DANA D

Mailing Address 824 KITSAP ST
PORT ORCHARD, WA 98366

Parcel No. 4053-007-005-0008

Account ID 1508381

Site Address 824 KITSAP ST
PORT ORCHARD, WA 98366

Status Active

Property Class 111 - Single family residence

General

Parcel #: 4053-008-001-0000

906 KITSAP ST
PORT ORCHARD, WA 98366

Taxpayer Name HARMON GERALDINE R
Mailing Address 906 KITSAP ST
PORT ORCHARD, WA 98366
Parcel No. 4053-008-001-0000
Account ID 1508431
Site Address 906 KITSAP ST
PORT ORCHARD, WA 98366
Status Active
Property Class 111 - Single family residence



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
 (360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.:	<u>Business Item 7A</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Adoption of an Ordinance Setting the Amount of Property Tax to be Levied for Year 2022 Pursuant to RCW 84.55.120</u>	Prepared by:	<u>Noah D. Crocker Finance Director</u>
		Atty Routing No.:	<u>N/A</u>
		Atty Review Date:	<u>N/A</u>

Summary: On October 26, 2021, the City Council held a public hearing on revenue sources for the current expense (general fund) budget. The hearing included a presentation and discussion on property tax considered for collection in 2022. Below is a comparison of next year’s levy amount to this year’s levy amount.

2021		2022	
Levy Amount	\$ 2,953,332	Levy Amount	\$ 3,041,366
0.326039 % increase	\$ 9,629	0.48554 % increase	\$ 14,767
New Construction	\$ 62,913	New Construction	\$ 114,655
Annexation	\$ -	Annexation	\$ -
Utilites	\$ 10,000	Utilites	\$ 10,000
Total Taxes	\$ 3,035,874	Total Taxes	\$ 3,180,788
Refunds	\$ 15,492	Refunds	\$ 11,605
Total Taxes	\$3,051,366	Total Taxes	\$ 3,192,393

State law (RCW 84.52.043) establishes maximum levy rates for the various types of taxing districts (the state, counties, cities and towns, fire districts, library districts and the like). Total City of Port Orchard 2022 property tax amount is estimated to be \$3,192,393 based upon an estimated \$1.26515 per thousand of current total assessed value of \$2,506,254,993. The 2022 amount is estimated until the final levy calculation is completed by the Kitsap County Assessor.

Pursuant to RCW 84.55.120 the City Council is required to adopt a separate ordinance specifically authorizing an increase in the regular property tax levy in terms of both dollars and percentage

increase from the previous year's levy. By this Ordinance, the City Council would authorize an increase of \$14,767 which is a 0.48554% increase from the previous year.

Recommendation: Council Finance Committee recommends approval of the Ordinance.

Relationship to Comprehensive Plan: N/A

Motion for consideration: I move to adopt an Ordinance, setting the 2022 property tax levy and the amount of property taxes to be raised for the budget year of 2022.

Fiscal Impact: Property tax collection will be budgeted within the Current Expense Fund No. 001 and Street Fund No. 002.

Alternatives: N/A

Attachment: Ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, SETTING THE AMOUNT OF PROPERTY TAXES TO BE LEVIED FOR THE YEAR 2022 PURSUANT TO RCW 84.55.120 PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Port Orchard (taxing district #8710) has met and considered its budget for the calendar year 2022; and

WHEREAS, the district's actual levy amount from the previous year was \$3,041,366; and

WHEREAS, the population of the district is more than 10,000;

WHEREAS, on October 26, 2021, the City Council held a duly-noticed public hearing to consider revenue sources for the City's 2021-2022 budget; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

SECTION 1: An increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2022 tax year.

SECTION 2: The dollar amount of the increase over the actual levy amount from the previous year shall be \$14,767 which is a percentage increase of 0.48554% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, solar, biomass, and geothermal facilities, and any increase in the value of state assessed property, any annexations that have occurred and refunds made.

SECTION 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

SECTION 5. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of the City of Port Orchard, SIGNED by the Mayor and attested by the Clerk in authentication of such passage this 26th day of October, 2021.

Robert Putaansuu, Mayor

ATTEST:

SPONSOR:

Brandy Rinearson, MMC, City Clerk

John Clauson, Councilmember

APPROVED AS TO FORM:

Charlotte A. Archer, City Attorney

PUBLISHED:

EFFECTIVE DATE:



City of Port Orchard
 216 Prospect Street, Port Orchard, WA 98366
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Agenda Staff Report

Agenda Item No.:	<u>Business Item 7B</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Adoption of an Ordinance for</u>	Prepared by:	<u>Noah D. Crocker</u>
	<u>Mid-Biennial Review and</u>		<u>Finance Director</u>
	<u>Modifications Amending the</u>	Atty Routing No:	<u>366922-0007 - Finance</u>
	<u>2021 – 2022 Biennial Budget</u>	Atty Review Date:	<u>October 19, 2021</u>

Summary: This Ordinance would amend Ordinance No. 035-20, adopting the 2021 – 2022 Biennial Budget (as previously amended by Ord. No. 015-21, and Ord. No. 032-21). Earlier this evening the Council held a public hearing on this Ordinance. The public may comment on the amendment following its presentation.

As established by RCW 35A.34.130, a mid-biennial review of the City’s biennial budget is required. This review shall occur no sooner than eight months after the start of the biennium (September 1) and no later than the close of the fiscal year (December 31). The Finance Department has consulted and reviewed possible modifications of the Biennial Budget with all City Departments and the Mayor. The Finance Committee has met and reviewed the proposed modifications to the budget prior to council work on October 12th. The city held a public hearing on the mid-biennial review on October 19th during the work study session and again this evening, which allowed the City Council to review the proposed modifications to the city budget, receive public comment, and provided additional direction.

The city has focused its criteria for mid-year modification to those items that are necessary corrections, are required, and have large capital and operational budgetary impacts.

The proposed Budget Amendment Ordinance provides for additional expenditure authority of \$33,669,120 as identified in the budget amendment table included with the Ordinance. The Budget amendment adds new positions in the city and accordingly adjusts FTE, as identified in Exhibit A-Personnel list. The budget amendment also provides for six additional vehicles to the ERR fleet. The budget amendment also provides for additional revenue, adjustments to beginning fund balance and recognizes anticipated loan and grant proceeds.

Recommendation: The Council Finance Committee recommends adoption of an Ordinance amending the 2021 – 2022 Biennial Budget as a part of the Mid-Biennial review.

Relationship to Comprehensive Plan: N/A

Motion for consideration: I move to adopt an Ordinance, amending the 2021 – 2022 Biennial Budgets for the City of Port Orchard.

Fiscal Impact: The 2021–2022 Biennial Budget amendment increases expenditure authority by \$33,669,120

Alternatives: Ordinance, recognizes changes to the Budget not known at the time of adoption of the 2021 – 2022 Biennial Budget. Failure to formalize these changes by Ordinance results in a budget not reflective of authorized revenue and expense. The City would be out of compliance with accepted budgeting procedures and subject to an audit finding.

Attachments: Ordinance.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, AMENDING ORDINANCE NO. 035-20, THE BIENNIAL BUDGET FOR THE YEARS 2021–2022, FOR THE MID-BIENNIAL REVIEW TO RECOGNIZE EXPENDITURES AND REVENUES NOT ANTICIPATED AT THE TIME OF THE ADOPTION OF THE 2021–2022 BIENNIAL BUDGET; PROVIDING FOR TRANSMITTAL TO STATE; PROVIDING FOR PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orchard adopted its 2021 – 2022 Biennial Budget via Ordinance No. 035-20, which was previously amended by Ordinance No. 015-21 and Ordinance No. 032-21; and

WHEREAS, the City desires to keep current on necessary budget amendments; and

WHEREAS, per RCW 35.34.130, the City has conducted a timely mid-biennial review of the biennial budget; and

WHEREAS, the City Finance Committee met on October 12, 2021, to review the Mayor’s proposed budget modifications and made recommendations; and

WHEREAS, the City Finance Committee met on October 19, 2021, to review the revenues sources and property tax presentation; and

WHEREAS, the City Council held a comprehensive work study session and public hearing on the 2021-2022 mid-biennial budget on October 19, 2021 and made recommendations to the budget; and

WHEREAS, the City Council held a second public hearing on the proposed amendments to the biennial budget, and an associated public hearing on revenue sources, at its public meeting on October 26, 2021; and

WHEREAS, the City Council acted to adopt the 2022 Property Tax Levy at its public meeting on October 26, 2021;

WHEREAS, the amendment modifies the Equipment Rental Revolving Fund budget to add six additional vehicles to the City’s fleet; and

WHEREAS, the amendment makes necessary adjustments to accounts and/or Funds, by means of appropriation adjustments, that could not have been anticipated at the time of passage of the 2021 – 2022 Biennial Budget, as provided in RCW 35A.33.120; and

WHEREAS, the City evaluated its personnel needs for the 2021-2022 Biennium and this

amendment modifies Exhibit A to Ordinance No. 035-20, as amended by Ordinance No. 015-21 and by Ordinance No. 032-21, to modify personnel positions and salary table; and

WHEREAS, the City identified the need to create a new Senior Planner position and fund 1 Full Time Equivalent (1 FTE); and

WHEREAS, the City identified the need to defund 1 Full Time Equivalent (1 FTE) Associate Planner position; and

WHEREAS, the City identified the need to create a new Utilities Compliance Specialist position and fund 1 Full Time Equivalent (1 FTE); and

WHEREAS, the City identified the need to add and fund a 1 Full Time Equivalent (1 FTE) Public Works Mechanic; and

WHEREAS, the City identified the need to add and fund a 1 Full Time Equivalent (1 FTE) Accounting Assistant II; and

WHEREAS, the City identified the need to add and fund a 1 Full Time Equivalent (1 FTE) Records Evidence Specialist; and

WHEREAS, the City desires to adjust budgeted beginning fund balances to reflect more closely the actual beginning fund balances as of January 1, 2021; and

WHEREAS, the City desires to adjust all ending fund balances by incorporating changes in beginning fund balance, revenues, and expense; and

WHEREAS, the Council desires to adjust the budget for additional revenues identified for funds 001, 002, 109, 111, 302, 304, 413, 433, 500; and

WHEREAS, the Council desires to provide additional expenditure authority and appropriations consistent with the mid-biennial review and modifications as presented, now, therefore;

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The 2021 – 2022 Biennial Budget, and enabling Ordinance no. 035-20, as amended by Ordinance No. 015-21 and by Ordinance No. 032-21, is hereby amended to reflect the following:

2021-2022 Biennial Budget

Fund No.	Fund Name	Type	Ordinance-035-20	Adjustment	Ordinance-XXX-21
001	Current Expense Fund	Revenue	\$ 26,069,100	\$ 7,210,101	\$ 33,279,201
		Expense	\$ 26,069,100	\$ 7,210,101	\$ 33,279,201
002	City Street	Revenue	\$ 5,131,900	\$ 2,469,271	\$ 7,601,171
		Expense	\$ 5,131,900	\$ 2,469,271	\$ 7,601,171
003	Stabilization	Revenue	\$ 2,300,000	\$ 393,687	\$ 2,693,687
		Expense	\$ 2,300,000	\$ 393,687	\$ 2,693,687
103	Criminal Justice	Revenue	\$ 760,900	\$ 108,608	\$ 869,508
		Expense	\$ 760,900	\$ 108,608	\$ 869,508
104	Special Investigative Unit	Revenue	\$ 102,000	\$ 3,797	\$ 105,797
		Expense	\$ 102,000	\$ 3,797	\$ 105,797
107	Community Events	Revenue	\$ 400,000	\$ 12,002	\$ 412,002
		Expense	\$ 400,000	\$ 12,002	\$ 412,002
108	Paths & Trails	Revenue	\$ 12,900	\$ 196	\$ 13,096
		Expense	\$ 12,900	\$ 196	\$ 13,096
109	Real Estate Excise Tax	Revenue	\$ 4,854,000	\$ 1,339,992	\$ 6,193,992
		Expense	\$ 4,854,000	\$ 1,339,992	\$ 6,193,992
111	Impact Fee	Revenue	\$ 2,282,500	\$ 1,723,967	\$ 4,006,467
		Expense	\$ 2,282,500	\$ 1,723,967	\$ 4,006,467
206	Bond Redemption Fund	Revenue	\$ 598,200	\$ -	\$ 598,200
		Expense	\$ 598,200	\$ -	\$ 598,200
302	Capital Construction	Revenue	\$ 620,000	\$ 2,986,707	\$ 3,606,707
		Expense	\$ 620,000	\$ 2,986,707	\$ 3,606,707
304	Street Capital Projects	Revenue	\$ 4,328,100	\$ 2,950,748	\$ 7,278,848
		Expense	\$ 4,328,100	\$ 2,950,748	\$ 7,278,848
401	Water-Sewer Utilities	Revenue	\$ -	\$ -	\$ -
		Expense	\$ -	\$ -	\$ -
403	Water-Sewer Cumulative Reserve	Revenue	\$ -	\$ -	\$ -
		Expense	\$ -	\$ -	\$ -
411	Water - Operations	Revenue	\$ 8,504,400	\$ 1,189,663	\$ 9,694,063
		Expense	\$ 8,504,400	\$ 1,189,663	\$ 9,694,063
412	Water - Stabilization	Revenue	\$ 917,000	\$ 33,216	\$ 950,216
		Expense	\$ 917,000	\$ 33,216	\$ 950,216
413	Water - Capital Projects	Revenue	\$ 6,964,200	\$ 455,554	\$ 7,419,754
		Expense	\$ 6,964,200	\$ 455,554	\$ 7,419,754
414	Water - Debt Service	Revenue	\$ 840,250	\$ -	\$ 840,250
		Expense	\$ 840,250	\$ -	\$ 840,250
421	Storm Drainage - Operations	Revenue	\$ 5,076,900	\$ 275,220	\$ 5,352,120
		Expense	\$ 5,076,900	\$ 275,220	\$ 5,352,120
422	Storm Drainage - Stabilization	Revenue	\$ 503,300	\$ 30,631	\$ 533,931
		Expense	\$ 503,300	\$ 30,631	\$ 533,931
423	Storm Drainage - Capital Projects	Revenue	\$ 30,100	\$ 69,013	\$ 99,113
		Expense	\$ 30,100	\$ 69,013	\$ 99,113
424	Storm Drainage - Debt Service	Revenue	\$ 355,300	\$ -	\$ 355,300
		Expense	\$ 355,300	\$ -	\$ 355,300
431	Sewer - Operations	Revenue	\$ 12,659,200	\$ 1,052,101	\$ 13,711,301
		Expense	\$ 12,659,200	\$ 1,052,101	\$ 13,711,301
432	Sewer - Stabilization	Revenue	\$ 1,355,050	\$ 66,966	\$ 1,422,016
		Expense	\$ 1,355,050	\$ 66,966	\$ 1,422,016
433	Sewer - Capital Projects	Revenue	\$ 9,612,100	\$ 10,954,050	\$ 20,566,150
		Expense	\$ 9,612,100	\$ 10,954,050	\$ 20,566,150
434	Sewer - Debt Service	Revenue	\$ 550,000	\$ -	\$ 550,000
		Expense	\$ 550,000	\$ -	\$ 550,000
500	ER&R	Revenue	\$ 4,927,400	\$ 343,630	\$ 5,271,030
		Expense	\$ 4,927,400	\$ 343,630	\$ 5,271,030
Grand Total		Revenue	\$ 99,754,800	\$ 33,669,120	\$ 133,423,920
Grand Total		Expense	\$ 99,754,800	\$ 33,669,120	\$ 133,423,920

SECTION 2. Amended Salary Schedule. Exhibit A to Ordinance No. 035-20, as amended by Ordinance No. 015-21 and No. 032-21, for authorized positions, is amended as attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 3. Transmittal. The City Clerk shall transmit a complete, certified copy of the amended budget as adopted to the state auditor and to the Association of Washington Cities per RCW 35.34.130.

SECTION 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 5. Publication. This Ordinance shall be published by an approved summary consisting of the title. A summary of this Ordinance may be published in lieu of the entire ordinance, as authorized by State Law.

SECTION 6. Effective Date. This ordinance shall be in full force and effect five (5) days after posting and publication as required by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this 26th day of October 2021.

Rob Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

Sponsored by:

Charlotte Archer, City Attorney

John Clauson, Councilmember

PUBLISHED:

EFFECTIVE DATE:

Exhibit A to Ordinance No. XX-21

Personnel Position Listing			
Elected Officials		Positions	Wages
Mayor	1	Hourly	52.96
Council	7	Monthly	1,000
Total Elected	8.00		
Personnel Positions		FTE	Minimum
Maximum			
City Clerk	1	45.18	52.38
Chief of Police	1	67.24	77.97
Community Development Director	1	62.67	72.68
Finance Director	1	62.67	72.68
Human Resources Manager	1	46.94	54.44
Public Works Director/City Engineer	1	62.67	72.68
Total Mayoral Direct Reports	6.00		
Deputy City Clerk	1	30.46	35.31
HR Specialist	1	29.03	33.66
Office Assistant II - Admin	0	24.68	28.63
Total Administration	2.00		
Assistant Finance Director	1	46.94	54.44
Accounting Assistant II	5	27.48	31.86
Accounting Assistant III	2	32.04	37.16
Accounting Assistant III / IT Specialist	1	33.19	38.48
Network Administrator	1	41.61	48.26
IT Support Specialist	1	32.99	38.25
Total Finance/IT	11.00		
Permit Center Manager	1	35.27	40.90
Permit Tech (1FT)	1	27.65	32.07
Permit Clerk (2FT)	2	24.68	28.63
Associate Planner	1	36.28	42.08
Associate Planner Long Range	1	40.04	46.43
Senior Planner	1	40.04	46.43
Assistant Planner	1	29.03	33.66
Building Inspector	1	34.07	39.51
Building Official	1	43.13	50.02
Code Enforcement Officer	1	33.19	38.48
Total Community Development	11.00		
Municipal Court Judge	0.8	62.85	62.85
Court Administrator	1	46.94	54.44
Lead Clerk	1	28.33	33.86
Court Clerk	2.6	23.93	28.58
Total Judicial	5.40		
Deputy Police Chief	1	58.59	67.96
Community Health Navigator	1	33.19	38.48
Public Service Officer / Parking Enforcement Officer (2 PT)	1	26.21	30.40
Office Manager - Police	1	31.56	37.70
Records Evidence Specialist (3FT, 1PT) addtl FTE 7/1/22	3.7	23.60	28.17
Sergeant	4	46.19	51.14
Patrol Officer	17	30.99	42.55
Total Police Department	28.70		
Assistant City Engineer	1	51.51	59.73
Operations Manager	1	45.18	52.38
Utility Manager	1	45.18	52.38
Utilities Compliance Specialist	1	33.19	38.48
Civil Engineer I	1	36.28	42.08
Civil Engineer II	1	43.13	50.02
Stormwater Program Manager	1	37.80	43.84
GIS Specialist/Development Review Assistant	1	37.80	43.84
Public Works Procurement Specialist	1	35.27	40.90
Office Assistant II - Public Works	1	24.68	28.63
Public Works Foreman	1	39.93	39.93
City Mechanic	2	31.37	34.96
City Electrician	1	31.37	34.96
Public Works Personnel	12	25.13	33.94
WA/SW/Storm Coordinators	3	29.79	35.96
Public Works Laborer	2	19.83	23.00
Total Public Works	31.00		
Seasonal Worker	Hourly	15.00	20.00
Intern	Hourly	15.00	20.00
Temporary Employee	Hourly	15.00	20.00
Grand Totals	95.10		



City of Port Orchard

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(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.:	<u>Business Item 7C</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Adoption of an Ordinance Approving</u>	Prepared by:	<u>Brandy Rinearson, MMC</u>
	<u>the Petition to Vacate City Right-of-Way,</u>		<u>City Clerk</u>
	<u>an Intersection of Harrison Avenue and</u>	Atty Routing No.:	<u>N/A</u>
	<u>DeKalb Street</u>	Atty Review Date:	<u>N/A</u>

Summary: Earlier this evening, a Public Hearing was held to take testimony on whether the City Council should vacate City Right-of-Way (ROW), an intersection of Harrison Avenue and DeKalb Street.

Staff has determined the following with regards to the proposed street vacation:

The area sought to be vacated was annexed into the City by the adoption of Ordinance No. 15, on April 6, 1891. To date the City has not opened the ROW.

The City Engineer has reviewed the street vacation petition and has indicated the following:

1. The area sought to be vacated is not needed for public travel now or in the foreseeable future.
2. The functionality of the area sought to be vacated for public purposes is nonexistent.
3. The vacation of the area would not adversely affect any City utilities, such as water, sewer, or storm.
4. The City has not included any projects within the proposed vacation area as part of its six-year road plan, nor has the City any scheduled capital facilities projects on this property.

The Community Development Director stated the following:

1. Vacation of the proposed area does not create potential or actual land uses that are inconsistent with City growth plans and goals. This area has not been identified in the City's Comprehensive Plan.

The petition was brought before the Land Use committee on August 4, 2021, and they expressed no concerns and support the petition.

Recommendation: Based on the report provided to the Council, staff recommends approving the street vacation petition as presented.

Motion for consideration: I move to adopt an Ordinance, vacating the City's right-of-way, an intersection of Harrison Avenue and DeKalb Street, as presented.

Fiscal Impact: \$2,000, the value of the appraisal.

Alternatives: Deny the street vacation.

Attachments: Draft Ordinance and Annexation Ordinance No. 15 (Petition was provided under public hearing item).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, VACATING A PORTION OF HARRISON AVENUE, UNOPENED CITY RIGHT-OF-WAY LOCATED AT INTERSECTION OF HARRISON AVENUE AND DEKALB STREET IN PORT ORCHARD, WASHINGTON; ESTABLISHING THE CONDITIONS OF SUCH VACATION; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, a petition for vacation is an intersection of Harrison Avenue and Dekalb Street was submitted to the City by Noel and Dena Larsen (“Petitioner”); and

WHEREAS, the Petitioner owns fifty percent of the property abutting the proposed vacation area, and Kymberly Phillips is the other abutting property owner on the petition. The adjacent property owner, along with the Petitioner, represent the owners of more than two thirds of the abutting property, and all have signed and are in support of the petition; and

WHEREAS, the City Council supports the Land Use Committee’s recommendation to vacate the right-of-way; and

WHEREAS, on September 28, 2021, the City Council adopted Resolution No. 067-21, fixing October 26, 2021, as the date for a public hearing on the street vacation petition, which is not more than 60 days or less than 20 days after passage of the Resolution (POMC Section 12.08.010(3) and RCW 35.79); and

WHEREAS, the City Clerk provided public notice of the pending street vacation petition and public hearing thereon as required by law (POMC Section 12.08.020(1) and RCW 35.79); and

WHEREAS, staff reviewed the petition and, in light of the provisions of POMC chapter 12.08.060, determined this proposed street vacation is not subject to the 1889-1890 Laws of Washington, Chapter 19, Section 32 (the nonuser statute) as it was part of the original creation of the City boundaries in 1890; and

WHEREAS, the City Council held a public hearing on October 26, 2021, on the proposed street vacation; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Non-user Statute. Under POMC Section 12.08.060(5), staff has determined the area proposed for vacation has not been vacated by lapse of time under the non-user statute.

Section 2. **Public Notice.** The City Council finds that the City Clerk provided at least 20 days' and not more than 60 days' notice of the pendency of the street vacation petition and the public hearing thereon, as required by POMC Section 12.08.020 and RCW 35.79, including notice being posted on the street or alley sought to be vacated.

Section 3. **Staff Report.** Staff has prepared a report and recommendation on the proposed vacation, which is dated October 26, 2021. A copy of this report was available to the public prior to the public hearing.

Section 4. **Public Hearing.** The public hearing was held on the petition for street vacation on October 26, 2021.

Section 5. **Testimony at Public Hearing.** The Public Hearing was held and no one from the public commented on this street vacation.

Section 6. **City Council Findings.** After hearing the testimony of the public, if any, and considering the staff report and all other relevant facts, the City Council finds as follows:

- a. The area sought to be vacated was annexed into the City by adoption of Ordinance No. 15 in 1891. To date the City has not opened the ROW.
- b. The area sought to be vacated is not needed for public travel now or in the foreseeable future.
- c. The functionality of the area sought to be vacated for public purposes is nonexistent.
- d. The vacation of the area would not adversely affect any City utilities, such as water, sewer, or storm.
- e. The City has not included any projects within the proposed vacation area as part of its six-year road plan, nor has the City any scheduled capital facilities projects on this property.
- f. Vacation of the proposed area does not create potential or actual land uses that are inconsistent with City growth plans and goals. This area has not been identified in the City's Comprehensive Plan.

Section 7. **City Council Conclusions.** The City Council has determined that the area proposed for vacation may be vacated and hereby approves the street vacation petition.

Section 8. **Compensation and Recording.** A certified copy of this Ordinance vacating the proposed area shall be recorded by the City Clerk with the Kitsap County Auditor's office, as required by RCW 35.79.030, upon compensating the City in an amount which does not exceed the full appraised value of the area so vacated.

Section 9. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 10. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 11. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this 26th day of October 2021.

Robert Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

SPONSOR:

Charlotte Archer, City Attorney

Scott Diener, Councilmember

PUBLISHED:

EFFECTIVE DATE:

Ordinance Number - fifteen -
 An ordinance providing for
 the annexation of water-front.
 to the town of Sidney, Kitsap
 County Washington.

Be it ordained by the Council
 of the Town of Sidney
 Washington.

Section 1:- That there be annexed
 unto the town of Sidney
 the following described lot,
 tract, and parcel of land and
 territory being particularly
 bounded and described as
 follows to wit;

Commencing at the intersection
 of the meander line with
 the west line of lot two (2)
 Section twenty six (26) Township
 twenty four (24) North Range
 one (1) east, Thence north
 eight hundred and fifty
 (850) feet to deep water;
 Thence north easterly to a
 point three hundred (300) feet
 north of the intersection of
 Bay and West streets of
 original plat of Sidney;
 Thence northeasterly to a point
 four hundred (400) feet north
 of the intersection of Bay
 and Port streets; Thence
 northeasterly to a point six
 hundred (600) feet north of
 the south west corner of
 Bay and Sidney streets;
 Thence northeasterly to a point

thirteen hundred (1300) feet north of the N.W. corner of Bay street and Rockwell Avenue;
 Thence northeasterly to a point sixteen hundred feet (1600ft) north of intersection of meander line with east line of lot one (1) Section twenty five (25) Township twenty four (24) North of range one (1) east;
 Thence westerly on meander line following the meanders to place of beginning; thus bounding and including that portion of water front lying in front of Sidney and extending to deep water in Port Orchard Bay.

Section 2,- That this ordinance take effect and be in force from and after its passage and publication and after its filing and recording, in the office of the County Auditor as required by law.

Passed April 6. 1891.

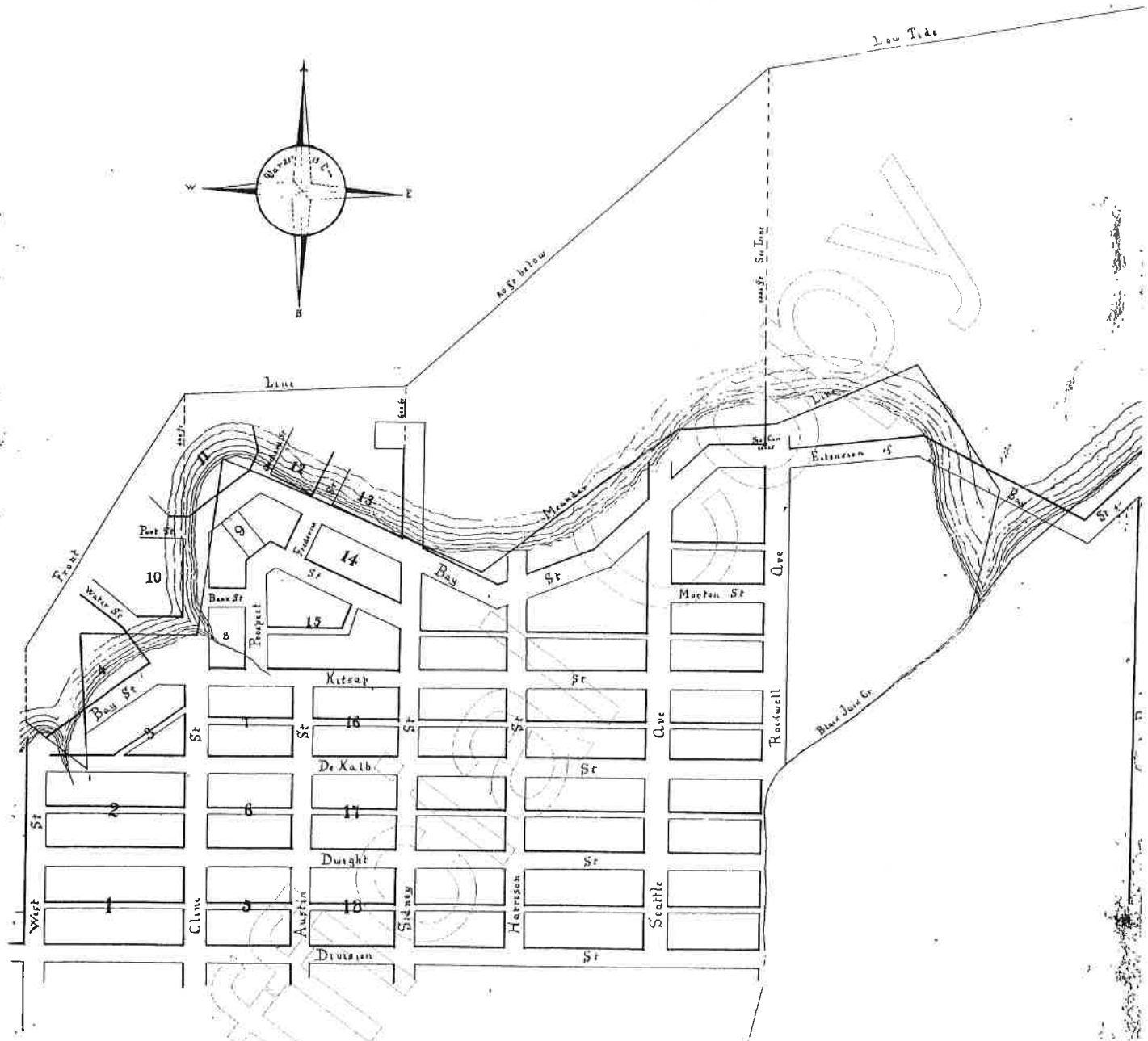
Published " 9. "

Attest. E.M. Taylor
 Clerk

J.H. Kendall
 Acting Mayor

J.E.M. Taylor do hereby certify that the foregoing ordinance is a true and correct copy of ordinance number fifteen (15), (providing for the annexation of water front to the town of Sidney,) and that the same has been published according to law.
 Sidney Wash.

E.M. Taylor - Clerk



Ordinance No 15

An ordinance providing for the annexation of water front to the Town of Sidney Kitsap County Washington

Be it ordained by the Council of the Town of Sidney Washington Section 1 That there be annexed into the Town of Sidney the following described lot tract and parcel of land and territory being particularly bounded and described as follows to wit Commencing at the intersection of the meander line with the West line of lot 2, section 26 Township 24 N. R. 1 West thence North eight hundred and fifty (850) feet to deep water, thence Northeastly to a point three hundred (300) feet North of the intersection of Bay and West Streets of original Plat of Sidney thence Northeastly to a point four hundred feet (400) North of the intersection of Bay and Post streets thence Northeastly to a point six hundred (600) feet North of the N.W. corner of Bay street and Rockwell Avenue thence Northeastly to a point seven hundred (700) feet North of the intersection of meander line with East line of lot one (1) Section twenty five (25) Tp 24 N. R. 1 West thence Westly on meander line following the meanders to the place of beginning, this bounding and including that portion of water front lying in front of Sidney and extending to deep water in Port Orchard Bay Section 2 That this ordinance take effect from and after its passage and publication and after its filing and recording in the Office of the County Auditor as required by law

Passed April 6th 1891
 Published . 9th .
 Filed for record at request of D. H. Kendall April 23rd 1891 at 9²⁰ a. m.
 Recorded April 24th 1891 at 4¹⁰ p. m.

D. H. Kendall Mayor
 C. M. Taylor Town Clerk
 Thomas Ross Auditor
 C. J. Hoffman Deputy



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.: Business Item 7D
Subject: Adoption of an Ordinance Approving
the Petition to Vacate City Right-of-Way,
an Intersection of Harrison Avenue and
Kitsap Street

Meeting Date: October 26, 2021
Prepared by: Brandy Rinearson, MMC
City Clerk
Atty Routing No: _____
Atty Review Date: _____

Summary: Earlier this evening, a Public Hearing was held to take testimony on whether the City Council should vacate City Right-of-Way (ROW), an intersection of Harrison Avenue and Kitsap Street.

Staff has determined the following with regards to the proposed street vacation:

The area sought to be vacated was annexed into the City by the adoption of Ordinance No. 15, on April 6, 1891. To date the City has not opened the ROW.

The City Engineer has reviewed the street vacation petition and has indicated the following:

1. The area sought to be vacated is not needed for public travel now or in the foreseeable future.
2. The functionality of the area sought to be vacated for public purposes is nonexistent.
3. The vacation of the area would not adversely affect any City utilities, such as water, sewer, or storm.
4. The City has not included any projects within the proposed vacation area as part of its six-year road plan, nor has the City any scheduled capital facilities projects on this property.

The Community Development Director stated the following:

1. Vacation of the proposed area does not create potential or actual land uses that are inconsistent with City growth plans and goals. This area has not been identified in the City’s Comprehensive Plan.

The petition was brought before the Land Use committee on August 4, 2021, and they expressed no concerns and support the petition.

Recommendation: Based on the report provided to the Council, staff recommends approving the street vacation petition as presented.

Motion for consideration: I move to adopt an Ordinance, vacating the City’s right-of-way, an intersection of Harrison Avenue and Kitsap Street, as presented.

Fiscal Impact: \$2,000, the value of the appraisal.

Alternatives: Deny the street vacation.

Attachments: Draft Ordinance and Annexation Ordinance No. 15 (Petition was provided under public hearing item).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, VACATING A PORTION OF HARRISON AVENUE, UNOPENED CITY RIGHT-OF-WAY LOCATED AT INTERSECTION OF HARRISON AVENUE AND KITSAP STREET IN PORT ORCHARD, WASHINGTON; ESTABLISHING THE CONDITIONS OF SUCH VACATION; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, a petition for vacation is an intersection of Harrison Avenue and Kitsap Street was submitted to the City by Dana Harmon and John Phillips (“Petitioners”); and

WHEREAS, the Petitioners owns fifty percent of the property abutting the proposed vacation area, and Geraldine Harmon is the other abutting property owner on the petition. The adjacent property owner, along with the Petitioners, represent the owners of more than two thirds of the abutting property, and all have signed and are in support of the petition; and

WHEREAS, the City Council supports the Land Use Committee’s recommendation to vacate the right-of-way; and

WHEREAS, on September 28, 2021, the City Council adopted Resolution No. 087-21, fixing October 26, 2021, as the date for a public hearing on the street vacation petition, which is not more than 60 days or less than 20 days after passage of the Resolution (POMC Section 12.08.010(3) and RCW 35.79); and

WHEREAS, the City Clerk provided public notice of the pending street vacation petition and public hearing thereon as required by law (POMC Section 12.08.020(1) and RCW 35.79); and

WHEREAS, staff reviewed the petition and, in light of the provisions of POMC chapter 12.08.060, determined this proposed street vacation is not subject to the 1889-1890 Laws of Washington, Chapter 19, Section 32 (the nonuser statute) as it was part of the original creation of the City boundaries in 1890; and

WHEREAS, the City Council held a public hearing on October 26, 2021, on the proposed street vacation; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Non-user Statute. Under POMC Section 12.08.060(5), staff has determined the area proposed for vacation has not been vacated by lapse of time under the non-user statute.

Section 2. **Public Notice.** The City Council finds that the City Clerk provided at least 20 days' and not more than 60 days' notice of the pendency of the street vacation petition and the public hearing thereon, as required by POMC Section 12.08.020 and RCW 35.79, including notice being posted on the street or alley sought to be vacated.

Section 3. **Staff Report.** Staff has prepared a report and recommendation on the proposed vacation, which is dated October 26, 2021. A copy of this report was available to the public prior to the public hearing.

Section 4. **Public Hearing.** The public hearing was held on the petition for street vacation on October 26, 2021.

Section 5. **Testimony at Public Hearing.** The Public Hearing was held and no one from the public commented on this street vacation.

Section 6. **City Council Findings.** After hearing the testimony of the public, if any, and considering the staff report and all other relevant facts, the City Council finds as follows:

- a. The area sought to be vacated was annexed into the City by adoption of Ordinance No. 15 on April 6, 1891. To date the City has not opened the ROW.
- b. The area sought to be vacated is not needed for public travel now or in the foreseeable future.
- c. The functionality of the area sought to be vacated for public purposes is nonexistent.
- d. The vacation of the area would not adversely affect any City utilities, such as water, sewer, or storm.
- e. The City has not included any projects within the proposed vacation area as part of its six-year road plan, nor has the City any scheduled capital facilities projects on this property.
- f. Vacation of the proposed area does not create potential or actual land uses that are inconsistent with City growth plans and goals. This area has not been identified in the City's Comprehensive Plan.

Section 7. **City Council Conclusions.** The City Council has determined that the area proposed for vacation may be vacated and hereby approves the street vacation petition.

Section 8. **Compensation and Recording.** A certified copy of this Ordinance vacating the proposed area shall be recorded by the City Clerk with the Kitsap County Auditor's office, as required by RCW 35.79.030, upon compensating the City in an amount which does not exceed the full appraised value of the area so vacated.

Section 9. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 10. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 11. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this 26th day of October 2021.

Robert Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

SPONSOR:

Charlotte Archer, City Attorney

Scott Diener, Councilmember

PUBLISHED:

EFFECTIVE DATE:

Ordinance Number - fifteen -
 An ordinance providing for
 the annexation of water-front.
 to the town of Sidney, Kitsap
 County Washington.

Be it ordained by the Council
 of the Town of Sidney
 Washington.

Section 1:- That there be annexed
 unto the town of Sidney
 the following described lot,
 tract, and parcel of land and
 territory being particularly
 bounded and described as
 follows to wit;

Commencing at the intersection
 of the meander line with
 the west line of lot two (2)
 Section twenty six (26) Township
 twenty four (24) North Range
 one (1) east, Thence north
 eight hundred and fifty
 (850) feet to deep water;
 Thence north easterly to a
 point three hundred (300) feet
 north of the intersection of
 Bay and West streets of
 original plat of Sidney;
 Thence northeasterly to a point
 four hundred (400) feet north
 of the intersection of Bay
 and Port streets; Thence
 northeasterly to a point six
 hundred (600) feet north of
 the south west corner of
 Bay and Sidney streets;
 Thence northeasterly to a point

thirteen hundred (1300) feet north of the N.W. corner of Bay street and Rockwell Avenue;
 Thence northeasterly to a point sixteen hundred feet (1600ft) north of intersection of meander line with east line of lot one (1) Section twenty five (25) Township twenty four (24) North of range one (1) east;
 Thence westerly on meander line following the meanders to place of beginning; thus bounding and including that portion of water front lying in front of Sidney and extending to deep water in Port Orchard Bay.

Section 2,- That this ordinance take effect and be in force from and after its passage and publication and after its filing and recording, in the office of the County Auditor as required by law.

Passed April 6. 1891.

Published " 9. "

Attest. E.M. Taylor
 Clerk

J.H. Kendall
 Acting Mayor

J.E.M. Taylor do hereby certify that the foregoing ordinance is a true and correct copy of ordinance number fifteen (15), (providing for the annexation of water front to the town of Sidney,) and that the same has been published according to law.
 Sidney Wash.

E.M. Taylor - Clerk



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366

(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.:	<u>Business Item 7E</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Adoption of an Ordinance Amending</u>	Prepared by:	<u>Brandy Rinearson, MMC</u>
	<u>Port Orchard Municipal Code Chapter</u>		<u>City Clerk</u>
	<u>5.94 Special Events</u>	Atty Routing No:	<u>366922-0005 – Clerk</u>
		Atty Review Date:	<u>October 20, 2021</u>

Summary: Due to COVID-19 public health concerns, the City Council suspended receipt of applications for public events in 2020. In 2021, while still subject to COVID-19 occupancy/gathering restrictions, and other safety restrictions from federal, state, and local health officials, the City Council authorized special events to recommence, subject to these restrictions and limitations to preserve the public health. Increased public health and safety expectations, including a public safety plan for each event and sanitation facilities to accommodate peak attendance, provide a safe and enjoyable event for all attendees, and the safe use of City facilities, roads and parking areas.

The City Council requested that staff, in conjunction with the Economic Development/Tourism Committee, review POMC Chapter 5.94, Special Events, to incorporate these additional public health and safety requirements for future events, and to revisit the process by which the City Council approves of requested road and parking lot closures for events. Staff was also tasked with performing a full evaluation of POMC Ch. 5.94 for any related necessary clean-up/update amendments.

Staff brought a proposed Ordinance to the September 13, 2021, Economic Development Committee meeting, and the Committee discussed the proposed modifications, including:

- Requiring Council oversight for all events requesting a road closure, including repeat events;
- Requiring public health and safety plans for additional traffic control, sanitation, medical aid and police services; and
- Limiting multi-day events that require the closure of the waterfront parking lots, which impact local businesses, restrict needed parking, and displace the long-standing farmer’s market.

Staff recommended moving all fees associated with special events into the City’s uniform fee Resolution, which is a Resolution that lists all administrative costs and fees for City services. Staff also included in the draft Ordinance the use of the FEMA standards regarding the adequate number of sanitation facilities, traffic control personnel, and emergency services, based on estimated peak attendance. These standards are taken from FEMA’s Special Events Contingency Planning: Job Aids Manual. The Ordinance proposes the inclusion of the following language for all events on public property:

- 1) Include the requirement to provide “written confirmation of procurement of adequate sanitation facilities for the event (as recommended by FEMA)”.

- 2) Include language that the applicant, upon the release of the Police Chiefs public safety plan for the event, may need to contract for vendor services, such as aid, emergency services, and/or security, based on the estimated number in attendance.

At the October 19, 2021, Council work study session, the Council discussed the proposed Ordinance and provided additional feedback. That feedback was incorporated into the Ordinance.

Recommendation: Staff recommends adoption of an Ordinance Amending Port Orchard Municipal Code 5.94 Special Events.

Motion for consideration: I move to adopt an Ordinance, amending Port Orchard Municipal Code Chapter 5.94 for Special Events, as presented.

Fiscal Impact: N/A

Alternatives: Recommend alternative guidance.

Attachments: Ordinance-Redline and Final, and FEMA Special Events Contingency Planning: Job Aids Manual.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO SPECIAL EVENTS; AMENDING PORT ORCHARD MUNICIPAL CODE SECTIONS 5.94.030, 5.94.040, 5.94.050, 5.94.060, AND 5.94.080; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orchard encourages special events within the City to foster community; and

WHEREAS, at Chapter 5.94 of the Port Orchard Municipal Code (POMC), the City maintains procedures for special events to facilitate their occurrence while also addressing the impacts events may have, in further protection of the public's health, safety and welfare; and

WHEREAS, the City Council requested staff audit Chapter 5.94 POMC to update the regulations where necessary to respond to evolving impacts; and

WHEREAS, staff proposed amendments to provisions to address evolving impacts of special events, including but not limited to multi-day events, extended street closures, and public health issues; and

WHEREAS, the City Council finds that the amendments herein balance the goal of encouraging special events to foster community with addressing impacts from such events, are consistent with goals and policies of the City's Comprehensive Plan and related regulations, and serve the public health, safety, and general welfare of the citizens of Port Orchard; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Port Orchard Municipal Code 5.94.030 is hereby amended to read as follows:

5.94.030 Permit – Required.

(1) No person, firm, company, nonprofit, or corporation shall run, manage, operate, or conduct any special event without having applied for and received a special event permit in advance of such special event, as required by this chapter.

(2) There shall be a \$50.00 nonrefundable administrative fee to process each application submitted, which is to be paid to the finance department. The fee is due upon when the application is submitted to the city clerk's office. Each application shall be for only one event.

(3) A ~~complete~~ application for a special event permit for an event that does not require the closure of any street or highway shall be filed with the city clerk's office no less than 90

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calendar days, and no more than one calendar year, before the date when the proposed special event is to take place; ~~provided there is no city street and/or state highway closure requested.~~

~~(4) When For an event that requires city street or a state highway closure, the a complete application for a special permit shall be filed with the city clerk's office no less than 120 days, and no more than one calendar year, before the date when the proposed special event is to take place. All events requiring street or highway closure shall be submitted to the City Council for approval. For an event that requires state highway closure, Upon if the eCity eCouncil approval of the event, the applicant shall proceed to seek permission from the Washington State Department of Transportation (WSDOT) to close the state highway highway, and the applicant shall provide proof of WSDOT permission to the City Clerk upon receipt from WSDOT and in advance of the event as set out in POMC 5.94.040. If the special event permit application is received by the city clerk's office less than 90 calendar days, but more than 30 calendar days, in advance of the event and there are no road closure requirements, the city may expedite the application with the payment by the applicant of an additional nonrefundable administrative processing fee of \$50.00.~~

SECTION 2. Port Orchard Municipal Code 5.94.040 is hereby amended to read as follows:

5.94.040 Application.

The special event permit application shall be submitted to the city clerk's office. Such application shall state and include the following:

- (1) Name, organization, phone number, and address of the applicant;
- (2) Name of the event and the location, date and time of the event;
- (3) Anticipated number of exhibitors/vendors and visitors, ~~including estimated peak attendance;~~
- (4) Whether an admission fee will be charged for attendees or participants;
- (5) Whether there will be ~~a tent temporary structures, tents, and trucks;~~
- (6) Whether there will be cooking done on-site, ~~including evidence of Department of Public Health approval;~~
- (7) A certificate of insurance with minimum amounts of commercial general liability coverage and combined single limit auto liability for bodily injury required by the city's insurer. The

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applicant's insurance policy shall name, by endorsement, the city of Port Orchard as an additional insured;

(8) A detailed map showing the location of event routes, tents, vendors, beer gardens, exits/entrances, fire lanes, garbage cans, and adequate restrooms/sani-can(s) and adequate handwashing stations, signage, barricades, first aid, traffic patterns, parking, requested road closures/detours, and other applicable event details;

(9) If alcoholic beverages will be served on city property, a permit approved by the Washington State Liquor and Cannabis Board (note: you may be subject to additional insurance requirements of the city's insurance carrier); and

(10) If an event will be using both public and private property, the applicant shall provide written documentation to the city that the private property owner(s) have granted permission to them to use the private property for the event; and

(11) Written confirmation of procurement of adequate sanitation facilities for the event (recommended set by FEMA); and

(12) If the event is a parade or a run, the following additional information shall be required:

- (a) The exact location of any marshaling or staging areas for the parade/run;
- (b) The time at which units of the parade/run will begin to arrive at the staging areas and the times at which all such units will be disbursed therefrom;
- (c) The exact route to be traveled, including the starting point and termination point;
- (d) The approximate number of persons, animals, and vehicles which will constitute the parade/run, and the types of animals and descriptions of the vehicles, as applicable;
- (e) A statement as to whether the parade/run will occupy all or only a portion of the width of the street, roadway, or sidewalks to be used;

(13) If the event requires a state highway closure, upon city council approval of the event, the applicant must provide to the city clerk's office, no more than 45 days after submitting the application, at least one of the following three documents: (a) event agreement with WSDOT; (b) letter of acknowledgment from WSDOT; or (c) written proof that the event organizer has submitted the completed application to WSDOT;

(14) An acknowledgment that the Police Department, consistent with POMC 5.94.080, will utilize the information provided by the applicant to develop a Public Safety Plan for the event, which may require the applicant to contract with vendors to ensure FEMA-recommended

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standards pertaining to aid, emergency services, and security are met, based on estimated total attendance;

~~(135)~~ As a condition to the issuance of any permit under this chapter, the applicant shall execute an acknowledgment ~~agreeing~~ to defend at no cost to the city, and to indemnify and hold harmless the city, its officers, employees and agents, from any and all suits, claims or liabilities caused by or arising out of any work or use authorized by any such permit;

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~~(164)~~ Any other relevant information required by the city.

SECTION 3. Port Orchard Municipal Code 5.94.050 is hereby amended to read as follows:

5.94.050 Processing application.

Special event permits shall be processed as follows:

(1) If a special event is proposed to be held in the same location and during the same time frame as the immediately previous year, that event’s organizer will be given first priority over other special event permit applicants; provided, that this applicant ~~notifies-submits a completed application to~~ the clerk’s office by February 1st of each year; otherwise, the special event location and time frame will be available on a first-come, first-served basis to other applicants. The remaining requirements of this chapter will still apply.

(2) The city clerk’s office shall route the application to the city police, finance, public works and community development departments, as well as the local fire authority, Kitsap Transit, and any other applicable outside authorities to review. Each of the above-listed departments/authorities shall provide the city clerk a written recommendation of approval (conditional or otherwise) or denial of the application based on the considerations referenced in POMC 5.94.060.

(3) The city clerk’s office shall notify the public of each special event proposed to allow citizens to provide written comments regarding how allowing the special event will impact their property, business or quality of life. The city clerk will consider any information provided and may deny the special event permit application if a showing is made of severe financial impact or other undue hardship on a citizen’s property, business or quality of life.

(4) The city clerk’s office shall bring forth the application to the city council for approval when the event requires a city street or state highway closure. ~~Exempt from this requirement are: (a) special events previously approved by the city council by resolution and (b) special events taking place in a residential area, such as block parties and the like.~~

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SECTION 4. Port Orchard Municipal Code 5.94.060 is hereby amended to read as follows:

5.94.060 Standards of issuance.

The city clerk or designee shall issue (or approve with conditions) a special event permit as provided herein upon certification from the departments/authorities listed in POMC 5.94.050 who have been consulted, based on the following considerations:

(1) The applicant has provided all of the required application materials and has provided any additional documents or information requested by the city.

(2) The applicant has paid the administrative processing fee of \$50.00.

(3) The proposed special event location is available because no other events are scheduled to take place at the location on that date and time or, if another event is scheduled to take place, that event organizer has provided written consent to the city clerk to allow a parallel event to take place at the same location, date, and time.

(4) The applicant is holding an event using both public and private property and has provided written documentation that the private property owners allow them to use the private property for their event.

(5) The applicant has received City Council approval for a street or highway closure, and for a highway closure, the applicant has provided a copy of either an event agreement with WSDOT or a letter of acknowledgment from WSDOT, as needed.

(6) The police department, fire authority, and public works department have determined the following:

(a) The proposed event will not endanger public safety or health, with necessary public safety and traffic control provisions;

(b) The proposed event will not seriously inconvenience or impair the general public's use of public property, services, or facilities;

(c) The location of the proposed event will not substantially interfere with any construction or maintenance work scheduled to take place upon or along public property or right-of-way, or a previously granted encroachment permit; and

(d) The proposed event is not scheduled to occur along a route or at a location adjacent to a school or class during a time when such school or class is in session, and the

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noise created by the activities of the event would substantially disrupt the educational activities of the school or class.

(7) The city clerk received no written comments from the public demonstrating undue hardship or other substantial negative effects of the special event on their property, business or quality of life.

SECTION 4. Port Orchard Municipal Code 5.94.080 is hereby amended to read as follows:

5.94.080 City assistance.

The chief of police, fire chief, and/or public works director may require ~~any reasonable and necessary~~ public safety and traffic control, including but not limited to requiring ~~non-city staff to serve as~~ certified flagger(s), use of downtown parking lots, police protection and/or emergency medical services to be provided at the special event at the organizer's expense. Special events that have been exempted by the city council from personnel expenses in the form of a resolution shall not be subject to ~~these~~ expenses for city support. The finance department shall notify ~~the all~~ applicants of the actual expenses related to city support of the special event.

(1) Downtown Parking Lot Usage. ~~Should a No~~ special event may utilize require the use of all of the downtown parking lots, as described in POMC 10.12.580 as Lots 3 and 4, commonly known as waterfront parking, for two or more consecutive ~~weekdays~~ without City Council approval. Should a special event request the use of all or a portion of the downtown parking lots, as described in POMC 10.12.580 as Lots 3 and 4, during a weekday, excluding federal holidays, and the city grants the request, excluding federal holidays, the applicant shall compensate the city for lost revenue for the use of the parking lots. The fee shall be ~~\$300.00, plus lease excise tax, per weekday~~ set by resolution of the City Council.

(2) Police Services Protection. After obtaining as much information as the chief of police reasonably deems necessary regarding a special event permit application, he or she shall determine whether and to what extent additional police protection reasonably will be required for the special event for purposes of ~~traffic control~~, crowd control, and security. In making this determination, the chief of police shall consider those factors set out in POMC 5.94.060. If additional police protection for the special event is deemed necessary by the chief of police, he or she shall notify the applicant. The applicant then shall have the duty to secure police protection acceptable to the chief of police at the sole expense of the applicant and shall prepay the expenses of such protection, as required. The fees are set by council resolution, which establishes the reimbursement rate for enhanced security expenses. The chief of police shall consider what additional personnel, equipment and supplies are needed, as well as any other items or expenses which will be necessary.

(3) Fire Protection and Emergency Medical Services.

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(a) After receiving notification of the intended special event, the fire chief shall make a determination as to the need for on-site fire watch and/or emergency medical personnel. The fire chief shall consider such factors as the location, number of anticipated participants and spectators, and type of event, including the application of appropriate codes and ordinances. If fire watch and/or emergency medical personnel for the event are deemed necessary by the fire chief, he or she shall notify the applicant, and the applicant shall be responsible for securing fire watch/emergency medical personnel reasonably acceptable to the fire chief at the sole expense of the applicant and shall prepay the expenses of such protection. Only state-certified, licensed professional fire/emergency medical personnel shall be used for this purpose, preferably South Kitsap Fire and Rescue employees and equipment.

(b) The conduct of the special event shall not introduce ~~extraordinary~~ hazards to fire protection and/or life safety in the immediate or adjacent areas.

SECTION 5. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 6. This ordinance shall be posted and published as required by law, and shall be effective and in full force five (5) days following publication. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this ___ day of September 2021.

Robert Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

Sponsored by:

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Charlotte A. Archer, City Attorney

_____, Councilmember

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO SPECIAL EVENTS; AMENDING PORT ORCHARD MUNICIPAL CODE SECTIONS 5.94.030, 5.94.040, 5.94.050, 5.94.060, AND 5.94.080; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orchard encourages special events within the City to foster community; and

WHEREAS, at Chapter 5.94 of the Port Orchard Municipal Code (POMC), the City maintains procedures for special events to facilitate their occurrence while also addressing the impacts events may have, in further protection of the public’s health, safety and welfare; and

WHEREAS, the City Council requested staff audit Chapter 5.94 POMC to update the regulations where necessary to respond to evolving impacts; and

WHEREAS, staff proposed amendments to provisions to address evolving impacts of special events, including but not limited to multi-day events, extended street closures, and public health issues; and

WHEREAS, the City Council finds that the amendments herein balance the goal of encouraging special events to foster community with addressing impacts from such events, are consistent with goals and policies of the City’s Comprehensive Plan and related regulations, and serve the public health, safety, and general welfare of the citizens of Port Orchard; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Port Orchard Municipal Code 5.94.030 is hereby amended to read as follows:

5.94.030 Permit – Required.

(1) No person, firm, company, nonprofit, or corporation shall run, manage, operate, or conduct any special event without having applied for and received a special event permit in advance of such special event, as required by this chapter.

(2) There shall be a \$50.00 nonrefundable administrative fee to process each application submitted, which is to be paid to the finance department. The fee is due upon when the application is submitted to the city clerk’s office. Each application shall be for only one event.

(3) A complete application for a special event permit for an event that does not require the closure of any street or highway shall be filed with the city clerk’s office no less than 90 calendar

days, and no more than one calendar year, before the date when the proposed special event is to take place.

(4) For an event that requires city street or a state highway closure, a complete application for a special permit shall be filed with the city clerk's office no less than 120 days, and no more than one calendar year, before the date when the proposed special event is to take place. All events requiring street or highway closure shall be submitted to the City Council for approval. For an event that requires state highway closure, if the City Council approves of the event the applicant shall proceed to seek permission from the Washington State Department of Transportation (WSDOT) to close the state highway, and the applicant shall provide proof of WSDOT permission to the City Clerk upon receipt from WSDOT and in advance of the event as set out in POMC 5.94.040.

SECTION 2. Port Orchard Municipal Code 5.94.040 is hereby amended to read as follows:

5.94.040 Application.

The special event permit application shall be submitted to the city clerk's office. Such application shall state and include the following:

- (1) Name, organization, phone number, and address of the applicant;
- (2) Name of the event and the location, date and time of the event;
- (3) Anticipated number of exhibitors/vendors and visitors, including estimated peak attendance;
- (4) Whether an admission fee will be charged for attendees or participants;
- (5) Whether there will be temporary structures, tents, and trucks;
- (6) Whether there will be cooking done on-site, including evidence of Department of Public Health approval;
- (7) A certificate of insurance with minimum amounts of commercial general liability coverage and combined single limit auto liability for bodily injury required by the city's insurer. The applicant's insurance policy shall name, by endorsement, the city of Port Orchard as an additional insured;
- (8) A detailed map showing the location of event routes, tents, vendors, beer gardens, exits/entrances, fire lanes, garbage cans, and adequate restrooms/sani-can(s) and adequate

handwashing stations, signage, barricades, first aid, traffic patterns, parking, requested road closures/detours, and other applicable event details;

(9) If alcoholic beverages will be served on city property, a permit approved by the Washington State Liquor and Cannabis Board (note: you may be subject to additional insurance requirements of the city's insurance carrier); and

(10) If an event will be using both public and private property, the applicant shall provide written documentation to the city that the private property owner(s) have granted permission to them to use the private property for the event; and

(11) Written confirmation of procurement of adequate sanitation facilities for the event (recommended by FEMA); and

(12) If the event is a parade or a run, the following additional information shall be required:

- (a) The exact location of any marshaling or staging areas for the parade/run;
- (b) The time at which units of the parade/run will begin to arrive at the staging areas and the times at which all such units will be disbursed therefrom;
- (c) The exact route to be traveled, including the starting point and termination point;
- (d) The approximate number of persons, animals, and vehicles which will constitute the parade/run, and the types of animals and descriptions of the vehicles, as applicable;
- (e) A statement as to whether the parade/run will occupy all or only a portion of the width of the street, roadway, or sidewalks to be used;

(13) If the event requires a state highway closure, upon city council approval of the event, the applicant must provide to the city clerk's office, no more than 45 days after submitting the application, at least one of the following three documents: (a) event agreement with WSDOT; (b) letter of acknowledgment from WSDOT; or (c) written proof that the event organizer has submitted the completed application to WSDOT;

(14) An acknowledgment that the Police Department, consistent with POMC 5.94.080, will utilize the information provided by the applicant to develop a Public Safety Plan for the event, which may require the applicant to contract with vendors to ensure FEMA-recommended standards pertaining to aid, emergency services, and security are met, based on estimated total attendance;

(15) As a condition to the issuance of any permit under this chapter, the applicant shall execute an acknowledgment agreeing to defend at no cost to the city, and to indemnify and hold harmless the city, its officers, employees and agents, from any and all suits, claims or liabilities caused by or arising out of any work or use authorized by any such permit;

(16) Any other relevant information required by the city.

SECTION 3. Port Orchard Municipal Code 5.94.050 is hereby amended to read as follows:

5.94.050 Processing application.

Special event permits shall be processed as follows:

(1) If a special event is proposed to be held in the same location and during the same time frame as the immediately previous year, that event's organizer will be given first priority over other special event permit applicants; provided, that this applicant submits a completed application to the clerk's office by February 1st of each year; otherwise, the special event location and time frame will be available on a first-come, first-served basis to other applicants. The remaining requirements of this chapter will still apply.

(2) The city clerk's office shall route the application to the city police, finance, public works and community development departments, as well as the local fire authority, Kitsap Transit, and any other applicable outside authorities to review. Each of the above-listed departments/authorities shall provide the city clerk a written recommendation of approval (conditional or otherwise) or denial of the application based on the considerations referenced in POMC 5.94.060.

(3) The city clerk's office shall notify the public of each special event proposed to allow citizens to provide written comments regarding how allowing the special event will impact their property, business or quality of life. The city clerk will consider any information provided and may deny the special event permit application if a showing is made of severe financial impact or other undue hardship on a citizen's property, business or quality of life.

(4) The city clerk's office shall bring forth the application to the city council for approval when the event requires a city street or state highway closure.

SECTION 4. Port Orchard Municipal Code 5.94.060 is hereby amended to read as follows:

5.94.060 Standards of issuance.

The city clerk or designee shall issue (or approve with conditions) a special event permit as provided herein upon certification from the departments/authorities listed in POMC 5.94.050 who have been consulted, based on the following considerations:

(1) The applicant has provided all of the required application materials and has provided any additional documents or information requested by the city.

(2) The applicant has paid the administrative processing fee of \$50.00.

(3) The proposed special event location is available because no other events are scheduled to take place at the location on that date and time or, if another event is scheduled to take place, that event organizer has provided written consent to the city clerk to allow a parallel event to take place at the same location, date, and time.

(4) The applicant is holding an event using both public and private property and has provided written documentation that the private property owners allow them to use the private property for their event.

(5) The applicant has received City Council approval for a street or highway closure, and for a highway closure, the applicant has provided a copy of either an event agreement with WSDOT or a letter of acknowledgment from WSDOT, as needed.

(6) The police department, fire authority, and public works department have determined the following:

(a) The proposed event will not endanger public safety or health, with necessary public safety and traffic control provisions;

(b) The proposed event will not seriously inconvenience or impair the general public's use of public property, services, or facilities;

(c) The location of the proposed event will not substantially interfere with any construction or maintenance work scheduled to take place upon or along public property or right-of-way, or a previously granted encroachment permit; and

(d) The proposed event is not scheduled to occur along a route or at a location adjacent to a school or class during a time when such school or class is in session, and the noise created by the activities of the event would substantially disrupt the educational activities of the school or class.

(7) The city clerk received no written comments from the public demonstrating undue hardship or other substantial negative effects of the special event on their property, business or quality of life.

SECTION 4. Port Orchard Municipal Code 5.94.080 is hereby amended to read as follows:

5.94.080 City assistance.

The chief of police, fire chief, and/or public works director may require necessary public safety and traffic control, including but not limited to requiring certified flagger(s), use of downtown parking lots, police protection and/or emergency medical services to be provided at the special event at the organizer's expense. Special events that have been exempted by the city council from personnel expenses in the form of a resolution shall not be subject to expenses for city support. The finance department shall notify all applicants of the actual expenses related to city support of the special event.

(1) Downtown Parking Lot Usage. No special event may utilize the downtown parking lots, as described in POMC 10.12.580 as Lots 3 and 4, commonly known as waterfront parking, for two or more consecutive days without City Council approval. Should a special event request the use of all or a portion of the downtown parking lots, as described in POMC 10.12.580 as Lots 3 and 4, during a weekday, excluding federal holidays, and the city grants the request, the applicant shall compensate the city for lost revenue for the use of the parking lots. The fee shall be set by resolution of the City Council.

(2) Police Services Protection. After obtaining as much information as the chief of police reasonably deems necessary regarding a special event permit application, he or she shall determine whether and to what extent additional police protection reasonably will be required for the special event for purposes of crowd control, and security. In making this determination, the chief of police shall consider those factors set out in POMC 5.94.060. If additional police protection for the special event is deemed necessary by the chief of police, he or she shall notify the applicant. The applicant then shall have the duty to secure police protection acceptable to the chief of police at the sole expense of the applicant and shall prepay the expenses of such protection, as required. The fees are set by council resolution, which establishes the reimbursement rate for enhanced security expenses. The chief of police shall consider what additional personnel, equipment and supplies are needed, as well as any other items or expenses which will be necessary.

(3) Fire Protection and Emergency Medical Services.

(a) After receiving notification of the intended special event, the fire chief shall make a determination as to the need for on-site fire watch and/or emergency medical personnel. The fire chief shall consider such factors as the location, number of anticipated participants and spectators, and type of event, including the application of appropriate codes and ordinances. If fire watch and/or emergency medical personnel for the event are deemed necessary by the fire chief, he or she shall notify the applicant, and the applicant shall be responsible for securing fire watch/emergency medical personnel reasonably acceptable to the fire chief at the sole expense of the applicant and shall prepay the expenses of such protection. Only state-certified, licensed professional fire/emergency medical personnel shall be used for this purpose, preferably South Kitsap Fire and Rescue employees and equipment.

(b) The conduct of the special event shall not introduce hazards to fire protection and/or life safety in the immediate or adjacent areas.

SECTION 5. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 6. This ordinance shall be posted and published as required by law, and shall be effective and in full force five (5) days following publication. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this 26th day of October 2021.

Robert Putansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

SPONSOR:

Charlotte A. Archer, City Attorney

Bek Ashby, Councilmember



Special Events Contingency Planning

Job Aids Manual

March 2005 (Updated May 2010)



FEMA

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ACKNOWLEDGEMENTS

The following agencies are gratefully acknowledged for their input to this manual:

Federal Emergency Management Agency

FEMA National Fire Academy

Virginia Department of Health

New York State Police

City of Keene Police Department, New Hampshire

Sarasota Fire Department, Florida

Washington, DC Fire and EMS Department

Miami-Dade Office of Emergency Management, Fire-Rescue Department, Florida

Cabin John Park Volunteer Fire Department, Maryland

Marion County Emergency Management, Indiana

Massachusetts Emergency Management Agency

Weber County Emergency Management, Utah

Washington D.C. Office of Emergency Preparedness

Utah Division of Comprehensive Emergency Management

Columbia South Carolina Public Works

American Public Works Association

Acknowledgement is also made of the manual, *Safe and Healthy Mass Gatherings: A Health, Medical and Safety Planning Manual for Public Events*, prepared by Emergency Management Australia, and of the paper, *Emergency Preparedness Guidelines for Mass, Crowd-Intensive Events*, prepared for Emergency Preparedness Canada by James A. Hanna, M. SC.

INTRODUCTION

PREFACE

The purpose of this manual is the prevention of injury, suffering, or death that may occur as a result of poor planning or preventable incidents at public events.

This manual is intended to provide guidance for the management of risks associated with conducting events that involve mass gatherings of people and assist planners and organizers in making such events safe and successful.

Details of the development of the manual and other related matters are noted in the Background section of the Introduction. The manual was sponsored, edited, and published by the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA).

FEMA has prepared this manual for use by anyone planning or conducting a special event or mass gathering. This manual is intended to enable its users to ensure that adequate measures and systems are in place to prevent, reduce, and provide care for injuries, illness, and suffering that may occur.

Many people, in addition to health personnel, contribute significantly to the success of a public event. Therefore, FEMA anticipates that this manual will be distributed to event promoters, managers, public and private organizations, emergency service personnel, government bodies, and any individual or organization that contributes to the planning of events. Wide distribution is encouraged, providing that individuals understand that the detailed contents of the manual are directed principally at managing the health and safety aspects of the event for all participants, officials, and spectators.

The manual is not intended to override any existing legislation or local emergency management procedures. Further, it does not seek to address the preparation of emergency response plans, but rather identifies the elements that should be considered by those responsible for planning and conducting events that attract large numbers of people.

Local governments and emergency services should be approached for more detailed advice on other aspects of planning and for the necessary permits and licenses required.

BACKGROUND

Throughout the United States, at any given time of year, there are festivals, concerts, fairs, sporting events, and many other large and small events that gather or have the potential to gather large crowds. Under normal conditions, these events go on with few or no problems. When something goes wrong, however, either as a result of a natural hazard or a man-made hazard, then local emergency management becomes involved. These mass gatherings are also potential targets for terrorists.

Multiple deaths and injuries at large public events have occurred consistently and over a wide spectrum of countries and types of events. Certain highly competitive sports events, particularly soccer, and rock concerts and festivals tend to produce spectator-generated incidents, while air shows and auto races tend to produce more participant-generated occurrences.

In some instances, advanced assessment of, and planning for, these events failed to occur, or when they did, they failed to identify the potential for disaster, or mitigating or coping strategies for a major incident.

With this in mind, FEMA conducted a focus group workshop during which participants discussed real pre-event planning problems for an upcoming event. The workshop focused on a number of major areas, which, either singularly or collectively, have intensified the problems inherent in mass crowd-intensive events. These issues included such aspects as physical layouts, spectator management, public safety, public health, and medical care.

The workshop was not geared toward large, often national events (i.e., Incidents of National Significance, National Special Security Events, though the planning principles still apply), but toward the more "routine" special events that communities host, such as parades, fairs, concerts, and air shows.

The participants focused on the impact that an event, a non-routine activity, would have on a community's resources. They placed emphasis not on the total number of people attending, but rather on the community's ability to respond to the exceptional demands that the activity would place on response services.

The purpose of having a pre-event plan in place is to reduce response times and better enable agencies to improvise because they have discussed contingencies beforehand. A pre-event plan defines roles and responsibilities in advance and creates ownership of potential problems for agencies that are involved in the process.

On February 28, 2003, the President issued Homeland Security Presidential Directive (HSPD)–5, *Management of Domestic Incidents*, which directs the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS). This system provides a consistent nationwide template to enable Federal, State, local, and tribal governments and private-sector and non-governmental organizations to work together effectively and efficiently to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity, including acts of catastrophic terrorism.

BACKGROUND (CONTINUED)

The NIMS provides a set of standardized organizational structures—such as the Incident Command System (ICS), multiagency coordination systems, and public information—as well as requirements for processes, procedures, and systems designed to improve interoperability among jurisdictions and disciplines in various areas, to include: training; resource management; personnel qualification and certification; equipment certification; communications and information management; technology support; and continuous system improvement. It is recommended that NIMS and ICS should be followed to prepare for and respond to an incident during a special event.

This manual is designed for a wide audience, encompassing the range of personnel with a role to play in the development of a special event plan. Participants include those who have a general awareness of their own roles but do not have a previous detailed or extensive knowledge of special event planning. For example, the audience might include relatively new emergency managers, personnel from emergency operations organizations such as police, fire, medical services, and public works, and representatives from other community organizations—both public and private—for whom special event planning is not a regular responsibility.

SCOPE

The suggested guidelines in this manual have been developed from a number of sources, and most are applicable to a wide range of mass public gatherings. These sources focused on youth audiences attending large rock concerts and competitive sporting events because of the difficulties and major incidents historically associated with such events. Many of the guidelines derived from such experiences are applicable to a broad range of other events that present their own challenges.

Certain types of events have an inherent capacity for special management problems. While the general guidance given in this document remains applicable to these events, additional guidance is given for high-risk events in Chapter 4: Additional Planning Considerations for Specific Events.

In certain situations, such as visits by high-profile political figures or controversial activists, intensive security arrangements are necessary. Such procedures are outside the scope of this manual, and it would be inappropriate and counterproductive to provide details herein, given the wide and unrestricted distribution of this document. When such events occur, event planners must create liaison between emergency service personnel, health professionals, and appropriate security personnel to ensure that they address health, safety and security issues for the event.

SYNOPSIS

This manual covers a number of major areas, which either singularly or collectively, have historically exacerbated the problems inherent in mass crowd-intensive events. These areas include such aspects as physical layouts (including site, structures, and access), spectator management (including crowd organization, flow, and ingress/egress control), and public safety (including security, public health, and medical care).

Historically, advance assessment of and planning for an event failed to occur, or when they did, they failed to identify the potential for disaster or mitigating or coping strategies in the event of a major incident.

Experience has proven that certain high-risk events, such as auto races and air shows, require particular planning in addition to the more generally applicable guidelines. This manual provides guidance for the particular planning of these high-risk events, as well as guidance to plan for terrorist and criminal activities.

FEMA recognizes that no two events or situations are identical. While this document provides an approach to planning for and coping with special events, it does not provide guidelines that are universally applicable or without need of modification to the specifics of a particular event.

CHAPTER OVERVIEWS

Chapter 1 contains information concerning selection of the planning team, ordinances, regulations, and laws, and information concerning selecting a site for the event.

Chapter 2 concerns the event's operational considerations.

Chapter 3 gives a basic overview of the NIMS Incident Command System and how to use ICS both in the planning stage and when an incident occurs.

Chapter 4 discusses some of the considerations when hosting a specialty event that may be high risk.

Chapter 5 explains the demobilization process and the importance of an After-Action Report.

Appendix A contains job aids to assist in the planning process.

Appendix B contains references and a bibliography.

Appendix C contains a glossary of terms.

CHAPTER 1: PRE-EVENT PLANNING

INTRODUCTION

Planning any event is difficult. Planning for the potential risks and hazards associated with an event is even more difficult but essential to the event's success. If you want those who attend an event to have positive memories of it, you need to keep several things in mind. This chapter covers the issues that you should address in the very early stages of planning or even when you are discussing promoting or sponsoring such an event. Before you schedule the event, you should consider the scope of the event or mass gathering, the risks to spectators and participants, community impact, and the emergency support required (personnel and logistics). You should also identify the lead agency and members of the planning team.

DEFINITION OF SPECIAL EVENT AND MASS GATHERING

What does or does not constitute a special event or mass gathering is difficult to determine. Instead, guidelines may be used to define it.

A focus group discussing special events and mass gatherings has identified a special event as:

a non-routine activity within a community that brings together a large number of people. Emphasis is not placed on the total number of people attending but rather the impact on the community's ability to respond to a large-scale emergency or disaster or the exceptional demands that the activity places on response services. A community's special event requires additional planning, preparedness, and mitigation efforts of local emergency response and public safety agencies.

The focus group then defined a mass gathering as a subset of a special event. Mass gatherings are usually found at special events that attract large numbers of spectators or participants. Both special events and mass gatherings require the kind of additional planning identified in the previous quote. For example, an amusement park that attracts a large number of people is not considered a special event because large crowds are expected. A mass gathering does not imply that the event is a special event. Failure to prepare for all contingencies can lead to disastrous consequences.

This manual is not intended to offer preparation planning for large national events, but for the more traditional community events, such as parades, fairs, concerts, air shows, and festivals. Both types of events require the same kind of careful planning, however.

The title of this manual is **Special Events Contingency Planning**. What do we mean by contingency planning and where do we start? What distinguishes this level of planning from traditional public safety planning?

DEFINITION OF SPECIAL EVENT AND MASS GATHERING (CONTINUED)

The first concern with contingency planning is to identify times when the event may place strains on the existing public safety agencies. Even in the earliest stages of planning, you should begin also to make contingency plans. These plans should consider licensing and regulations, emergency response issues, identifying persons responsible for particular types of hazards and risks, resources and expenses, and jurisdictions. Planning ahead reduces stress for organizers and promoters during the event, if an incident occurs that requires public agencies to work together.

During the initial planning stages, each agency should review resources to ensure that all necessary equipment is available. If the agencies determine that any additional equipment is needed, then they may acquire the equipment or supplies and be ready for the event. One way for communities to acquire equipment is to work together or pool equipment.

One way in which agencies work together is by adopting a program known as local mutual aid. This program allows neighboring communities to pool resources and share liability for damages or loss of equipment. If one community needs a particular piece of equipment, it may borrow it from a neighboring community. The equipment will become an asset of the borrowing community and will be covered under their insurance until it is released and returns to its home organization. It is important that those involved in planning the event know the agreements established between neighboring communities and the assets that are available to assist in responding to any unforeseen incidents. These agreements may all already be established and included as a part of the local emergency operations plan.

PLANNING MEETINGS FOR SPECIAL EVENTS/MASS GATHERINGS

PLANNING TEAM IDENTIFICATION

In general, planning a special event or mass gathering should begin well in advance of the event. One of the first steps in planning an event is to bring together those who are hosting the event with those who are responsible for the public safety within the community. A multidisciplinary planning team or committee should be composed of the promoter or sponsor and any agency that holds a functional stake in the event (e.g., emergency management, law enforcement, fire and rescue, public works/utilities, public health, etc.). With all of these agencies present, there is an obvious risk of confusion in matters of leadership. Thus, the lead agency should be identified early in the planning process. In some communities, the lead agency for public safety planning is the emergency management agency. Consequently, the emergency management agency should typically lead the way in coordinating the event planning effort.

Some communities already have planning protocols or systems in place. If your community has an existing plan that has already proved successful, do not start from scratch; simply change or modify the plan where needed. The ICS is a management system that is frequently used to manage large events effectively. As such, event planners should consider using ICS throughout the planning process. It seems logical that the Incident Commander should be a representative of the lead agency. It also seems logical that this representative should lead the planning team or committee.

PLANNING TEAM IDENTIFICATION (CONTINUED)

All involved agencies need to participate on this planning team from the outset to ensure a successful and safe event. At its initial meeting, the planning team should develop its mission and objectives, and determine the necessary components of the public safety plan. For example, what elements are within the realm of the promoter and what are within the realm of the public safety agencies? The planning team should also develop its structure using ICS as a model (that is, Sections, Branches, Divisions, and Groups, as needed). Additionally, the planning team should consider the promoter's or sponsoring organization's purpose and experience, potential event-related risks (including crowd control, staffing, food and shelter, parking, transportation, medical facilities), previous event concerns, relevant local concerns, weather, and community impact.

THE PLANNING PROCESS

TEAM APPROACH

Special event contingency plan development should be the joint effort of a planning team—a group of people who represent a cross-section of the organizations that are involved in the emergency response effort. Although each jurisdiction's team will vary somewhat, the Emergency Manager usually serves as the team's planning coordinator. Team members may include representatives of the groups listed below:

- Office of the Chief Executive.
- Promoter/Sponsor.
- Emergency services agencies (law enforcement, fire/rescue, emergency medical services, public health and safety, and others).
- Planning agencies and individuals (for example, community development, city planning commissions, and hazard mitigation planner).
- Local Emergency Planning Committees (LEPCs), for hazardous materials information.
- Public works agencies and utility companies.
- Social service agencies and volunteer organizations (including the American Red Cross and Salvation Army).
- Medical community representatives (for example, area hospitals, EMS agencies, medical examiner, coroner, mortician).
- Key education personnel (including administrators).
- Communications representatives (Public Information Officer (PIO), local media, radio/CB groups, and others).
- Aviation and coastal authorities (including State aviation authority, other air support representatives, port authorities, U.S. Coast Guard station).
- Chief Financial Officer (CFO), auditor, and heads of any centralized procurement and resource support agencies.
- The jurisdiction's legal counsel.
- Industrial and military installations in the area.
- Labor and professional organizations.
- Animal care and control organizations.
- Emergency Managers and agency representatives from neighboring jurisdictions, to coordinate mutual aid needs.

TEAM APPROACH (CONTINUED)

- State and/or Federal representatives, as appropriate.
- Representatives of private-sector organizations, as necessary.

A team approach to planning offers many advantages, including:

A Sense of Ownership – The plan is more likely to be used and followed if the tasked organizations have a sense that the plan is “theirs.”

Greater Resources – More knowledge and expertise are brought to bear on the planning effort when more people are involved.

Cooperative Relationships – Closer professional relationships that are developed during the planning process should translate into better cooperation and coordination in emergencies.

STATE AND FEDERAL ROLES IN TERRORISM INCIDENT PREVENTION

An integrated approach among the local, State, and Federal Government provides for a logical clearinghouse for intelligence on the movement and activities of terrorist groups and the collection, interpretation, and dissemination of that information to the proper enforcement agencies. Effective planning and intelligence gathering can lessen the likelihood of a surprise emergency incident, which, improperly handled, can make or break a department and its administrators at all levels of government. Descriptive intelligence with predictive interpretation that forecasts the probability of the threat and the target can enhance operational readiness in training, equipping, and practicing to respond to emergency incidents. In gathering intelligence, law enforcement agencies must consider threat assessment, as a minimum measure. Planners must have appropriate contacts and phone numbers at hand before the event.

State law enforcement agencies should take the lead in pre-incident threat forecasting and planning. Roles and responsibilities of the various stakeholding agencies for the event need to be determined and an incident chain of command put in place, so that, if a terrorist threat materializes, confusion and duplication of response can be diminished.

PRE-EVENT PLANNING MATRIX

At subsequent meetings, the planning team should identify all of the major functions and responsibilities required by the event and assign appropriate agencies to manage each function or responsibility. Because responsibilities vary from jurisdiction to jurisdiction, it is most effective to assign responsibilities consistently to avoid duplication and promote efficient response to problems that may arise. The Pre-Event Planning Matrix is designed to help you choose the risks, hazards, or functions that are likely to be required by an event, and assign each to a primary agency (P) or a secondary or support agency (S). The functions and responsibility assignments must be discussed and decided in the planning stages, not when an incident occurs. This Pre-Event Planning Matrix is included on pages A-1 through A-3 of Appendix A: Job Aids. A Special Event Planning Checklist is included on pages A-4 through A-8 of Appendix A: Job Aids.

PROMOTER/SPONSOR(S)

The promoter or sponsor must be involved in all of the planning phases to ensure a successful event. Often, the promoter is interested in monetary gain more than he or she is interested in public safety. If this appears to be his or her primary goal, local agency participation is essential. You may encourage the promoter to cooperate by linking attendance at planning meetings with the permit process and issuance. For example, the permit to host the event may require the promoter's presence at the initial planning meeting. Teamwork promotes successful events.

One way to ensure public safety at an event is to follow the relevant laws or regulations of the community. Following these laws and regulations ensures that the promoter will keep the public's safety at the forefront of all plans. Some communities or States have public agency regulatory oversight of the promoter built into the permit process. For example, the community may have a requirement for the promoter to have adequate contingency plans in place before approving an event.

A Promoter/Sponsor Checklist is included on pages A-9 through A-21 of Appendix A: Job Aids.

RELEVANT LAWS OR REGULATIONS

Event promoters must usually gain approval from local, and sometimes even State, authorities to hold public events. The following information should be available to the promoters before beginning the permit-approval process:

- Identity of the approving authority and any other authorities actively involved in the approval process.
- Relevant statutes, ordinances, codes, and standards (i.e., life safety codes) existing for mass gatherings.
- Documentation required to support their application.
- Insurance, bond, liability issues.
- Relevant deadlines for the filing of applications.

Some communities offer a "One Stop Shopping" concept for permitting. The person requesting a permit for an event completes applications at one place and the information is forwarded to the appropriate agencies for their approval. The person requesting the permit does not have to track down the appropriate agencies to make a request. This concept also ensures that all required agencies are notified and considerations are made before the permit is issued.

Promoters should be aware of the approving authority's timetable for approving events and issuing permits and should include any potential delay in the event planning schedule.

As a condition for receiving approval, promoters may be required to provide feedback on the approval process and submit an evaluation before, during, and after the event, as needed. Promoters may be required to give feedback in the form of a debrief or a report to relevant authorities.

An Approving Authority Checklist is included on pages A-22 through A-32 of Appendix A: Job Aids.

LEGAL ISSUES

Some form of legislation usually governs or restricts public events or aspects of them. Some events, particularly extremely large or high-impact events, require special State or local legislation. Local ordinances provide health and medical guidelines.

Promoters should consider obtaining legal advice early in the planning stage. Items that warrant consideration include:

- Liability for injuries.
- Liability for acts or omissions.
- Liability for financial obligations incurred in responding to major emergencies occasioned by the event.
- Potential liability for the resultant effects of the event on normal emergency operations.

Permits may be required for parades, the sale and consumption of alcohol, pyrotechnics, and the sale of food items. Fire safety inspections should be required. Permission may also be required if it will be necessary to close certain adjacent or peripheral roads or streets. A permit may be required for the mass gathering itself.

Most public sector agencies have adopted a "User Pays" policy for services provided at sporting and entertainment events. The purpose of this policy is to improve the allocation of statute resources in the general community by providing a means of charging for services deployed to plan for, and respond to, sporting and entertainment events. Event promoters should consult local and State authorities to determine relevant fee structures and charges for services provided, including payment of overtime costs for personnel.

Promoters may be required to post a bond or provide liability insurance to cover the costs of response to emergencies, subsequent venue cleanup, traffic and crowd control, and other policing functions.

The head of the planning team must monitor the progress that is made in satisfying all legal requirements throughout the planning stage of the event.

In addition, research should be done in advance to determine statutory authority and emergency powers (i.e., isolation/quarantine, emergency evacuation, etc.) of the various parties involved.

POLITICAL ISSUES

Often communities have to deal with local political considerations when they plan events. No specific advice can be given to the promoter except to warn him or her that political considerations are always important to the local community. Often a way to encourage elected political officials to support an event is to show the monetary or quality-of-life impact that a successful event would have on their communities or careers. Explaining the positive impact encourages officials to support the public safety coordinators by providing adequate local resources and funding.

POLITICAL ISSUES (CONTINUED)

Any event has the potential to become an incident requiring coordination and support as described in the National Response Framework (NRF). Recent revisions to Federal guidance documents indicate that any number of factors could escalate a local incident to an incident of national significance. Local planners must also be prepared to deal with a rapid transition of their incident to an incident of national significance.

ECONOMIC ISSUES

Special events often bring attention and significant economic benefits and opportunities to local communities. These could include an influx of revenue into the local community, such as the hotel and restaurant industry.

Local event planners must not sacrifice public safety for the sake of economic benefit. Certain businesses in a community may be adversely affected by certain requirements of the special event, such as closing streets in a commercial area or increased traffic in residential areas. Additional staffing may be required to ensure that service calls by local emergency services agencies are not hampered.

ATTENDEE/CROWD ISSUES

1. Crowds are complex social structures.

Crowd roles:

- Active Core: carry out action of crowd.
- Cheerleaders: provide oral support for leaders.
- Observers: follow actions but rarely take part.

Significance of crowds:

- Increase the probability of a dangerous occurrence.
- Increase the potential number of victims.
- Make communication slower and more difficult.
- Make changes in action slower and more difficult.
- Diffuse responsibility (someone else will do it).

2. Panics and crazes

Panic in a group is the flight from a real or perceived threat from which escape appears to be the only effective response. What appears to be panic is usually the result of poor inputs (especially communications or the lack of) and previous knowledge and experience.

Craze in a group is the temporary, short-lived competitive rush by a group toward some attractive object. A craze tends to occur on entering an event, and may be exacerbated by the lack of information.

ATTENDEE/CROWD ISSUES (CONTINUED)

3. Deindividualization

Deindividualization is defined as a loss of self-awareness and evaluation apprehension in group situations that foster anonymity. Behavior may include:

- Mild lessening of restraint (e.g., screaming during a concert).
- Impulsive self-gratification (e.g., theft, vandalism, molestation).
- Destructive social explosions (e.g., group violence, rioting and torturing).

4. Defusing

The tedium that may be created by waiting and/or by the perception that other gates are being opened first, or later arrivals are being admitted first can create problems. Such things as appropriate music, the use of humor, food and beverage services moving through the group, cheerful security staff moving through the group, and good communication that includes a public address system, can help defuse the situation.

CRITICAL CROWD DENSITIES

The objective should be to prevent the build-up of large accumulations of patrons, particularly within short time periods, in confined spaces—especially if they are frustrated by the inability to see what is happening.

A study by Fruin (1981) identifies critical crowd densities as a common characteristic of crowd disasters. Critical crowd densities are approached when the floor space per standing person is reduced to about 5.38 square feet.

Considering the various movements or the positions that spectators will occupy, approximate minimal mobility requirements have been empirically identified by Fruin (1981) as follows:

- Pedestrians moving in a stream require average areas of 24.73 square feet per person to attain normal walking speed, and to pass and avoid others.
- At 10 square feet per person, walking becomes significantly restricted, and speeds noticeably reduced.
- At 4.95 square feet per person, the maximum capacity of a corridor or walkway is attained with movement at a shuffling gait and movement possible only as a group. This would be characteristic of a group exiting a stadium or theater.
- At less than 4.95 square feet per person average, individual pedestrian mobility becomes increasingly restricted.
- At approximately 3 square feet per person, involuntary contact and brushing against others occurs. This is a behavioral threshold generally avoided by the public, except in crowded elevators and buses.
- Below 2 square feet per person, potentially dangerous crowd forces and psychological pressures begin to develop.

Fruin (1981) contends that "the combined pressure of massed pedestrians and shock-wave effects that run through crowds at critical density levels produce forces which are impossible for individuals, even small groups of individuals, to resist."

The above information shows that you may need to provide a monitoring system, such as closed circuit television monitoring of crowd movements, that will provide warning to event personnel that they must take necessary action to prevent a major incident.

CROWD THROUGHPUT CAPACITIES

In his writings on crowd disasters, Fruin (1981) identifies several areas regarding spectator throughput in entry to a performance. For planning purposes, he suggests:

1. Ticket Collectors

Ticket collectors must be in a staff uniform or otherwise identifiable. Ticket collectors faced with a constant line can throughput a maximum of:

- One patron per second per portal in a simple pass-through situation.
- Two seconds per patron if the ticket must be torn and stub handed to the patron.

More complicated ticketing procedures (and/or answering the occasional question) will protract time per patron.

2. Doorways

A free-swinging door, open portal, or gate can accommodate up to one person per second with a constant queue.

Revolving doors and turnstiles would allow half this rate of throughput, or less.

3. Corridors, Walkways, Ramps

Have a maximum pedestrian traffic capacity of approximately 25 persons per minute per 1 foot of clear width, in dense crowds.

4. Stairs

Have a maximum practical traffic capacity of approximately 16 persons per minute in the upward direction. Narrow stairs (less than 5 feet) will lower the maximum flow.

5. Escalators and Moving Walkways

A standard 3.94-ft. wide escalator or moving walkway, operating at 118 feet per minute can carry 100 persons per minute under a constant queue.

EVENT CANCELLATION OR POSTPONEMENT

From time to time, an event may need to be canceled, postponed, or interrupted. If a crowd has already gathered, these actions have the potential to create dangerous crowd reactions. Have plans in place to manage an angry crowd appropriately and to address the possible readmission of patrons to the venue.

One major aspect to consider is authority to cancel or postpone an event. During the planning phase, the promoter and the planning team must discuss who has the authority to cancel or postpone an event as well as when and under what conditions the event can be postponed or canceled. These decisions must be made before the event begins, and everyone must know who has the authority. ICS is an excellent tool to ensure chain of command, communications, and proper approving authority.

Venue/Site

You may need to consider a number of alternative venues for an event. Emergency managers may be able to recommend appropriate venues based on health and safety considerations.

Finding a suitable venue or set of venues can be difficult. Answering the following questions during the planning stage can aid in the selection of an appropriate event site:

- Will staging the event require multiple venues?
- Is this kind of event normally conducted at a fixed facility?
- Will a fixed facility be used in ways that may not be considered normal for that facility?
- Is the event regularly conducted at a temporary venue?
- Is the event a "one-of-a-kind" project at a temporary venue?
- What services and utilities are available at the venue?
- What additional services and utilities will be required at the venue?
- Is there a need for backup services or utilities (i.e., redundant systems)?

Venue/Site (Continued)

A universal map/grid referencing system for the entire event footprint should be developed in advance for all attendees and event staff (including public safety personnel) to allow for the rapid identification of event-specific facilities and other locations in an emergency.

- What shelter facilities are available at the following locations:
 - Transport pick-up and drop-off areas?
 - Spectator and official viewing areas?
 - Seated eating areas?
 - Pedestrian thoroughfares?
 - First aid and medical centers?
 - Competitors' and officials' marshaling areas?
- What is the duration of the event, and will it continue during the hours of darkness?
- Have you provided for the needs of people with disabilities?
- Does the date of the event conflict with other events to be conducted in the area?
- Will seasonal weather require any special contingency planning?
- Have you surveyed the proposed site (particularly outdoor sites) for inherent hazards associated with the location, and have any been identified? Do utility lines that could be brought down by a severe storm traverse the site? Is the site adjacent to a waterway prone to flooding?
- Is the site layout such that, in the event of a mass casualty incident, space is available for an onsite triage area to permit stabilizing medical treatment before critical patients are transported to local health care facilities? Is such an area accessible to ambulances to eliminate the need for carrying patients long distances?
- Does the site allow for mass decontamination considerations?
- Have site emergency evacuation considerations been addressed?
- Does the site allow for adequate crowd regulation by means of, for example, existing regimented seating areas or flow barriers?
- Are spectator overflow areas available to prevent crowd crush if spectator turnout significantly exceeds expectations, a common phenomenon at rock concerts?
- In an urban setting, as is characteristic of a stadium venue, could the adjacent streets on all sides be closed to other than emergency service, and resident vehicles, creating a perimeter for access as well as a buffer zone?
- Is a staging area for protestors necessary? Is it required?

Criminal and Terrorist Risks

Special events and mass gatherings are a perfect target because of the large number of people, media coverage, and the high-profile impact if a terrorist strikes. Small communities and their events may actually be attractive sites for terrorists because the residents may believe they are not at risk and so do not prepare themselves. However, event planners can take steps to prepare for the same risks that all communities face.

Prepare public safety personnel to protect themselves. Ensure that your community's public safety personnel are adequately trained and equipped with personal protective equipment (PPE) as dictated by their response role to protect themselves as they help others.

Criminal and Terrorist Risks (Continued)

Some events may appeal to terrorists for a number of reasons, including an anniversary date, religious holiday, a particular location, the nature of the event, or those who will be included among the participants. Communities can identify terrorist organizations that may be attracted to their event for any number of reasons and can prepare accordingly. Knowledge is an advantage. Know the possible risks that the event poses and the audience that the event will attract. Ensure that your public safety teams are prepared and have practiced their response to both terrorism and suspected terrorism, and that they understand how to mitigate any potential terrorist incidents.

Every jurisdiction in the country has conducted a jurisdiction threat and vulnerability assessment, which was required by the Federal Government as part of the national homeland security preparedness effort. When event planners formulate contingency plans for special events, they should work together with State and Federal partners and ensure that State and local data from these Federally mandated assessments are reviewed. Local law enforcement professionals should consult the FBI and State law enforcement intelligence specialists on current threat and vulnerability data as part of the event planning process. The current Homeland Security Advisory System threat level should be considered, and event planners should prepare for contingencies if the Federal threat level changes during the event.

THREAT ASSESSMENT

Planning and intelligence gathering are necessary activities for law enforcement personnel during event planning. The level of commitment to these anti-terrorist activities influences the level of response capabilities that should be maintained.

Two terms that event planners should understand are anti-terrorism and counter-terrorism:

- Anti-terrorism is a term used to define actions taken to mitigate potential effects of terrorist activity.
- Counter-terrorism is best defined as operational actions taken or activities planned to prevent a terrorist activity or event.

TARGETS

Most targets singled out by terrorist groups fall into one of eleven critical infrastructure areas or five key asset areas:

Critical Infrastructure

- Agriculture/food supplies
- Water
- Public health systems
- Emergency services (police, fire, EMS)
- Military targets/defense industry
- Cyber-terrorism and information
- Energy infrastructure
- Transportation infrastructure
- Banking/Finance
- Chemical and hazardous materials
- Postal/shipping facilities

Key Assets

- Monuments or public icons
- Nuclear power plants
- Dams
- Government facilities
- Other commercial key assets

MOTIVES

The motives of extremist groups can generally be identified as:

- Political
- Religious
- Racial
- Environmental
- Special interest

WEAKNESSES IN MEASURING THREAT

Terrorist threats are often difficult to measure because they are:

- Dynamic
- Mobile
- Difficult to recognize (lone offenders, splinter groups)
- Dependent upon the ease and availability of creating a WMD device
- Difficult to quantify, or subjective (open to interpretation, with a tendency toward inflating results)

WEAKNESSES IN MEASURING THREAT (CONTINUED)

The dangers of information sharing (outside of those who have a “need to know”) also make it difficult to measure the extent of the threat because unauthorized disclosure of information may:

- Lead to the violation of operational security.
- Create unnecessary panic.
- Produce unintended media attention.

CONTEMPORARY TERRORISM

In the past, we wanted to believe that terrorism was something that happened outside of the United States. Unfortunately, this is no longer the case. The FBI has determined that contemporary terrorists have generally:

- Been politically motivated.
 - Sought and used publicity to gain recognition and public sentiment.
 - Most often viewed, trained, and equipped themselves as an army at war.
 - Sought to cross jurisdictional lines to further confound law enforcement detection and apprehension.
 - Had the support and funding of national governments from outside of the United States.
 - Invited public scrutiny to put law enforcement on trial by the effective use of the media.
-

CHAPTER 2: EVENT OPERATIONAL CONSIDERATIONS

INTRODUCTION

While planning an event, it is important to consider every possible risk and hazard that may occur. This chapter covers most of the basic risks that may be encountered at an event. The responsibilities for dealing with these risks vary with each jurisdiction, and every community needs to have a plan listing who or what organization will respond to the anticipated risks or hazards. Knowing the risks ahead of time and planning for those risks are essential to successful planning. Planning for the worst may help reduce the chance of a "worst-case scenario" happening. If the responding agency knows the risks ahead of time and is alert, it can reduce its response time, ensuring the safety and security of those in attendance. Risks vary depending upon the type of event; therefore, event organizers must tailor the planning for each risk to the specific event.

The promoter is one source of information on potential risks that may be faced at the event. The promoter should be aware of the support services that are needed to respond to any incident and the availability of those services in the community. If event organizers know the possible risks that an event poses and the nature of the audience that is likely to attend the event, they can analyze the hazards and take the necessary steps to plan a safe event.

HAZARD ANALYSIS

Hazard analysis provides planners with information about the kinds of emergencies that may occur and their potential consequences. Analysis assists planners in deciding what steps to take to prevent the possible emergencies and how to respond if an incident occurs.

The best way to begin a hazard analysis is to list the possible risks present at the event. Every community's list will differ based on topographical and geographical features, weather patterns, and other factors. (Tsunami, for example, would not be identified as a hazard in an area that is far from a coastline.) Identifying hazards also includes considering the possibility of a secondary hazard (for example, a tornado may lead to power failure, loss of water, and other hazards).

The following table includes some of the more obvious risks and possible hazards that may exist. Being prepared for the worst allows planners to have responders and supplies on hand if an emergency does occur.

HAZARD ANALYSIS (CONTINUED)

Typical List of Risks and Hazards	
Abandoned vehicles	Hurricane
Airplane crash	Intentional chemical release
Airspace encroachment	Kidnapping
Assault	Landslide
Avalanche	Loss of utilities (water, sewer, telephone)
Biological incidents	Lost child
Bomb threat/suspicious package	Lost and found
Building inspection	Media relations
Cancellation of event	Motorcades
Civil disturbance with demonstrations	Mudslides
Communications	Parking
Credentials	Permitting
Crowd control	Power failure (sustained)
Cyber attacks	Radiological release
Dam failure	Security
Demonstrations	Structural collapse
Dignitary protection	Subsidence
Drought	Terrorism
Earthquake	Ticketing
Epidemic or other public health concern	Tornado
Evacuation of area	Traffic control
Explosive materials	Train derailment
Fire	Tsunami
First aid matters	Urban conflagration
Flood	Volcanic eruption
Food handling violations	Wildfire
Food waste disposal problems	Winter storm
Hazardous Materials release	
Hostage without terrorism	
Human waste disposal problems	

HAZARD ANALYSIS (CONTINUED)

Event planners must identify characteristics of each possible hazard to determine the risk and consequences. Characteristics to identify are:

- Frequency of occurrence—the frequency of occurrence (both historical and predicted) for each hazard in the particular jurisdiction.
- Magnitude and intensity—the projected severity of the hazard's occurrence.
- Location—the location of the hazard, if the hazard is associated with a facility or landscape feature.
- Spatial extent—the geographic area that may be expected to suffer the impact of the hazard (either around the known location of a hazard or as an estimate for non-localized hazards such as tornadoes).
- Duration—the length of time that the hazard may be expected to last.
- Seasonal pattern—times of the year when the hazard threat exists (based on month-by-month historical occurrence).
- Speed of onset and availability of warning—the amount of time projected between first warning (if any) and actual occurrence.

POTENTIAL CONSEQUENCES

To determine the potential consequences of a hazard, estimate the lives, property, and services at risk. Evaluate the extent of the hazard by closely examining your community in terms of:

- People (deaths, injuries, and displacement).
- Critical facilities (days of service loss, repair time).
- Community functions (disruption).
- Property (damage, destruction, cost of replacement or repair).
- Potential secondary hazards (dams, chemical processing plants).
- Loss of revenue.
- Negative public image of jurisdiction.

When evaluating hazards, remember that hazards may occur in multiples and that one hazard may cause a secondary hazard.

1. Identify the Hazards
Determine what kinds of emergencies have occurred or could occur in the jurisdiction.
2. Weigh and Compare the Risks
Determine the relative threat posed by the identified hazards, using qualitative and quantitative ratings. This information enables planners to decide which hazards merit special attention in planning and other emergency management efforts.
3. Profile Hazards and Their Potential Consequences
Compile historical and predictive information on each of the hazards and overlay this information on community data to estimate the hazard's potential impact on the community.

POTENTIAL CONSEQUENCES (CONTINUED)

4. Create and Apply Scenarios

For the top-ranked hazards (or those that rate above a certain threshold), develop scenarios that raise the hazard's development to the level of an emergency. This is a brainstorming activity that tracks the hazard from initial warning (if any) to its impact on a specific part of the jurisdiction and its generation of specific consequences.

Brainstorming provides information about what actions and resources might be required for response.

The Job Aid, Hazard Vulnerability Assessment on pages A-55 through A-58 of Appendix A: Job Aids, provides a worksheet for the planning team to use as a starting point to identify specific hazards and risks for the event. This is a vital process to bring stakeholders together to brainstorm potential hazards and begin developing comprehensive planning strategies. There are other, more comprehensive, planning tools that are available to address specific needs that the planning team may identify from the Job Aid worksheet. Consult your local/State emergency management agencies for other planning tools.

CONTINGENCY PLANS

Unfortunately, not every event runs smoothly. Often, incidents occur that are beyond the control of the planning team. Therefore, contingency plans for every event should be in place.

An emergency response plan requires a comprehensive hazard and vulnerability analysis. Consultation among all parties who may respond to an emergency situation during the event is essential.

Some important questions related to ICS planning include:

- What weather conditions may require cancellation of the event?
- What weather conditions will postpone the event?
- How will storm warnings be monitored?
- What plans are in place for sudden, severe weather conditions, such as tornadoes? Will shelters be available?
- Who has the authority to make these decisions, and at what point does he or she exercise that authority?
- How is notification made of a cancellation or postponement?
- Are additional security personnel, including police, on standby or on call if an immediate increase in these services is required?
- Have you advised ambulance services and local hospitals of the nature of the event, provided an expected spectator profile, and estimated potential medical problems?
- Have you notified fire and rescue services of the nature of the event and identified the services that might be required?
- Has the jurisdiction considered how to respond to a Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) type of man-made, intentional event?
- Has the need for mass decontamination been considered?

CONTINGENCY PLANS (CONTINUED)

- Have any “target hardening” considerations been explored to increase the deterrence factor against man-made intentionally caused events?
- Have you identified the types of heavy equipment that could be required in a catastrophe (for example, a grandstand collapse)? Have you made plans to obtain that equipment at any time, including off-business hours?
- Have you advised counseling services of the nature of the event and identified the services that might be required?
- If the event is particularly dangerous, and deaths are a real possibility (for example, at automobile or power boat races or air shows), have you formulated plans to support any required coroner’s investigation?
- To permit responders to precisely identify the location of an emergency quickly, address the following questions:
 - Will a grid-type venue plan be available, which is common to all emergency services, including access roads, pathways, major landmarks, spectator, performer and vendor areas?
 - Will vendor locations or booths be numbered and be included on the venue plan?

STRUCTURAL MATTERS

An area of great concern is the physical setup of the event. Planners need to consider what performance facilities are needed, what special structures are needed for indoor or outdoor events, and whether temporary structures can be used. These are just a few primary concerns.

STAGES, PLATFORMS, AND OTHER PERFORMANCE FACILITIES

When setting up an event, stages, platforms, and the other performance facilities are an area of major safety consideration. The type of event and its site affect the choice of performance equipment and its stability requirements. Qualified inspectors should perform some type of inspection to ensure that the structure is appropriate for the event and that the structure is safe.

The expected behavior of the crowd is one of the principal factors determining stage configuration. While classical music and ballet performances usually attract a mature and orderly audience, teenage and pre-teen fans at rock concerts have been known to storm the stage to touch their idols. Such incidents, apart from being disruptive, have caused injuries. Therefore, event planners should understand the emotional and physical character of the audience that a particular performance will attract.

STAGES, PLATFORMS, AND OTHER PERFORMANCE FACILITIES (CONTINUED)

There are three principal ways to gather information about the anticipated crowd:

- Review press reports and contact local public safety officials who were present at previous performances.
- Speak with spectators who have attended adolescent entertainment events such as rock concerts. In the past, spectators have provided valuable insights into what behavior authorities might expect from audiences for different entertainers.
- Check with the promoter to determine audience behavior at past events and the type of crowd and the behavior that can be expected.

Stages are usually elevated to provide the audience a better view of the performance, especially for spectators who are farther back. This elevation is itself a barrier to those who would rush the stage in an attempt to touch a performer. In addition, this increased height can create an area free of spectators at the base of the stage because the audience members will position themselves back from the stage so that their line of sight is not impeded.

At some venues first aid personnel are located under the stage to accept injuries occasioned at the front of the spectator area. A stage or a platform alone is usually insufficient to deter determined and agile spectators, however, and an additional physical barrier is needed in front of the stage.

INDOOR EVENTS

During concerts held indoors, an effective practice is to erect a "V" shaped barrier in front of the stage to deflect patrons away from the stage area if any surge comes from behind. The "V" shape also provides an additional barrier to prevent spectators from reaching the stage. Security staff can position themselves in this spectator-free zone or should be able to gain access to it quickly from either end of the stage.

Barrier posts must be securely anchored to the floor, not merely mounted to freestanding bases. They should also have some padded protection. Such a fence construction is usually engineered to provide a certain amount of "give" upon impact, thus reducing the potential for crush injuries as occasioned in the 2000 Denmark, Pearl Jam concert tragedy.

OUTDOOR EVENTS

Board fences similar to the "V" shaped barrier described for indoor concerts can be used in an outdoor setting. Board fences have the added benefit of providing a walk space on the spectator side of the fence as well as behind it. Because most outdoor concerts do not provide seating, spectators in the front rows seated on the ground have to take a position several yards back from the fence to permit them to see the stage over the top of the fence. This area permits emergency access to the front rows of spectators.

Any stage protection barrier must be designed to sustain a certain amount of flex in order to prevent the crushing of spectators in the front by a crowd surge from behind. At the same time, it must be sufficiently solid so that it will not collapse and cause injuries. Fences installed as stage barriers often fail to meet this two-fold requirement.

BREAK-AWAY STAGE SKIRTS

The front skirt around the base of a stage can be constructed to break away under the pressure of a crowd surge, thus allowing spectators to be pushed under the stage rather than be crushed against its base. This idea is not practical where there is less than six feet clearance beneath the stage, however, because of the potential for head injuries if a spectator collides with the leading edge of the stage.

It should be stressed that use of a breakaway stage skirt does not remove the requirement for a barrier in front of the stage and should be considered only as additional security if barriers fail.

EMERGENCY EVACUATION

There are physical structures designed for use in areas of egress that, in the event of an emergency where evacuation is required, collapse to allow for the maximum passthrough.

TEMPORARY STRUCTURES

Because of their transitory nature, many events require easily constructed temporary structures. These include the stage platform itself, as well as towers to house speakers and floodlights, temporary seating such as bleachers, dance platforms, roofs, towers and masts, viewing platforms, marquees and large tents, and decorative items such as archways, overhead signs, and even sideshows.

All such temporary structures must be designed and erected to include a margin for safety and a view to potential hazards. A local government building-codes inspector should supervise the erection of temporary structures and ensure that they conform to local government building or engineering specifications.

Temporary structures are often hurriedly erected because access to the venue may be permitted only a short time before the event opens and they are usually designed for rapid removal at the conclusion of the event. In addition, these temporary structures are frequently neither designed nor erected to withstand stresses other than from intended use and are therefore not engineered to incorporate safety features. High winds or spectators climbing for a better vantage point can overstress these structures.

Personnel should inspect temporary structures periodically during events of long duration. They should post warnings on, or close, a temporary structure whose intended purpose is being violated.

LOAD CAPACITY

All structures have load capacities, and precautions should be in place to prevent misuse through overloading. These precautions apply to any viewing platform or vantage point, such as building walkways or balconies, which can cause a major incident if the number of spectators upon these structures is not properly controlled.

The bases of temporary structures must be protected from damage by vehicular traffic through the use of designated buffer zones.

SEATING

Ideally, all seating should be reserved; however, this ideal situation may be difficult to achieve at outdoor events.

If most of the spectators are in their teenage years, provide seating to control surges and crushing at the front of the stage. A security presence to ensure that audience members do not stand on seats is also recommended. Seating should be adequately anchored to prevent its movement.

Another area of concern is the spacing of the seats, and local life-safety codes may define acceptable practices in this area. The seating should be spaced far enough apart to allow emergency crews access to patients. Often, grouping the seats and providing large walkways between the groups is a way to provide this access.

TEMPORARY SEATING AND ANCHORAGE

Seating in a community center, arena, or similar indoor location often combines fixed perimeter seating with additional foldable or stackable seating on the central floor.

Temporary seats are often not secured to the floor or to one another. While this may not present any problems with certain audiences, more enthusiastic spectators may pose the following problems:

- Persons standing on the seats for a better view are prone to injury because they may lose their balance or become jostled. In such instances, they can adversely affect other spectators, sometimes causing a “domino effect” in closely spaced chairs. The potential for a significant number of injuries exists.
- If an audience becomes hostile, portable chairs can be used as dangerous missiles. It is not uncommon for hostile fans to become aggressive and throw items. Seats that are not anchored become dangerous projectiles.

Portable, folding, or stacking chairs should be secured to the floor. Where this is not possible, attach the legs of each row of chairs to two long planks, one running under the front pairs of legs and one running under the back, as an alternative solution.

A Building Department Venue Assessment Checklist is included on pages A-44 through A-46 of Appendix A: Job Aids.

HIGH-PROFILE/CONTROVERSIAL EVENTS

Because of the nature of the event, the crowd composition, or for other reasons, certain events cause more controversy and create greater risks than others do. For example, events involving groups that hold controversial beliefs present a greater risk for criminal or terrorist behavior. Events involving high-level officials are also at a greater risk for terrorist activity because of the significance of the official and the high-profile visibility of the participants and those in attendance. On some occasions, if the date of the event coincides with the anniversary of another terrorist event, the date of the event itself may be considered controversial. Planners must consider every reason why an event may promote controversy or attract special attention.

Conflicts will exist between public safety, recovery, and criminal investigation agencies during terrorist incidents. Rescue and recovery issues and actions must be separated from criminal investigation issues and actions before the event occurs, and non-law enforcement workers should be given training on matters of evidence. Evidence teams should be created to practice and train with local emergency responders and epidemiologic investigators to promote mutual understanding of one another's roles.

PROTESTORS

If organizers anticipate that a mass gathering or special event will attract the attention of organized protest groups, they should meet, if possible, with the leaders of those groups in advance. The organizers and group leaders can discuss ground rules of acceptable behaviors and the anticipated public safety response to criminal or disruptive behavior by local law enforcement agencies. Building rapport by gaining a mutual understanding of what to expect can decrease the likelihood of disruptive behavior, or at least ensure that everyone knows what will and will not be tolerated. Many jurisdictions have a permitting process that is required for this type of activity.

Protestors who arrive spontaneously should also be planned for, and in many cases may become a law enforcement issue if the permit process has been violated. Many times, these groups hold extremist views or specific concerns about a particular issue that may be tied to the event.

SPECTATOR MANAGEMENT AND CROWD CONTROL

This chapter has discussed the hazards associated with structural design and integrity, but what about the dangers that may be created by the participants themselves? The aim of spectator management and crowd control is to maintain order, prevent deviation from desired behavior, and re-establish order if it breaks down, thereby ensuring maximum enjoyment for the assembled gathering. Event organizers are responsible for spectator management and crowd control; however, this function passes to local authorities, such as police, fire, and emergency medical services, when the situation is beyond the resources and capability of the organizers. Knowing what to expect from a given audience can lessen risks and hazards from the crowd itself. Event organizers should research lessons learned from previous events and have appropriate response plans in place before the event takes place.

Spectator management refers to planning and preparation issues, such as ticket sales and collection, admittance and inspection, ushering, seating, parking, public announcements, toilets, and washrooms.

Crowd control refers to mechanisms that are used to reinstate order, such as limited access control, admission control, and arrests.

A crowd is defined as any number of people coming together in any place for any reason. Crowds gather daily in shopping centers, airports, and stadiums, and occasionally in places that are not designed specifically for large numbers of people.

In the planning process for a forthcoming event, organizers must have an understanding of both individual and crowd dynamics and how these elements interrelate. While this is a preliminary guide to crowd control problems that organizers most frequently encounter, planners need to expand upon the particular issues for each crowd and venue. You may find additional information on crowd control in other literature and press reports; from the promoter; private security organizations; police, fire, and emergency medical authorities; and, for visiting dignitaries, from personal security services and government agencies. All of this information will assist in predicting potential problems that you can then address in the planning process.

GENERAL ISSUES FOR CONSIDERATION

Major crowd issues you should address include:

- Size—Maximum numbers permitted are often established by regulation for safety reasons.
- Demographics—Consider the composition of the audience, including the age and gender mix. If you identify in advance that young children will constitute a high proportion of the audience, consider additional facilities, such as childcare, family bathrooms, and rental strollers. Audiences made up of young children or elderly people tend to require additional medical facilities, and children and the elderly are more susceptible to crush injury than teens or adults.

Different kinds of events may attract certain types of spectators that require special attention. Consider the following:

- Rock concerts, in contrast to other types of concerts, may experience a higher incidence of problems with drug and alcohol abuse, underage drinking, and possession of weapons.
 - Religious and “faith healing” events may attract a significant number of ill and infirm people, which may increase the need for onsite medical care.
 - Events for senior citizens may also require higher levels of health services.
 - Certain sports events may attract over-reactive and violent supporters.
 - Cultural events may require special arrangements, including the provision of interpreter services, special food services, and multilingual signposting, brochures, and announcements.
- Outdoor Concerts—additional considerations:
 - Control and distribution of spectators in the field.
 - Suggested minimum space allocation of 4 to 5 square feet per person on grounds with no seats.
 - Some form of sectoring and barrier management by security is important.

ENTRANCES AND EXITS

Important considerations for the entry and exit of spectators include:

Entrances

The primary function of entrances is to provide:

- For supervision, marshaling and directing crowds.
- Access for emergency services.
- Egress and evacuation routes.
- Initial surveillance and inspection of attendees (i.e., magnetometers).

ENTRANCES AND EXITS (CONTINUED)

Entrances should also:

- Be clearly signposted.
- Be in working order.
- Be compliant with the Americans With Disabilities Act (ADA); and
- Provide for separation of pedestrian and vehicular traffic.

Entrance Management—Event organizers should:

- Permit flexible opening and closing times. (Advertised times are recommended, however.)
- Stagger entry times by providing supporting activities.
- Keep entrances clear of all other activities.
- Keep lines away from entrances.
- Ensure there are sufficient numbers of suitable barriers, fences, gates, and turnstiles.
- Locate ticket sales and pick-up points in line with, but separate from entrances.
- Arrange to have a public address system or alternative communications system to provide information and entertainment to the crowd waiting at the entrance.
- Consider the potential need for medical and security personnel presence.
- Provide sufficient numbers of personnel who are appropriately trained.
- Ensure that control points for searches to detect prohibited items, such as alcohol, social drugs, glass, metal containers, and weapons, are in place and do not affect movement.
- Provide a secure area for the storage of confiscated goods.
- Provide toilets, if lines are expected to be long.
- Apply metering techniques as appropriate.

Exit Management—Event organizers should:

- Ensure that exit doors are not locked. If personnel are concerned about illegal entry, then doors could be fitted with alarms.
- Ensure that exit doors open in the direction of escape and are confirmed as operational.
- Check the placement, function, and signposting of exits.
- Ensure that doors that do not lead to an exit are so marked, preventing “dead end” entrapment and the potential for panic.
- Ensure that all exit corridors are free of all impediments to crowd movement.
- Ensure that turnstiles are freewheeling or can operate in reverse.
- Ensure that cords, which can create trip hazards, do not cross exit corridors. (If this precaution is unavoidable, the cord should be marked, insulated, and secured to the floor to prevent damage and potential electrical risks.)

Escalator Management—Event organizers should provide for:

- Staff control at the top and bottom, including an emergency stop button.
- Metering of the flow at both ends.

ENTRANCES AND EXITS (CONTINUED)

Stairway/Corridor Management—Event organizers should provide for:

- Control of both ends if the crowd is large.
- Metering that may be required for safety.

CREDENTIALING

The mission of special events credentialing is to design and produce badge identification to ensure the greatest possible level of security for personnel and property, and to enhance the ability of law enforcement personnel to control access to secure areas, facilities, and events.

A credential identifies specific individuals who require access to a venue(s) to perform an operational role or function, whereas a ticket is issued to spectators or other members of the general public who do not perform an operational role or function.

In essence, a credential is equivalent to an “Incident Badge.” A “ticket” is NOT a “credential.”

Credentialing provides sufficient information to verify the identity of the bearer and his or her level of access, and should include security features to prevent counterfeiting and assist in credential verification.

Event planners tasked with credentialing may wish to consider the following:

- Who will be credentialed?
- Will credentialed personnel require police record checks?
- Who will conduct the record checks?
- What criteria will be used for various levels of access?
- Who will have the final decision on who will or will not be credentialed?
- Who will be responsible for credential production?
- Who will authorize credential production?
- What is the format for the receipt of the information necessary to produce the credential (e.g., electronic, paper)?
- Will a photograph be needed?
- Where will the credentialing center be located? (The credentialing center should be located outside of the secure zone and accessible to those requiring credentials.)
- Who will secure this location and provide security for personnel and equipment?
- How will the security of the credentialing database be maintained?
- How, and to whom, will credentials be distributed?

TICKETING

Ticketing is the first means of achieving crowd control. Essential matters to address include the following:

- If advance ticketing is possible, it is preferred because it allows organizers to anticipate audience numbers and plan accordingly. It also enables them to pass on information about needed services (for example, parking, traffic patterns, first aid, water sources, toilets, and personal needs) to ticket-holders before the event.
- When multiple entrances to the venue are provided, directing spectators to arrive via specific entrances can reduce congestion.
- If it is feasible, stagger crowd arrival by specifying entry times. Again, this plan reduces congestion at entrances.

BARRIERS

Effective use of barriers can prevent many problems, including congestion in thoroughfares and walkways. Questions that you should consider in the planning phase include the following:

- What types of barriers are required? Is a solid physical barrier required, or would a psychological barrier, such as barrier tape, suffice? The use of psychological barriers is suitable only for orderly crowds. Any physical barrier must be able to withstand crowd surges.
- How will personnel respond if the barrier is breached?
- Can barriers be used to section the crowd and create passages for emergency personnel to evacuate ill or injured spectators?
- Will barriers be used to create a "pit" between the crowd and the stage, which can be used to facilitate the evacuation of injured spectators?
- Can barriers be easily dismantled by the crowd and used for other purposes?

There are physical structures designed for use in areas of egress that, in the event of an emergency where evacuation is required, collapse to allow for the maximum passthrough.

A Public Works Department Checklist is included on pages A-42 and A-43 of Appendix A: Job Aids.

DEFUSING CROWD TENSION

The tedium that is created by an extended wait in line for tickets or admission can be a precursor for crowd control problems. Such boredom can create or magnify tempers, particularly if, with little distraction, those in line perceive other doors being opened first or other patrons getting in at the head of the line.

The following means of defusing anger have been used with success in different venues:

- Up-tempo music (of a type consistent with the age group of the crowd) played over the public address system.
- Humorous, animal-costumed individual, such as a mascot, walking up and down the line giving handshakes, pats, and waves.
- Large inflated beach ball, which is lobbed back and forth over, and by, the spectators;
- Food and beverage sellers moving through the group.
- Cheerful security staff, passing up and down the line, talking to people.

Introducing some of these same distractions inside the event can calm a potentially agitated crowd.

In addition, a mascot conducting a spectator sing-along to up-tempo music or a ticket or program number draw on the field for the last ball used at a sporting event can alleviate tension in a crowd.

Whenever possible, spectators should be informed before an event of any special conditions or arrangements for the event, such as parking, clothing, food and drink, sunscreen, shelter, and alcohol restrictions. Notice of special conditions or arrangements may be distributed via advertisements or in leaflets accompanying tickets.

Outdoor events, sometimes spread over large areas, require further considerations, such as:

- Toilet facilities located outside gates and between disembarkation points and the venue.
- Shelter.
- Telephone facilities.

The venue should allow adequate regulation of crowd movement, such as adequate exiting from ticketed seating areas and sectoring and flow barriers, including barriers to separate vehicles from pedestrians.

Spectator overflow areas should be available to prevent crushing. Contingency plans are required in case spectator turnout significantly exceeds expectations. This phenomenon is common at rock concerts. This may be more of an issue for outside venues, as life safety codes for inside venues may help address maximum crowd attendance.

RESTRICTED VIEWING LOCATIONS

Clear lines of vision for spectators are important to reduce the likelihood that crowds will move to get a better view of the stage. Also, a wide angle of view helps to reduce crowd densities in front of the stage. If restricted viewing is unavoidable, tickets for spectators in those sections should note this fact.

VIDEO SCREENS

Video or projection screens aid in crowd management because they can provide:

- Entertainment before and between acts.
- Information concerning facilities and important messages including public safety and traffic messages for both inside and outside the venue.
- Close-up vision of on-stage action for spectators as a means of reducing crowd movement toward the stage.

TRAFFIC AND TRANSPORTATION

Transportation presents one of the first impressions that attendees will have about an event's organization, command, and control. Sitting in a line of cars for hours on the highway to gain access to an event will undoubtedly create a negative impression. The traffic from the event may not merely affect the local traffic but the traffic in the entire region. Planners should ensure that the surrounding communities are aware of the event and the potential impact on traffic in their area.

Depending on the scope and size of the event, traffic may be a routine issue. For example, many sports stadiums hire professional traffic planners to provide guidance on the most efficient ways to facilitate access and egress to various parking lots, and have procedures in place that adequately handle traffic flow on a regular basis.

The promoter is responsible for any traffic disruption that is associated with the event and should be held accountable by the permitting authority. The permitting authority can require the promoter to work with local public safety and traffic service providers to create contingency plans to minimize negative traffic impacts on the community at large.

At a minimum, local law enforcement, departments of transportation and public works, the local media, any existing public transportation authorities, and the promoter should comprise a traffic management group who must begin traffic planning well in advance of the event. The group should use the local media to inform residents in advance of the expected impact that the event will have on their mobility.

Being straightforward with the local community about anticipated problems or congestion areas will minimize the negative impact on local traffic service agencies. Many residents, when advised in advance to do so, will avoid certain areas or take alternate routes so that their movement is not impeded or prolonged.

TRAFFIC AND TRANSPORTATION (CONTINUED)

Traffic and transportation concerns that traffic management must address include:

- Does the site have adequate access and staging areas for large numbers of emergency vehicles in the event of a major incident?
- What impact will weather conditions have on transportation?
- What type of road leads to the event? Paved? Gravel? Dirt?
- Is access to, and the road network within, the site adequate to prevent emergency responders from having to walk significant distances to the principal spectator areas(s)?
- Is there sufficient room on the site (that is, for staging, manoeuvring) to permit repositioning or redeployment of emergency vehicles as dictated by the incident?
- Because of the nature of road access, would early arriving vehicles, such as ambulances, be prevented from leaving by gridlock produced by subsequently arriving equipment?
- Is the site served by an access road or street that could be closed to the public and used only for expeditious emergency and service vehicle ingress and egress?
- If access roads are unpaved, would emergency vehicles become bogged down if heavy rains occurred during, or just prior to, the event?
- Is the surrounding road network able to handle the anticipated spectator vehicular traffic?
- If spectator-parking areas are filled, will the road network allow continued vehicle flow, thus preventing gridlock?
- Is signposting, including gate numbering, clearly established inside and outside the venue?
- Are communications systems inside and outside the venue capable of providing public announcements, marshaling instructions, and evacuation orders?
- Is a system in place to monitor crowd flow (as through the use of spotters or aviation resources)?
- Does the organization have additional towing vehicles available?

Where there may be health and safety implications, efficient management of crowd movement includes:

- Awareness of public transport congestion at road, rail, and water interchanges and, in some cases, at airports.
- Use of coaches and buses to reduce private vehicle traffic and any potential problems that large vehicles may present (for example access difficulties, parking requirements, potential road blockages).
- Alterations to normal traffic and road use.
- Traffic control.
- Adequacy of the surrounding road network to handle the anticipated spectator vehicular traffic before, during, and after the event.
- Communication between traffic management groups and other services, including the local media.
- Access and egress routes including:
 - Arrangements for people with disabilities.
 - Pedestrian access, including considerations of distance, terrain, surface, and lighting.
 - Designated pick-up and set-down points.

VEHICLE ACCESS AND EGRESS ROUTES

Consider the environmental hazards that may result if access and egress routes are not established for:

- Portable toilet pump-out.
- Garbage removal.
- Water tankers.
- Car parking.
- Ambulances.
- Law enforcement vehicles.
- Fire vehicles.
- EMS vehicles.
- Public works and utility vehicles.
- Other essential service vehicles.

SIGNAGE AND USE OF THE MEDIA

If organizers anticipate that event traffic will have a major impact on community surface streets, they should consider requiring the promoter to hire a professional traffic planner to work in conjunction with law enforcement and public works personnel to create alternate routing or special signage to and from the event. Strategically placed, variable-message signs on the highway that allow text messages to be changed by remote control are very useful devices to inform the motoring public. Temporary fixed signage can also be considered. The additional signs must adhere to the current industry standard and be easily understood by the public.

Additionally, using a local AM radio station or a specially designated frequency to broadcast travel information and instructions from the Public Safety Incident Command Post to arriving or departing patrons on the day of the event can help to lower their frustration. Broadcasting is also a means for event command and control staff to provide patrons with useful guidance and safety messages prior to their arrival. Much useful information, such as traffic routing and identification of the AM radio station channel that will carry event traffic information, can be included in advance ticket-sales packets so that spectators are informed before they even leave their homes.

TRAFFIC MONITORING

Traffic monitoring should be carried out by periodic radio contact with ground personnel in the field of the event footprint and by surveillance from aerial observation platforms. Fixed-wing aircraft can stay airborne for extended periods of time to obtain the full view of traffic flow. Helicopters can be used to view both the full area and specific problem areas that may warrant closer attention than can be provided by fixed-wing aircraft. Stationary, closed-circuit TV cameras can also be considered for use in areas prone to congestion.

PUBLIC TRANSPORTATION

If public transportation is to be used by patrons for access to the event, a separate ticketing and admitting area can be established to permit smooth drop-off and pick-up. If available, public transportation should be encouraged by event organizers because it tends to lessen the negative impact on local community street traffic. It also decreases the number of parking attendants required at the event site. Another facet of public transportation for consideration is event-only transportation. At many large-scale events that require off-venue parking, promoters lease school or private buses to provide transportation from specific pick-up sites within the community and from remote event-specific parking areas. If public transportation is offered, planners must coordinate with law enforcement and public works personnel for assistance. Public works and law enforcement agencies may choose to close lanes or streets for use only by the public transportation vehicles.

TOWING AND DISABLED VEHICLES

Promoters should be required to hire towing companies to facilitate the removal of disabled or illegally parked vehicles. Tow trucks should be available and readily observable as private vehicles arrive at venue parking lots. The mere presence and active use of tow trucks can act as a deterrent for those motorists who may consider parking illegally. As a general rule, one tow truck for every 2,500 anticipated vehicles can be considered adequate for planning purposes. The size, type, and location of the event may change the needs.

Abandoned vehicles should be towed immediately, because these could be an indicator of a vehicle-borne improvised explosive device (VBIED), a current common tactic of terrorists.

Towing companies should establish a standard procedure for impounding and owner retrieval and should set maximum fees per impounded/towed vehicle in advance of the event. Also, a mechanism (database) for tracking where vehicles from certain areas have been towed and a mechanism for informing motorists of how to find their cars should be in place. (For example, establish a toll-free telephone number). This information should be shared with the appropriate authority and the command post, in case owners of towed vehicles arrive there to ask about their vehicles.

A consideration is for the promoter to be held accountable for any costs associated with towing that are not covered by towing fees. Public safety agencies should handle the regulation and oversight of any towing arrangements that are made during the planning process.

EVENT VEHICLE PRE-SCREENING

Some jurisdictions now screen vehicles at an event site days or weeks in advance of the event. For instance, it is common practice now for some State Fair venues to screen vendors and carnival vehicles upon their arrival.

PARKING

With the crowd and the traffic risks also come the inevitable parking problems. A basic formula for estimating parking requirements is to anticipate one vehicle for every three persons in attendance. Areas of specific concern are:

- Public parking arrangements—Have you made arrangements for overflow parking, signposting, and segregation of pedestrian and vehicular traffic? If spectator-parking areas overflow, will congestion on surrounding roads result?
- Parking control—If anticipated spectator parking areas become full, are there nearby areas for overflow parking? Are shuttle buses desirable, feasible, or necessary?
- Towing—Are towing policies established to determine where stalled or disabled vehicles will be towed, or how the owners can find their vehicles, and who bears the cost of towing and storage?

If parking is allowed adjacent to, or inside, the facility itself, vehicle screening should also be considered. Pre-event parking bans should also be considered to ensure the integrity of the footprint surrounding the event site. Sufficient posting of no-parking signs should be done in advance of the event and strictly enforced.

AUXILIARY PARKING LOTS/SHUTTLES

If the event venue does not have established parking lots available, then temporary, auxiliary lots need to be established. Considerations for these lots include:

- Lighting for hours of darkness
- Compliance with the ADA
- Publication of the location of the parking lots and the shuttles
- Provision of toilet facilities
- Use of public transportation (shuttle busses) to and from the event site

Assigning specific buses to specific lots helps the attendees as they go to and from the event. These lots should be clearly distinguished from one another and adequately marked. (Color-coding is one effective method of distinguishing buses. For example, Red Line buses, marked with a red dot in the window, go only to and from the red lot.) The location, of these lots need to be determined well in advance so that traffic management can evaluate them in relation to the overall incident traffic management plan. If the lots need to be rented or leased, the promoter should be held accountable by the permitting authority for any costs associated with their establishment.

Parking attendants in charge of the auxiliary lots are required to direct event spectators to park their cars in the configuration recommended by the traffic planner. If event spectators park their own cars, they may park in such a way that greatly diminishes the capacity of the parking lot, and control of traffic in and out of the lot can be lost. Parking attendants may be trained volunteers, paid promoter staff, or public safety personnel. A consideration is for the promoter to be held accountable for any costs associated with providing parking attendants.

PUBLIC HEALTH

Public health interventions are designed to prevent or minimize injury or ill health. Mass gatherings present particular challenges for preventing or at least minimizing, harm to participants, spectators, and event staff, especially when the event is held at a temporary venue. Familiarity of the financial stakeholders of the event with each other's roles and responsibilities, and knowledge of the potential and actual public health issues, present a common challenge.

This section provides guidance on the primary public health issues likely to arise during the planning phase of a mass gathering event. If State or local legislation is in place, that legislation takes precedence over advice contained in this manual.

PRE-EVENT PUBLIC HEALTH SURVEY

Event organizers should conduct a pre-event public health assessment for any venue intended for a mass spectator event. A Public Health Department Venue Assessment Checklist is included on pages A-47 and A-48 of Appendix A: Job Aids.

Organizers should consult appropriate health authorities to ascertain the availability of:

- Running water (particularly for hand washing by food service and medical personnel).
- Sufficient public toilets and hand washing stations in or adjacent to toilets (with provision for pump-out of portables and servicing as necessary during the event).
- Adequate refrigeration for perishable foodstuffs.
- Recognized, approved vendors of bulk food items delivered to the site's food providers.
- Sufficient number of covered containers for the storage of food and solid waste, including removal during the event.
- Appropriate storage and removal of liquid waste.

Public health inspectors should be available onsite during the event to monitor public health compliance.

Public health authorities onsite should have legislated authority to enforce "cease operation" orders on onsite food providers who are in contravention of standards or are otherwise operating contrary to the public interest.

PUBLIC HEALTH CONTINGENCY ARRANGEMENTS

The arrangements outlined in this chapter are designed to prevent an adverse event or minimize the risk that an adverse event will occur. However, unforeseen circumstances that may create a public health risk always exist. Some thought must be given to making contingency arrangements and documenting these arrangements in the public health emergency management plan. The plan should include the following details, as a minimum:

- Contact details, including after-hour information, for principal event personnel (for example, event organizers, environmental health officers, trades persons, and emergency service personnel, including health services personnel).
- Contact details for additional staff.
- Details for 24-hour contact of the food proprietors.
- Arrangements for alternative suppliers of equipment and utilities in the event of a failure or loss of water or power.
- Arrangements to replace food handlers who become ill.
- Arrangements in case of product recall.
- Epidemiological tracking procedures.
- Procedures for handling complaints.
- A debriefing procedure.

MONITORING HEALTH RISKS

First aid posts and security personnel can provide information to help assess health and safety risks. First aid posts can provide data by collecting gastrointestinal illness surveillance information. A Gastrointestinal Illness Questionnaire is included on pages A-60 and A-61 of Appendix A: Job Aids. First aid posts can also maintain records of injuries, incidents involving watercourses, and alcohol and drug issues. Security agencies can provide information on safety hazards and alcohol and drug issues.

FOOD SAFETY

Food safety is a vital element of public health planning for public events. Unless personnel apply proper sanitary practices to food storage, preparation, and distribution at mass gatherings, food may become contaminated and present a danger to public health. Special one-of-a-kind outdoor events that are held during warm weather pose additional risks because they tend to have less than ideal facilities for food handling, transport, and storage.

To ensure that adequate food safety standards are met and maintained, an environmental health officer should initially assess food service proposals, including the authorization of vendors, as part of the pre-event planning outlined in Chapter 1. The health officer should base any assessment on current local and State food hygiene legislation and food safety codes. The officer should follow this assessment with a pre-event audit as well as periodic monitoring of food safety throughout the event.

FOOD SAFETY (CONTINUED)

This assessment should form part of a comprehensive food safety plan for the event, including:

- Licensing/permit procedures and authorization of vendors
- Quantities and types of food
- Lines of supply
- Premises where food is stored
- Preparation techniques
- Disposal of foods
- Means of distribution
- Food safety documentation, approved approaches, and surveillance

Food vendors must meet appropriate licensing and registration requirements of the responsible health authority, including an off-premises food-catering license, as appropriate. During the event, onsite environmental health officers must have the authority to close down any vendor who is contravening food hygiene legislation and public health requirements. In some cases, this action may necessitate passing particular local laws or ordinances.

Appendix A includes a Food Vendor Information Sheet on pages A-33 through A-35. A Catering Inspection Checklist for Food Vendors is included on pages A-36 through A-39.

FOOD PREMISES

Setup and construction of the food premises must be in accordance with State and local regulations and codes of practice. The premises or areas to be used for food storage, preparation, and service must be easily cleaned and promote neither the harboring of rodents and insects nor the buildup of dirt and food particles.

EQUIPMENT

Equipment used in food preparation, distribution, and storage must be in safe working order and easily cleaned. Ensure that an appropriate number of the correct kind/type of fire extinguishers (e.g., effective for use with deep fryers, propane tanks, etc.) is available at food provider sites.

PERSONAL SAFETY

The safety of both staff and the public is always an important consideration, and you must meet occupational health and safety standards. Some of the hazards to avoid include loose power leads, trip hazards, inadequate refuse disposal, inappropriate positioning of equipment (especially hot equipment), poor ventilation and extreme temperatures in the work environment, badly stacked supplies, and unguarded equipment.

WASTE DISPOSAL

An effective disposal system should be put into place. Improper disposal of perishable goods, in particular, can cause problems arising from odor, insects or rodents, or other animals. Adequate disposal facilities must be easily accessible to food handlers and removal contractors.

Organize a separate refuse collection for food premises and continually monitor it to ensure that the frequency of collection is appropriate.

Where possible, encourage the separation of refuse into dry, wet, and hazardous disposal units. For more information on refuse disposal, refer to the discussion under Waste Management on page 2-31 of this chapter.

WATER SUPPLY

Provision of a supply of potable water for sinks is essential. Those operators who use water that is stored in their own tanks must have access to facilities to refill diminished supplies. Ensure that this access is established before the event. If possible, at outdoor concerts in extreme heat conditions, all potable water supply lines should be buried to avoid breakage and contamination by concert attendees. Having a NO GLASS policy is wise to prevent hazards caused by broken glass. For more specific details on water supply, refer to the section on Water on page 2-28 of this chapter.

HAND WASHING

Hand-washing facilities must be provided for the exclusive use of food handlers. Potable, running water must be used for hand washing, and, where possible, hot water should be available. Soap and disposable hand towels should be provided in the hand-washing area.

SINKS

Potable water must be supplied to all sink areas. Hot water should be used where possible. An appropriate detergent and sanitizer should be used to clean all sinks adequately.

FOOD SUPPLIES

Food should come only from registered outlets and should not be prepared in domestic kitchens. Food proprietors must ensure that food supplies have been prepared and transported in accordance with relevant standards.

TRANSPORTING FOOD

The time required for food transportation should be kept to a minimum. Temperature requirements should be maintained, and the food should be protected from contamination at all times.

Food transport vehicles should be clearly identified and subject to surveillance and monitoring.

FOOD HANDLING

Essential matters to address include the following:

Cross-Contamination—The following points apply:

- Every effort should be made to minimize the risk of cross-contamination during the food-handling process. Utensils and surfaces that are used for the preparation of either raw or ready-to-eat food should be clearly distinguished. In cramped circumstances, this distinction becomes more difficult to observe. Adequate cleaning and sanitizing of food utensils and surfaces between use plays an important role in reducing problems arising from cross-contamination.
- Disposable plastic gloves should be worn and changed frequently. The temptation to continue to wear the same gloves exists, even after the work being undertaken has changed. Encourage frequent hand washing.
- Appropriate food storage is critical to ensure that there is no contamination between raw and cooked or ready-to-eat foods. Raw foods should be stored separately if possible, or at a minimum, stored below cooked or ready-to-eat foods.
- Equipment must be adequately cleaned and sanitized after each separate process. This is particularly critical where equipment is used for preparing different types of food.

Thawing, Cooking, Heating, and Cooling—The goal in monitoring temperature control is to minimize the length of time during which potentially hazardous foods are held in temperatures between 41°F and 140°F. This is the temperature range in which most foodborne microorganisms can grow. This range is referred to as the danger zone. Key points to remember include:

- Thaw food under refrigeration or in cold, running water.
- Cook food thoroughly to applicable standards.
- Minimize the reheating of food. When reheating is required, heat the food thoroughly and store it appropriately.
- Cool food quickly under refrigeration.
- Apportion food into appropriately sized trays.

Cleaning and Sanitizing—The following points apply:

- Regardless of the type of facility in which the food is prepared, regularly clean and sanitize all food contact surfaces, using an appropriate sanitizer.
- Clean all other surfaces to minimize the risk of contamination of food products. Also be aware of pest infestation and occupational hazards, such as slippery floor surfaces. Adequate signage should be posted in these areas.
- Consider the provision of a designated wash-up area for food outlets to reduce sullage waste storage and pump out at each food outlet.

Chemical Storage—Store chemicals in areas separate from foods and clearly mark the contents on chemical storage containers. **Never use food containers to store chemicals.**

Food Storage

Essential matters to address include:

- **Storage Facilities**—Provide facilities of adequate size and appropriateness for the purpose.
- All foodstuffs must be stored off the floor or ground using shelving or pallets in accordance with State and local health regulations.
- **Temperature Control**—The following points apply:
 - Refrigerated or heated storage areas require a continuous power supply. You must store potentially hazardous food at appropriate temperatures at all times.
 - Refrigeration can pose a problem particularly in hot weather when refrigeration units struggle to cope. In case of refrigeration failure, all proprietors should indicate alternative refrigeration suppliers, or the organizer or authority could identify alternative suppliers in the public health emergency management plan.
- **Cross-Contamination**—The following problems must be overcome:
 - The less-than-ideal conditions that confront food handlers working in temporary facilities may lead to compromising appropriate food handling practices.
 - Space is often a major problem. Ensure that, at a minimum, raw and cooked or ready-to-eat-foods are stored appropriately. Food handling staff must be aware of the requirements for strict hand-washing procedures and for the cleaning and sanitizing of equipment between handling raw and ready-to-eat foods.
- **Dry Goods**—Appropriate and sufficient storage conditions should be available to ensure adequate protection of food from the elements and pests.
- **Food Protection**—Protect exposed food available on display from insect pests, dust, and human contact.

Food Handling Staff Considerations

Important matters to address include:

- Training—Encourage proprietors to select staff with food handler training to work in temporary facilities.
- Personal Hygiene—Selection of staff should include factors such as high personal hygiene standards. Food proprietors should ensure that a non-smoking policy is implemented in the workplace if permitted by local code.
- Communications—Proprietors should be able to demonstrate that they have an efficient reporting and communication system so that staff can identify public health problems and deal with them promptly.
- Supervision—Encourage proprietors to provide appropriate supervision to ensure a team approach to the provision of a safe food supply.
- Dress—Food handlers' dress should be appropriate to the tasks that they are performing and include some form of hair covering.
- Infectious Diseases—
 - Proprietors should be reminded that food handlers must not work while they are in an acute stage of any gastrointestinal illness or the common cold.
 - Proprietors should remind food handlers who have open wounds to dress all wounds with a waterproof dressing and to change the dressing regularly.
 - Provide segregated toilet facilities exclusively for food handlers.
 - Monitor these facilities for any signs of pest or rodent infestation.
 - Proprietors should keep a register of any complaints that they may receive from food purchasers.

HEALTH PROMOTION

Consider the opportunities to promote health messages at public events and to encourage event organizers and service providers, such as food vendors, to participate. Examples include:

Sunsmart—Encourage the provision and use of shade areas. Encourage the use of sunscreen creams and hats, and make them available for purchase by spectators. Organizers should consider advising spectators that alcohol consumption in the sun greatly increases the risk of dehydration. Additionally, organizers may want to consider providing “misting tents” which are used by attendees to reduce core body temperatures in excessive heat environments.

No Smoking—Encourage the provision of non-smoking areas and ban the sale of cigarettes at the event.

Alcohol—Consider the designation of alcohol-free areas or restrictions on the sale of alcohol. Also consider glass-free policies. Alcohol-free events will minimize aggressive behavior of spectators and also minimize the use of restrooms and water supply needs.

WATER

An adequate supply of safe drinking water must be available. One guideline suggests making available 21 quarts of potable water per person per day, of which 5 quarts comprise the drinking water component. Consider event duration and location and the anticipated ambient temperature in determining the quantity of potable water required.

All water provided must be tested to ensure its potability. In areas where non-reticulated water is the only source for personal use, then consider the clarification and disinfecting of the water supply to achieve a level greater than 1 ppm residual chlorine.

Some consideration must be made to ensure that the water is safe from deliberate contamination. Placing the water supply in a secure area or having someone guard the water supply are two options available.

Appropriate access to drinking water must be available for spectators in a field or outdoor venue or at events such as "raves," where the activity produces an extreme-heat environment.

Water pressure must be adequate to provide for all normal use and for use during peak demands. Any use of fire-suppression water systems (i.e., fire hydrants) should be discouraged, or alternate water supplies must be made available in case existing supplies fail to meet demand or if the supply is rendered unsafe or unusable.

TOILETS

Where existing toilet facilities are judged inadequate, you must make available additional portable units.

Toilet locations should be:

- Well marked.
- Near hand-washing stations.
- Well lit (including the surrounding area) if night use is anticipated.
- Serviced (including pump-out of portables) on a 24-hour schedule during the event (Vehicle access is obviously necessary).
- Located away from food storage and food service areas.
- Secured to prevent tipping.

The following considerations will determine the number of toilets to be provided for particular events:

- Duration of the event
- Type of crowd
- Weather conditions
- Whether the event is pre-ticketed with the numbers of attendees known, or unticketed
- Whether finishing times are staggered if the event has multi-functions
- Whether alcohol will be consumed

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TOILETS (CONTINUED)

Calculating the number of toilets required for an event can be a particular challenge. Where local laws or regulations do not exist, the following guidelines can be applied. Better management of events can be achieved by providing additional facilities. Assume a 50/50 male/female split unless otherwise advised. The following tables should be used only as a guide.

Toilet facilities for events where alcohol is not available

	Males			Females	
Patrons	Toilets	Urinals	Sinks	Toilets	Sinks
<500	1	2	2	6	2
<1,000	2	4	4	9	4
<2,000	4	8	6	12	6
<3,000	6	15	10	18	10
<5,000	8	25	17	30	17

Toilet facilities for events where alcohol is available

	Males			Females	
Patrons	Toilets	Urinals	Sinks	Toilets	Sinks
<500	3	8	2	13	2
<1,000	5	10	4	16	4
<2,000	9	15	7	18	7
<3,000	10	20	14	22	14
<5,000	12	30	20	40	20

These figures may be reduced for shorter duration events as follows:

Duration of event	Quantity required
More than 8 hours	100%
6-8 hours	80%
4-6 hours	75%
Less than 4 hours	70%

Toilets for the Disabled

At least one unisex toilet for the disabled is required. Check with your local ADA office for further guidance.

Food Vendors' Toilets

Separate toilet and hand-washing facilities should be made available for food handlers.

General Considerations

In an outdoor setting, it is a relatively simple matter to provide additional toilets by contracting for temporary portable toilets. This solution may not be suitable for indoor settings, for which provision of additional toilets may be more difficult. One possible solution is to convert some men's washrooms to women's facilities for events where you anticipate a predominantly female audience, or vice versa.

To avoid long lines, particularly at female toilets, organizers may identify some toilet facilities as unisex toilets.

The maintenance and cleaning schedule for toilets and sinks should ensure:

- An adequate supply of toilet paper and soap.
- Clean toilets throughout the duration of the event.
- Provision for disposal and removal of sanitary napkins.
- Availability of a plumber or appropriate maintenance person to repair or remove blockages.

Organizers should ensure that adequate cleaning supplies are available for use by the cleaning staff.

SHOWERS

At an extended event, promoters and planners may decide to provide showers. If they do provide showers, they must consider the additional demands for potable water and drainage. If municipal water supplies and wastewater treatment plants cannot service the shower facilities, providing shower facilities could prove to be a very costly and formidable task. Vendors are available that will contract to provide self-contained shower units. Ensure that showers are located on high ground so that muddy areas are not created.

SOLID AND LIQUID WASTE MANAGEMENT

Major considerations are as follows:

FOOD WASTE

- Deposit food waste in covered containers placed strategically around the venue. Covers are essential, especially in outdoor settings or if high temperatures are expected.
- Spectator density may prohibit access by garbage removal vehicles. To prevent containers from overflowing, empty containers regularly and move waste to a temporary, properly prepared holding area until bulk removal can be accomplished at designated times or after the event. Removing food waste often and in a timely manner prevents disease and pests.

EMPTY CONTAINERS

Make arrangements for the appropriate storage or disposal of empty containers, such as cardboard boxes.

HAZARDOUS WASTES

Special arrangements must be established for the collection and disposal of various forms of hazardous waste, including waste from food preparation areas, medical sharps, and other hazardous materials.

CLINICAL WASTE

Ensure there is provision for the storage, collection, and disposal of clinical waste generated from onsite medical and first aid facilities.

SEWAGE AND SULLAGE

Provide and maintain adequate facilities for the ongoing storage and disposal of sewage and sullage. As with all other wastes, these must be removed in a timely manner and on a frequent basis.

RECYCLING

Where possible, consider providing specific containers for recyclable materials. Vendors should be encouraged to use recyclable packaging of foodstuffs. A sufficient number of dedicated containers should be placed near the vendor area to further encourage recycling.

ANIMALS, RODENTS, AND VEGETATION

In outdoor settings, the control of rodents, spiders, mosquitoes, and insects of significance to public health must be addressed. Venue sites should also be inspected for pests, snakes, gopher holes, etc., in advance. If particular hazardous species are known to inhabit the area, or if carriers of particular diseases are prevalent in the area, alert the attending first aid and medical personnel.

Alert medical and first aid personnel to the presence of potentially poisonous and noxious plants and trees in the area.

If domestic animals are permitted into the venue, establish rules for the control of animals and their waste. Check with your local animal control agency or shelter for more guidance concerning animal regulations.

Also consider the potential effect of the event on nearby domestic or farm animals and native fauna.

SWIMMING AND WATER SAFETY

Purpose-built swimming areas must comply with State requirements for water quality and meet other local requirements, such as fencing. Assess the suitability of other watercourses in the vicinity of the venue if spectators may use those watercourses for water recreation or washing. If these watercourses do not meet requirements, fence them off and erect warning signs against their use.

Address water quality in both designated swimming areas and areas that could be used for swimming in hot weather. Experience has shown that where audiences attend an outdoor concert in hot weather, particularly in overnight events without adequate or convenient washing facilities, they will employ any nearby water area as a makeshift swimming, bathing, or washing area.

Consider making available some form of trained supervision for:

- Families with small children.
- Spectator groups for which alcohol consumption, with subsequent judgment impairment, is anticipated.
- Areas of water that pose additional hazards such as steep, slippery sides; submerged snags; or unusually variable depths.

INFECTION CONTROL AND PERSONAL HYGIENE CONCERNS

Infectious disease transmission through unsafe sexual practices or drug use may be a health risk at some events, particularly for those at which spectators are camping at the venue overnight. To reduce these risks, consider providing or making available condoms and a properly licensed needle exchange/disposal mechanism. While these are sensitive and controversial issues, and political issues in some areas, they are nevertheless important public health concerns in contemporary society, and you should address them.

At events where the duration extends overnight or longer, provide hygienic washing facilities. Suggested minimum requirements for facilities at campgrounds, based on two to three nights' camping, are as follows:

Sex	Toilets	Urinal	Sinks	Shower
M	1 per 50	1 per 100	1 per 75	1 per 100
F	1 per 25	N/A	1 per 75	1 per 100

TATTOOING AND BODY PIERCING

With a return in popularity of tattoos, body piercing, and branding, mobile operators have begun to appear at certain types of public gatherings, such as carnivals, motorcycle races, and auto swap meets. Where this activity is likely to occur, check the need for proper licensing or registration of such service providers and their compliance with any health legislation.

Because of the potential of cross-infection, particularly of blood-borne diseases, inspect any such operations to ensure, as a minimum, the use of:

- Disposable, single-use skin penetration items.
- Proper sterilization equipment and techniques.
- Clinical sharps containers for used needle disposal.
- Sharps containers safely located away from children.
- Safe disposal of used sharps containers.

If the service providers do not use these minimum infection control procedures, do not allow them to perform any skin penetration procedures.

POST-EVENT PUBLIC HEALTH SURVEY

Conduct a post-event survey to ensure that personnel have conducted a proper cleanup, particularly from a public health perspective. For example, check that all scrap foodstuffs and discarded needles are properly disposed of. All involved in planning the event should return the venue to its pre-event condition.

As an additional precaution, retain appropriate records of all service providers at the event so that they may be traced if a subsequent outbreak of a reportable disease occurs or if a claim is made for an injury or illness.

Health personnel should also be conscious of the need to introduce a monitoring or surveillance system if they subsequently become aware of any particular health problem arising from an event.

A formal public health debriefing should follow the event, and a public health representative should participate in all agency debriefings.

MEDICAL CARE

Spectators and participants at mass gatherings may require medical attention in the event of illness or injury. The incidence of illness will be greater at an event for spectators than that expected to occur naturally in a population of comparable size.

The number of spectators who require, or avail themselves of, onsite medical care, and the types of problems that they present, will vary significantly depending on the nature of the event. Generally, between 0.3 percent to 1.3 percent¹ of event attendees will require some form of medical assistance, regardless of the character, locale, physical layout, and size of the event.

Alcohol and drug use is common at most festivals and is the primary diagnosis in more than 10 per cent of the persons seeking medical care. Other common complaints include lacerations, fractures and sprains, burns, sunburn, heat stroke, seizures, asthma, and exposure.

MEDICAL CARE PROVISION

Planning for the provision of medical care for both spectators and participants is essential, for both humanitarian and legal reasons. The permitting process should ensure that medical care at the venue is equal to or greater than the standard of care currently provided in the community. In addition, providing onsite first aid or medical care will significantly reduce the demand on EMS and the emergency departments at local hospitals in the area of the event.

¹ Leonard, Ralph B., PhD, MD, FACEP & Moreland, Kimberly M., MD, "EMS for the Masses, Preplanning Your EMS Response To a Major Event," EMS, January 2001.

MEDICAL CARE PROVISION (CONTINUED)

Event organizers may choose to contract with a health service provider, who may not be associated with the usual local service provider. Check to ensure that the service provider is appropriately licensed and regulated. The provider must coordinate with the local health and emergency services to plan a response to any emergency or significant medical problems requiring further assistance. Notify local health authorities of the details of the event and provide them with emergency plans for a major incident. Additionally, local hospitals should be notified of the event in writing at least 30 days in advance and given the estimated number of attendees.

MAIN CONCERNS IN PLANNING MEDICAL CARE

Main issues to address in medical care planning include:

LOGISTICS

Some medical logistics questions to consider in planning an event include:

- How many medical stations will be required onsite?
- Will medical personnel operate in a facility to which the injured must make their way, or will clearly identified medical teams patrol spectator areas?
- How will spectators identify medical personnel on the site (uniforms, vests, etc.)?
- Will vehicles be available to transport spectators to the medical facility?
- Will medical vehicles be appropriate to the terrain? Four-wheel-drive vehicles may be required for off-road areas and golf carts or similar vehicles required for high-density spectator areas.
- Where an ambulance is not required, will a "chauffeur system" be provided to transport persons from the onsite medical facility to their own transport vehicle?
- How will medical personnel be notified of, or summoned to, spectators requiring assistance in vast spectator areas?
- What means of communication will be available to permit attending medical personnel to communicate with offsite medical personnel, event organizers, security, and other support personnel?
- Are there any sponsorship conflicts between the event sponsor and any medical service operators?
- What level of onsite medical care, if any, do you expect to be required, given the nature of the event?
- What mix of medical personnel (first aid providers, paramedics, nurses, doctors) will you require onsite?
- Who will provide the personnel? How will the cost for their services be funded?
- Are the health service providers from the local area? If not, how will their services be integrated with the local services?
- How will security concerns for health care personnel onsite be addressed?
- Are the selected personnel appropriately skilled to respond to anticipated medical problems at the event? They may require additional training.
- Will medical personnel or vehicles need special credentials to allow them access to all parts of the venue, especially to any restricted areas?
- Are medical personnel assigned for public safety workers at the event?

LOGISTICS (CONTINUED)

- Are aero-medical services and landing zones available?
- Where is the closest trauma center?
- Have primary and secondary receiving hospitals been identified?
- Does the area hospital have adequate bed and personnel capacity to respond to the emergency requirements of an event of the size that is being planned?

Management and Planning

- Determine which other organizations will be involved. Who will be the lead agency?
- Conduct planning meetings involving health personnel, emergency services personnel, and event organizers.
- Determine what is expected of each organization involved in the provision of medical care.
- Determine likely levels of care that will be required.
- Determine any local laws, rules, or regulations governing emergency first aid.
- Determine the budget for the provision of medical care services.
- Establish liaison with other emergency services (police, fire, and security).
- Identify the equipment required and potential suppliers. Will the equipment be purchased, hired, or borrowed?
- Will volunteers be used? What accreditation will they be required to possess? What benefits will they be offered?
- Ensure the security of medical stations and the safety of the staff.
- Establish a patient information management system for patients who are treated, including patient care reporting, etc.
- Determine in advance the disposition of patient records after the event.

An Emergency Medical Services Venue Assessment Checklist is included on pages A-53 and A-54 of Appendix A: Job Aids.

PLANNING INFORMATION

Obtain background information to assist with medical care planning that may be available from:

- Reports from previous similar events (medical and other specialist literature).
- Lay literature (press).
- Medical literature that has information on the risks and types of injury that were sustained at similar events in the past.

Consider the effects of weather conditions on the spectators, such as hypothermia and heat stroke.

Consult medical literature for information on the numbers of casualties from similar events in the past. See the table below for anticipated percentages of patients against triage categories. Consider variables that affect numbers (for example, alcohol consumption, psychosocial behavior, and type of event).

PLANNING INFORMATION (CONTINUED)

Expected percentages of patients in triage categories

Categories ¹	Description	Vital Signs	Mental State	Percentage ²
1	Critical	Unstable	Abnormal	0.02
2	Serious	Potentially Unstable	Potentially Abnormal	1.1
3	Moderate	Usually Stable	Normal	12
4	Minor	Stable	Normal	87

Notes: ¹ Categories modified from disaster triage guidelines.

² Percentages aggregated from events listed in the references.

CASUALTIES

Experience from other events has shown that most casualties are from:

- Heat stroke, dehydration.
- Cuts from broken glass and drink can ring pulls.
- Injuries from missiles, usually bottles and cans.
- Fainting and exhaustion from a combination of hysteria, heat and alcohol. At concerts, this often occurs at or near the stage barrier.
- Trampling or crushing from crowd pressure.
- Crowd "surfing" and stage diving.
- Illicit drug and alcohol abuse.
- Respiratory problems (asthma and emphysema).
- Epilepsy attacks brought about from strobe lighting.
- Age-related illness.

MEDICAL ACCESS TO VENUE

Consider the risks associated with venue (for example, water in the vicinity).

Agreements must be reached among medical service providers on the following:

- Medical teams must be able to locate individuals in need of attention easily. You should agree on the use of a common reference map or grid system.
- How will medical teams reach or rescue individuals in distress (for example, in crowded areas or through fixed seating)?
- How will patients be transported onsite?
- Will you provide a dedicated access route, or emergency service lane, to allow rapid access to and from the venue for ambulances and other emergency vehicles?
- Will the event itself pose a barrier to medical teams (for example, community runs or a parade)?
- Will you need aero-medical services/landing zones, and if so, what are the associated regulations regarding their operation?

MEDICAL REQUIREMENTS

- Prepare for the most critical injury or illness foreseeable, such as cardiac arrest.
- Is there a need for a mobile team? This team may require pre-packed medical kits.
- Determine who will provide care for the audience, any VIPs, and performers.
- Define boundaries of care (for example, inside the venue and in the parking areas).

LEVEL OF CARE

Levels of care can be categorized as follows:

- Basic—first aid.
- Intermediate—first aid plus IV therapy and oxygen.
- Advanced—Care and life support and early management of severe trauma.
- Site Hospital—full monitoring, ventilation, and resuscitation capability.

Other level-of-care concerns include:

- Consulting medical personnel with experience in similar events to determine the appropriate levels of care to provide.
- Considering the distance to, and accessibility of, the nearest hospital and its capability.
- Pre-establishing the coordination between venue medical services and those of the local community emergency medical service responders (that is, establish how they will provide mutual aid if required).
- Preparing to treat patients after a release of a chemical, biological, radiological or other CBRNE material.

Further guidance on the establishment of medical care facilities and their equipment requirements is available in the references and from local or regional disaster and health plans.

MEDICAL TEAMS

When deploying medical teams, consider the following:

- What will be the size of the event?
- What is the location of the venue with regard to medical infrastructure?
- What is the extent of available medical resources?
- How do local and State ordinances and regulations apply, including those that may address minimum staffing levels? Average numbers of expected patients generally range from .3 percent to 1.3 percent of the total number of patrons in attendance².
- Who can see, treat, and discharge patients?
- Will there be peak periods or special circumstances requiring additional staff?
- How will medical staff be fed, watered, rested, and protected from the elements?
- Are work safety regulations established that cover occupational health and safety (for example, protection from violence and crowd crushes)?
- Have medical teams been provided with maps of the venue?
- What arrangements are in place for movement of medical teams onto and off the site?
- Are medical team members appropriately dressed for the conditions?
- Is the dress of medical team members easily identifiable?
- Are interpreters required?
- Do medical teams understand the command structure and their role within it, and the emergency activation system?
- Have medical personnel been trained and equipped with PPE for use in response to a CBRNE incident.

MOBILE TEAMS

In tightly packed areas, particularly near the stage, first aid personnel on foot, bicycles, or golf carts may have the only access. Experience has shown that uniformed first aid personnel on foot circulating in dense spectator areas are quite effective, and patrons will readily summon them in an emergency, even if the person requiring care is a stranger to them. Even if a clearly marked field hospital is visible, spectators are often unwilling to make the sometimes long trek to request assistance (because they may lose their seating position), particularly for a fellow spectator whom they may not know or if they fail to appreciate the seriousness of the patient's condition.

Identification of mobile teams, where ambulance or clinical uniforms are unsuitable, can be successfully accomplished by special event uniforms. Mobile teams need to have communications equipment to keep EMS supervisors and the Incident Command Post informed at all times.

(NOTE: The Red Cross symbol is registered by the International Red Cross and its National Societies. It should not be used as part of an event uniform.)

² Leonard, Ralph B., PhD, MD, FACEP & Moreland, Kimberly M., MD, "EMS for the Masses, Preplanning Your EMS Response To a Major Event," EMS, January 2001.

MEDICAL AID POSTS

Important considerations in the establishment of medical aid posts require that they should:

- Provide easy ambulance access and egress.
- Be located within 5 minutes of all sections of the crowd.
- Have available a mode of transport to them.
- Be clearly marked.
- Have adequate signage for direction to the aid post.
- Be clearly identified.
- Be clearly marked on maps of the venue layout.
- Be in a position known by security and other event personnel.
- Be stocked and staffed for the duration of the event and for spectator arrival and departure periods.
- Provide facilities for injured or sick patients to lie down.
- Ensure privacy in clinical areas.
- Provide some means of communication with the primary medical control point, venue control, and with mobile medical teams in the venue.
- Be located in as quiet a place as possible.
- Ensure that post security staff considerations are addressed.
- Include dedicated disposal containers for ablutions, hazardous wastes, and sharps.

GUIDE TO THE PROVISION OF MEDICAL AID

The number of medical aid personnel and posts will vary with the type of event. As a guide, use the following formulation:

Patrons	Medical Aid Personnel	Medical Aid Posts
500	2	1
1,000	4	1
2,000	6	1
5,000	8	2
10,000	12	2
20,000	22+	4

The number of medical aid posts required would depend on what medical aid room facilities are available. Every venue should have at least one climate-controlled facility with electrical service and running potable water.

Medical aid providers are generally not required for events that are smaller than 500 patrons and are held in close proximity to central ambulance/hospital services.

SITE HOSPITAL

Depending on the nature of the event, a site or field hospital may be needed to provide resuscitation or care for the number of casualties anticipated. You should also make contingency plans in case of a major incident, for which the resources of the field hospital may not be sufficient. Failure to plan for large numbers of casualties or severely injured patrons can result in long delays in providing medical treatment. It is important to provide a communication link between the site hospital and local hospitals.

Site hospitals will require:

- Clean water.
- Electricity for medical appliances and adequate lighting in tent hospitals at night. (This installation should, if possible, include a backup power system.)
- Washroom/rest facilities for the exclusive use of staff and patients.
- Provisions for patient modesty/privacy issues.
- Meals for medical staff.
- Tents for hospital use that have flooring as part of the structure to contain the service and to prevent ingress of water or insects.
- A landline telephone service for ordering additional staff or supplies and for notifying hospitals of patient transfers. (Note that cellular telephones should be used as backup devices only).
- Reserved access roads for emergency vehicle use.
- Dedicated disposal containers for ablutions, hazardous wastes, and sharps.

DOCUMENTATION

Documentation should facilitate:

- Post-event review of medical assistance activities.
- Tracking of biological, chemical, and infectious disease exposures, if they occur.

Medical and legal issues, which must be addressed prior to the preparation of any documents, are as follows:

- Who has access to records?
- Who keeps the data and for how long?
- Who can give consent for treatment?
- Health Insurance Portability and Accountability Act (HIPAA) considerations (i.e., privacy).

AMBULANCE VEHICLES

Organizers should consult ambulance services to determine ambulance requirements for the event. Some considerations include:

- Will ambulances be pre-positioned onsite or be called to the venue on an as-required basis?
- Has the security of the vehicles when parked been addressed?
- Are there provisions for a mix of Advanced and Basic Life Saving ambulances at the event?
- If ambulances are onsite specifically for athletes, race car drivers, etc., are these ambulances exclusively for taking care of their needs or emergencies, or will they be available for injured spectators as well?
- Is there a need for dedicated ambulances/medical staff for the event staff itself?
- Are aero-medical services/landing zones available? Who will pay for the service? Can the promoter be required to provide the service?

While conventional ambulances are appropriate for patient transfers to offsite medical facilities over good roads, such vehicles may be unsuitable for off-road use. Ad hoc roadways and cross-country terrain may require four-wheel-drive vehicles, particularly if grounds are saturated by recent rainfall. Because four-wheel-drive ambulances are not available in most areas, other four-wheel-drive vehicles, equipped with appropriate medical equipment (including, but not limited to, resuscitation equipment, trauma kit, and spinal board) can serve as ambulances over the short distances between spectator areas and medical care facilities.

In denser spectator areas, any vehicle can have access problems. You should consider using golf carts, either designed or modified to accommodate a litter or stretcher.

For these reasons the ambulance network may have to consist of a mix of first aid personnel on foot, golf-carts, four-wheel-drive vehicles, ambulance buses, and conventional ambulances, to facilitate patient transport requirements. You should provide a magnetic-based beacon, portable radio, and appropriate marking for these vehicles.

A communications network, designed to provide a coordinated response to requests for assistance, is essential. You may base the network on existing service networks, or event organizers may need to provide the network.

MEDICAL EQUIPMENT

The requirement for basic or advanced life support equipment depends on the type of event and the assessed risk of illness or injury. While standard lists of equipment will cover most requirements, you should review literature, previous experiences, and current practices.

Further equipment considerations include:

- Mobile versus fixed requirements.
- Arrangements to re-supply aid posts as required.
- Compatibility of onsite equipment with equipment used by ambulance and other health care providers (e.g., IV tubing/administration sets).
- Ambulance providers may want to consider carrying extra supplies beyond their normal supply.
- Provisions for the rapid movement of reserve supplies in a mass casualty incident should also be considered.

OTHER MEDICAL CONSIDERATIONS

Further considerations include:

- Providing considerations for interviewing and treating of sexual assault victims and the collection of evidence.
 - Ensuring sufficient water supplies.
 - Providing sprinkler systems or misting tents for crowds in hot, open areas, if they are suitable for the event.
 - Providing welfare and information services (the helping and caring role).
 - Assisting with forgotten medications.
 - Providing a baby diaper-changing and caring facility.
 - Containing and disposing of clinical waste.
 - Determining how, and by whom, medical supplies will be obtained, including secure onsite storage of drugs.
 - Planning for the deployment or availability of chemical antidote supplies (i.e., Mark 1 Kits, atropine, pediatric auto injectors) for a CBRNE event.
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ENVIRONMENTAL CONCERNS

WEATHER

Weather is a variable that takes on a different significance depending on the event and its location. For a major indoor event in a southern United States city, weather is seldom a major concern, unless a natural disaster, such as a hurricane, is anticipated. If you were to move that same event to a northern United States climate in February, you would be faced with additional concerns, sometimes even for a predicted "normal" winter storm. Slow-moving traffic patterns, snow removal in parking areas, and safe movement of spectators from parking areas to the venue are a few concerns. Extreme high and low temperatures must be part of the contingency planning for an event. These extremes present hazards and risks that are not normally present but must be considered in the event that they do occur.

For outdoor events, many additional concerns may become apparent regardless of location. Lightning strikes, severe thunderstorms and hail, high winds, and other undesirable weather pose threats to event patrons. The influx of patrons may have a severe negative impact on the jurisdiction's mass evacuation and sheltering plan for local residents. Contingency plans drawn up for the jurisdiction may not provide for a transient population (as in the case of some rock concerts with numbers of patrons in the hundreds of thousands) that will negatively impact that community's ability to protect residents and visitors.

During the planning phase, event organizers must adequately consider all potential weather conditions. For example, if event infrastructure (i.e., stages, speaker towers, etc.) are to be erected at the event, special consideration should be given to their composition (i.e., steel versus wood, etc.), height, location, and protection of their surrounding areas. Electrical professionals can be consulted regarding the impact of a lightning strike scenario to this type of infrastructure by a swift-moving thunderstorm. Worst-case scenarios can then be developed to consider the effect of infrastructure energized by a lightning strike. Not only could anyone on the stage or scaffolding be prone to electrocution, but many spectators on the ground around the infrastructure could be in danger, depending on the location of the strike with the scaffolding, any grounding mechanisms in place, and the severity of the storm.

Some planning considerations involving weather awareness are:

- Monitoring the weather using a computer, radio, NOAA weather radio, or television.
- Establishing a dedicated phone line that is linked with the closest office of the National Weather Service.
- Ensuring that ICS team consults with the Weather Service on a regular basis and that consultation information is included in each Operational Period's Incident Action Plan.
- Distributing weather information to the participants.
- Contracting or partnering with a private-sector meteorological prediction service.
- Establishing agreements with the promoter to interrupt a performance and use the festival sound equipment as a public-address system to give information to patrons on protective actions to take if severe weather becomes imminent.
- Coordinating with the Red Cross and concert organizers to designate specific buildings as evacuation shelters if the visiting public requires sheltering.
- Leasing and installing a lightning detection system similar to those used at major golfing events to forewarn of impending storms.

WEATHER (CONTINUED)

Developing severe-weather contingency plans to ensure the safety of event attendees can require a significant amount of time, equipment, planning, and Multiagency participation.

SITE HAZARDS

In selecting a site, especially for an outdoor event, the planning team should identify the potential hazards in the area, which include:

- Power lines that could be brought down by a severe storm.
- Structures and equipment that could be prone to lightning strikes.
- Waterways that may be prone to flooding.
- Brushfires.
- High winds.
- Areas of high ground that require management (i.e., security from snipers, etc.).
- Extremes of temperature.
- Pests and large animals, including:
 - Rodents
 - Insects—ants, caterpillars, wasps, bees, mosquitoes, flies
 - Snakes
 - Spiders
- Pollens and poisonous plants, including noxious weeds.
- Marshes or swamps.
- Quarries, pits.
- Scrap piles.
- Cliffs and steep inclines.
- Watercourses, including their depth of water, water currents, water temperature, water clarity.
- Pollution—dust, noise (including the potential need for hearing protection).
- Water quality (bacteriological), blue-green algae.
- Darkness.
- Hazardous chemicals or underground tanks.
- Use of lasers.
- Alcohol, drugs, weapons, or potential weapons (for example, broken glass).
- Ultraviolet (UV) radiation.
- Neighboring land use.

ENVIRONMENTAL IMPACT CONCERNS/MAINTAINING COMPLIANCE

To ensure compliance with public health requirements, carry out a public health audit just prior to the commencement of the event. Also undertake subsequent periodic surveillance during the event. These procedures are particularly important for outdoor events in hot weather with transient food vendors who may not have sufficient sanitary or refrigeration mechanisms available to meet established public health or safety protocols.

Environmental health officers should have access to resources to assist in early intervention and problem correction and resolution when any problem is noted (for example, toilet servicing, unsafe areas, fencing repairs, water testing) rather than using their authority to stop the event or particular operation.

AIRCRAFT

If helicopter flights will be available for spectators or members of the media to view the event from the air, the following concerns should be addressed:

- Will flights be prohibited directly over the event and spectators and confined, instead, to circular paths around the perimeter?
 - Will helispots be confined to the periphery of the event, to avoid flights directly above spectators during take-offs and landings?
 - Do the proposed helispots comply with Federal regulations governing such use?
 - Which public safety agency working the event will be designated as responsible for interacting with the Federal Aviation Administration (FAA) if required?
-

CAMPING

If camping is permitted at the event, you should consider the following:

- Providing for the safety of the campers and their belongings.
- Disposing of solid and liquid waste.
- Clearly marking temporary streets.
- Clearly defining avenues of access for ambulances, law enforcement personnel, and other emergency vehicles.
- Controlling the building of fires.
- Removing fire hazards ahead of time.
- Installing a public address system to communicate emergencies to campers.

Survey proposed camping areas to ascertain their safety, paying particular attention to:

- Low-lying areas subject to flooding.
 - Areas adjacent to creeks or rivers.
 - Areas near utility lines.
 - Trees that may drop branches, especially during a severe storm.
-

HAZARDOUS MATERIALS (HAZMAT)

The nature of some events causes concerns about hazardous materials (e.g., propane gas cylinders used for cooking, pyrotechnic lighting areas, oxygen tanks used by EMS, etc.) and the ability of local officials to handle HazMat incidents. In most communities, the fire department is the agency that responds to calls. The best way to plan for the handling of hazardous materials is to inform the fire department ahead of time about potential hazards and their locations. Providing fire officials with an event footprint grid map with a description of the possible hazards reduces the response time and allows the responding agency to be prepared. If the local fire company is not adequately trained or equipped to handle the hazardous material, planners must identify in advance the closest department that is equipped and consider staging them nearby during the event.

CYLINDER ANCHORAGE

At many public events, portable pressurized gas cylinders are used to inflate children's balloons, to carbonate beverages, or to provide cooking fuel. Frequently, such cylinders are not secured, or are merely fastened to two-wheeled hand trolleys designed to transport them, which are themselves not independently secured.

If such cylinders topple and the cylinder neck or valve cracks, the uncontrolled release of the stored pressurized gas can turn the cylinder into a deadly projectile. For this reason, all portable gas cylinders must be secured.

Used incorrectly, propane can be deadly. Propane is a flammable material that is heavier than air that is used for cooking at many large events. Tanks must be properly secured. Qualified inspectors, usually from the fire service, should also make periodic inspections of the tanks to ensure that the location is a safe distance away from heat sources or other possible sources of danger.

CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, EXPLOSIVE (CBRNE)

The CBRNE threat of weapons of mass destruction (WMD) is currently a much-discussed topic in this country. The Federal Government is prepared to assist communities in the event of a terrorist attack. The local community's first responders will be the first line of defense, but if the attack is beyond their capability, they may seek assistance from the State or Federal Government.

The Department of Defense has created WMD Civil Support Teams (CST) to assist the FBI and local communities facing a terrorist attack. These teams are made up of National Guard members who assist in the detection and identification of WMDs. Because these teams are composed of National Guard personnel, State Governors also may deploy these teams to assist communities.

A HazMat/CBRNE Data Collection Report is included on pages A-82 through A-84 of Appendix A: Job Aids.

A Weapon of Mass Destruction (WMD) is defined as:

- Any weapon that is designed or intended to cause death or serious bodily injury through the release, dissemination, or impact of toxic or poisonous chemicals, or their precursors.
- Any weapons involving a disease organism.
- Any weapon that is designed to release radiation or radioactivity at a level dangerous to human life.

Other terms associated with WMDs are:

SECONDARY DEVICE

A secondary device is usually explosive and designed to injure first responders when they arrive at an incident. Following the arrival of the first responders, a second device explodes in the responder area. A secondary device was recently used at an abortion clinic explosion.

ANTI-PERSONNEL DEVICES

Anti-personnel devices are used to injure people and may or may not be considered secondary devices that target responders.

SPECIFIC THREAT

A specific threat explains what will occur, for example, "A bomb will go off in one hour in the parking garage."

NON-SPECIFIC THREAT

A non-specific threat does not explain what may occur, for example, "Everyone in the building is going to die."

CAPABILITY

Capability refers to credible information that a specific group possesses the requisite training, skills, financial means, and access to the resources that are necessary to develop, produce, or acquire a particular type of WMD in a quantity or potency sufficient to produce mass casualties, combined with information substantiating the group's ability to safely store, test, and deliver the weapon.

CHEMICAL

Chemicals may be used as weapons or to deliver an attack. Originally, the military designed chemical weapons to use in wartime. The results of chemicals used as weapons were so devastating in warfare that many countries rejected their future use and created treaties to forbid their future use and manufacture. In 1995, terrorists attacked a Tokyo subway. Twelve persons died, 4,500 were injured, and more than 700 required extended hospital stays. The ease of access to chemical agents and the amount of damage they cause make chemical warfare very appealing to radical groups. Directions for the creation and use of chemical weapons can be found on the Internet.

Chemical agents include nerve agents, blood agents, choking agents, and blister agents. These agents create a credible threat for use by terrorists, and there is a high probability that chemical agents are likely to be encountered by this country in the future.

Responders must be prepared to manage a terrorist attack involving a chemical agent. To prepare, they should become knowledgeable of the range of chemical agents used by terrorists in the recent past. Knowledge of chemicals and their effects assists in the first stages of treatment. Each community should establish chemical weapons attack response plans and review them regularly. There is Federal training available to train responders in chemical agent response.

BIOLOGICAL

Biological terrorism is not a new type of warfare. Biological agents are by far the most dangerous of the three types of weapons of mass destruction. Agents include bacteria, fungi, viruses, and toxins that induce disease or death in any living thing.

The difficulty in countering biological terrorism begins with identifying it. Another serious concern arising from the use of all biological agents is the time that can elapse before their use by terrorists is discovered. Biological attacks can be slow acting, with the symptoms not appearing until as many as 21 days after exposure. The further contamination of additional population by those initially exposed multiplies exponentially as the time from the initial exposure increases. The best defense against the spread of the biological element is accurate documentation and tracking of this kind of WMD by medical personnel to contain the exposure.

With many countries facing economic difficulties at the end of the Cold War, experts fear that they may have sold their biological weapons to the highest bidder. However, the lack of an effective delivery system to deploy a biological agent currently limits the ability for widespread impact upon the population.

RADIOLOGICAL

Radiological agents are materials that emit ionizing radiation that could be dispersed into the environment using devices such as an explosive or other dispersal device.

A radiation threat, commonly referred to as a "dirty bomb" or "radiological dispersion device (RDD)", is the use of common explosives to spread radioactive materials over a targeted area. It is not a nuclear blast. The force of the explosion and radioactive contamination will be more localized. While the blast will be immediately obvious, the presence of radiation will not be clearly defined until trained personnel with specialized radiation detection equipment are on the scene. Having onsite radiological detection capability could reduce the negative impact of radiation exposure to event attendees.

NUCLEAR

Nuclear terrorism involves the detonation or threatened detonation of a nuclear bomb or the compromise of an existing nuclear facility, and refers to the use of nuclear materials as weapons.

Although the use of a crude nuclear weapon makes the threat of nuclear terrorism possible, FBI intelligence suggests that it would be difficult for a group to construct such a weapon without weapons-grade uranium or plutonium.

EXPLOSIVES

Explosives are defined as materials that are capable of violent decomposition. This decomposition often takes the form of extremely rapid oxidation (burning). Explosions are the result of a sudden and violent release of gas during the decomposition of explosive substances. High temperature, strong shock, and a loud noise follow this release. Explosives are classified according to the speed of their decomposition.

Because they are readily available, explosives are the most common weapons of mass destruction. When you plan an event, find out:

- Who is the local responder for possible explosives or suspicious packages?
- Does your community have a bomb squad?
- Do you have dogs that are trained to identify explosives?
- What is the community policy on explosive devices?

Explosives seem to be the weapon of choice for terrorists. Less than 5 percent of actual or attempted bombings are preceded by a threat. The lack of prior notification makes casualties more likely than if a notice is given. The explosives can deliver various levels of destruction and can provide a vehicle for the dispersal of chemical, biological, incendiary, and nuclear agents.

The job aids, Bomb Threat Checklist and Bomb Threat Standoff, are included on pages A-85 and A-86, respectively, of Appendix A: Job Aids.

Explosives produce four effects when detonated:

- Blast pressure
- Fragmentation
- Thermal effect
- Ground shock

INCENDIARY DEVICES

As a subset of explosives, incendiary devices have been used by terrorists for many years, because they are flexible tools capable of causing property damage, loss of life, and panic. Incendiary devices continue to spread until fuel is gone or the device is extinguished.

Incendiary devices can be classified as:

- Chemical reaction (including burning fuse)
- Electronic ignition
- Mechanical ignition

The type and construction is limited only to the creativity of the builder.

Incendiary devices may be stationary (placed), hand-thrown (Molotov cocktail), or self-propelled, such as rockets or rifle grenades.

INCENDIARY DEVICES (CONTINUED)

The components of an incendiary device are the ignition source, combustible filler material, and housing or container.

DETECTION

To detect an incendiary device, combustible gas meters, flame ionization detectors, trained dogs, photoionization detectors, and colorimetric tubes may be used.

The clues are similar to detection clues for arson. The clues should be a signal for the responder to take appropriate actions to safeguard him- or herself and the public and treat the area as a potential crime scene. The signs include:

- Prior warning (phone calls)
- Multiple fire locations
- Signs of accelerants
- Containers from flammable liquids
- Splatter patterns indicating a thrown device
- Fusing residue
- Signs of forced entry to the area
- Common appliances out of place for the environment

Incendiary devices may be made with:

- Roadway flares
- Gasoline and motor oil
- Light bulbs
- Common electrical components and devices
- Matches and other household chemicals
- Fireworks
- Propane and butane cylinders
- Plastic pipes, bottles, and cans

MITIGATING ACTIONS

Unattended Packages

At every event, people will leave some items unattended. Public safety officials must decide beforehand how to handle these items. Who will respond? Does the community have dogs trained to identify explosives? Will the area be evacuated? Decide these issues ahead of time and have a written plan for all public safety personnel to follow.

Concealment Areas

Concealment areas are areas where persons may hide or conceal packages or other weapons. The best way to avoid problems in these areas is to map the event grounds and identify the areas that could be used as hiding places. The venue staff could assist police in this matter.

Security Sweeps

How often is security going to go through the event site? What are they looking for? How do they handle incidents? Who is going to do the sweep? Venue personnel and security personnel should work together. These are a few areas to address in advance. After a sweep of the area has been completed, the area must be secured.

SUICIDE BOMBERS

Another terrorist tactic currently used frequently in foreign countries involves suicide bombers who carry the explosives concealed on their persons, and detonate them in crowded areas such as restaurants, nightclubs, public transit buses, or areas of mass gatherings.

Because suicide bombers are unconcerned with capture, they are difficult to plan for and to respond to. Emergency response planning should carefully consider how to deal with this type of threat at a special event. Additionally, planners cannot discount the potential for terrorists to employ multiple suicide bombers in which the first attack is designed to cause casualties and draw emergency responders to the scene specifically to expose them to a second suicide bomber attack.

RESPONSE PROCEDURES

Local WMD/CBRNE response protocols should be in place in public safety emergency response agencies at this time. As part of the planning process, these procedures should be reviewed, and created or modified as necessary. If a WMD/CBRNE incident occurs during the special event, local response agency protocols should be followed.

ELECTRICAL UTILITY COORDINATION REQUIREMENTS

Participants, spectators, and event staff are all affected by lighting, which is needed to set up, tear down, and ensure the safety of the event. Make certain that lighting is adequate and that the power supply to provide the lighting for the event, campgrounds, and parking areas is adequate.

Even in venues that are darkened for performances, lighting should always be in use to identify exits as well as the corridors and aisles leading to them. All temporary electrical facilities should be inspected and approved by a local government inspector to ensure the safety of all.

Install auxiliary battery power or generators to provide light and to power the public-address system during power outage. You must be able to give information and directions to spectators during a power failure to alleviate panic.

Because many concerts are performed with only stage lighting, event staff access to the main lighting board or house lights console is essential in case of an emergency. Onsite personnel responsible for dealing with emergencies must know the location of the controls for these lights and how to operate them.

A Utilities Department Venue Assessment Checklist is included on pages A-40 and A-41 of Appendix A: Job Aids.

FIRE SAFETY

All States and territories have legislation governing fire safety. The local fire authority should monitor fire prevention and preparedness plans to ensure that the measures taken meet relevant standards and comply with State/local life safety codes. Fire safety officials should conduct an onsite inspection in advance of the event, and ensure that any deficiencies noted are corrected prior to the event.

Organizers and health personnel should consider potential fire hazards in the planning process and discuss with the fire authority any concerns they may have. Concerns should include designating smoking areas and providing proper cigarette disposal receptacles.

Fire and law enforcement agencies should determine in advance how they will handle a civil disturbance or riot involving fire-setting behavior and have contingency plans in place. For example, a team of police officers may be assigned to accompany each engine sent out to quell a fire set by rioters.

Site design should be such as to mitigate fire hazards. For example, clear storage areas, timeliness in picking up trash, construction of metal rather than wood, no open flames, and control of pyrotechnics, assist in fire mitigation.

FIRE SAFETY (CONTINUED)

When the event includes fireworks, fire service personnel should conduct a diligent search for any unexploded fireworks. Before you allow public access to the area, safely collect and remove any unexploded fireworks.

A Fire Services Venue Assessment Checklist is included on pages A-49 and A-50 of Appendix A: Job Aids.

COMMUNICATIONS SYSTEMS

A means of communicating with the crowd is essential at all events. Ideally, you should establish multiple communications systems to enable messages to be directed at different sections of the crowd, including crowds massed outside the venue. The Incident Command Post should have access to the central communications system, and interoperability and communications with the jurisdiction's Emergency Operations Center (EOC) if it is activated during the event.

Before the event begins, establish appropriate arrangements for communications if an emergency arises. If emergency personnel will use a separate sound system, they need some means of muting or silencing the stage sound system. Also, consider the use of signboards throughout the venue as an enhancement to the public-address system.

Because public announcements are an important element of the safety plan for an event, consider the style and content of announcements, as follows:

- At what volume level can announcements be heard over spectator noise?
- Will the audience easily understand announcements?
- Are multiple-language announcements required?
- What wording will lend credibility to the instructions?

If public-address systems cannot be put in place outside the venue, personnel can use the public-address systems that form part of the electronic siren system in most emergency vehicles.

Closed-circuit television is another option available for organizers to provide visual information to the public.

INTEROPERABLE COMMUNICATIONS

While it goes without saying that the various emergency services (police, health, fire) must be able to communicate with their own staffs, experience has shown that different services must be able to:

- Communicate with each other.
- Communicate between staff outside and inside the venue to obtain a proper understanding of the nature or scope of an emergency.
- Communicate with senior event organizers, including security personnel, who may be the first to identify an incipient problem.

INTEROPERABLE COMMUNICATIONS (CONTINUED)

Consider the following suggestions:

- Do not rely on cellular telephones.
- Ensure there is an integrated, Multiagency frequency for communications.
- Consider laying land lines for telephone service.
- Include the use of amateur radio operators for communications.

A central communications area (for example, a room or a trailer dedicated to this use) at the Incident Command Post with a representative from each major agency may facilitate the dissemination of vital information through the centralized monitoring of relevant radio communications.

Because a single system can fail, the communications system should be multi-modal. It should also be supplied with its own backup power source.

ATTENDEES' PERSONAL EMERGENCIES

Some means should be established to contact spectators and for spectators to call outside the venue if necessary. Some events provide small booths staffed with volunteers to assist in message passing. Other events use the public address system. Still others provide event brochures with emergency information inside. Select the most effective way to send messages at your event. If invited to, many phone companies often will provide a temporary bank of pay or credit card phones at the venue.

EVENT PUBLIC ADDRESS SYSTEM

Do not rely on the sound system used by the performers to serve internal requirements and release information to the public. Sometimes those responsible for performers' sound systems have refused to authorize their use except during a change of performers. So, an alternate venue-wide PA system is necessary to prevent delays in relaying messages. Informing the public of information reduces the pressures on event staff. Reducing uncertainty among spectators defuses tension. A public-address system is important at any event.

EVENT EMERGENCY WARNING SYSTEM

Some means to inform everyone of an emergency or dangerous weather condition should be in place for every event, no matter the size. This emergency warning system must be able to operate without benefit of the main power source and must be operational at all times. Ensure that the system can be heard clearly in all areas of the event. One person should be in charge of emergency communications. The Incident Commander should authorize the release of emergency messages. All involved agencies should be advised, in advance if possible, of the anticipated release of an emergency message and allowed to inform their personnel to prepare for the public's response. Part of the planning process should be drafting sample pre-scripted messages for use in an emergency. While drafting these messages, consider using a code word or phrase to identify authentic emergency messages and to ensure that emergency personnel respond only to true emergencies.

RUMOR CONTROL

Rumor Control is another area that is difficult to plan for but one that you must address. Most communities have plans for rumor control during emergencies. You can respond in a similar manner to rumors during an incident at an event. As discussed in Chapter 3, the lead agency should designate a Public Information Officer (PIO). Upon designation, the lead agency must determine in advance both what is going to be said and who is authorized to release information. For accuracy and to promote efficiency in rumor control, designate one source of authority.

Internal rumor control is also needed. Personnel working the event need to be kept informed through an official chain of communication, especially if an unanticipated incident occurs. Information is best disseminated through daily shift briefings that include the sharing of operational objectives for the Operational Period.

OCCUPATIONAL HEALTH AND SAFETY

Because the promoter and authorities are obligated to provide for the safety of the audience, as well as appropriate care, safety, and training of all personnel working at the event, they should be familiar with State and local occupational health and safety legislation.

Many events rely on staff volunteers. While most public safety agencies are not permitted to use volunteers because the agencies may be liable for them, the promoter will probably use volunteers extensively and is liable for their safety. Emergency Medical Services (EMS) may use volunteers, provided that they are adequately trained and certified. If the public-sector agencies use volunteers, they must protect the volunteers as they would protect the occupational health and safety of any other employee.

At events where noise levels are high, such as rock concerts, air shows, and motor racing events, adequate hearing protection must be provided to employees who will be exposed to high noise levels for prolonged periods.

Noise pollution from events probably causes the majority of complaints to authorities from the surrounding community, and some means of monitoring and reducing noise levels should be implemented, if possible. The permitting agency should mandate that the promoter advise the community of what to expect well in advance of the event.

ALCOHOL, DRUGS, AND WEAPONS

Alcohol, drugs, and weapons are potential hazards that members of the crowd might bring to any event. They can be catalysts for, and can exacerbate, unruly behavior in a crowd. Every community has its own laws and regulations regarding alcohol, drugs, and weapons. The following suggestions are merely guidelines.

A number of strategies that have been implemented, with varying degrees of success, in reducing the problem include:

- Consider the prohibition of the sale and use of alcoholic beverages at events where unruly audiences are expected, or where a significant number of the patrons will be under the legal drinking age.
- If alcohol is to be sold, then low-alcohol-content beverages can be made available. Alcohol sale times can be controlled and beverages dispensed only in disposable cups.
- Establish an early "last call" for alcohol. For example, during major-league baseball games, alcohol is not sold after the seventh inning, and during professional basketball games, it is not sold after the third quarter.
- If alcohol, weapons, and fireworks are lawful within the State, advance tickets and display advertising should contain the message that they will not be permitted into the event. Tickets and advertising should also state that the purchase of tickets is deemed to constitute the patron's consent to be searched for prohibited material prior to admission.
- Searches of personal belongings (such as jackets, purses, or bags) and confiscation of any alcohol, drugs-and weapons further reduces the risk of unruly behavior.
- Signs in event parking areas and at admission gates should also display a warning to discourage patrons from bringing alcohol, drugs, or weapons into the event. There are, however, possible negative consequences to such signage. Some patrons may attempt to consume a quantity of alcohol intended for the entire event prior to entry, ultimately causing problems for the event medical staff. Alternatively, signage could also have the effect of causing spectators to leave alcohol in their cars, only to consume it in the parking lot at the end of the event prior to departure. The most desirable action is to discourage patrons from bringing prohibited materials to the event in the first place.

Three strategies that may be applied to handling all prohibited material include:

- Give the spectator the option of returning the material to his or her car, with a subsequent loss of place in line.
 - If you decide to confiscate prohibited goods, you must make arrangements for the storage and disposal of these materials.
 - Tag it with peel-and-stick numbered stickers for return to the patron following the event. If, for any reason, you deem confiscation inappropriate, you can apply such a solution to any weapons, or materials that are potential weapons.
-

SECURITY

Event organizers must decide what type of security to provide and the scope of the security services' jurisdiction. Providing security services and the stewarding function are vital to public safety, particularly within the venue. There are essentially three types of security that you can provide at large public events. These are:

- Peer security
- Private uniformed security guards
- Uniformed police officers

PEER SECURITY

Experience has shown that, in general, you can promote security for events that attract youth audiences better and more simply through the use of "peer security"—security personnel of the approximate age of the spectators who can relate to and be accepted by the youthful patron. Peer security personnel usually wear brightly colored T-shirts plainly marked SECURITY. They provide a less confrontational security presence by avoiding the posture of rigid authority and the force that often accompanies it. As one concert organizer commented on his experience with peer security:

"They do not carry weapons and do not attempt to fill a police function. They serve as crowd monitors, people movers, and troubleshooters. Such personnel are not there to reform or catch the alcohol or drug user. . . . They concentrate on maintaining orderly crowd flow for the safety of the patrons."

"You should provide appropriate guidelines for peer security personnel and stipulate limits to their authority, such as: keeping the peace, helping people in distress, assisting the staff of doctors and nurses, clearing paths for ambulances, seeing that areas were cleared for helicopter take-offs and landings, and guarding the stage, and the performers."

PRIVATE UNIFORMED SECURITY GUARDS

Private uniformed security guards are probably better suited to events that attract more docile spectators, such as religious rallies, charitable dinners, and art shows, and they usually will be less costly than a police presence. At events attracting crowds of more youthful exuberance, or volatile sports spectators, private uniformed security guards are probably more appropriately utilized in non-confrontational roles, such as taking tickets and parking cars.

Care needs to be taken to ensure that private uniformed security personnel are recruited only from reputable sources with competent and suitably trained personnel. You should discuss any special requirements for the event with the security firm.

In certain circumstances, the use of private uniformed security guards can lead to problems. A uniform gives an authoritative appearance that is often not supported either by adequate training or authority in law. As a result, private uniformed security personnel provide neither the power of police nor the rapport achieved by peer security.

UNIFORMED POLICE OFFICERS

At many events, uniformed police officers perform functions such as traffic control, and leave internal event security to private personnel employed by the organizers.

A typical crowd composed mainly of families needs one police officer per 1,000 spectators. In a more active crowd (for example, at a sporting event where alcoholic beverages are sold), two police officers are commonly employed for every 1,000 spectators.

Certain spectator groups may not, however, be amenable to either peer or private uniformed security, such as crowds who historically have experienced violence as part of the event "culture." While various diffusing techniques are available and should be employed, often nothing less than a contingent of uniformed police will dissuade a spectator group that enters with the expectation and intent of violence. These groups are in marked contrast to rock concert audiences who enter in a peaceful frame of mind, but may be induced to rowdiness by alcohol, shortcomings in the event, or other catalysts.

The composition of security services will vary according to the event; one or a combination of the three types may better serve different events.

SECURITY ROLES AND RESPONSIBILITIES

Clearly establish the roles and responsibilities of security personnel prior to the event. Decisions and actions taken by security personnel may affect the way emergency services and health personnel respond to a crisis. In planning, and throughout all stages of the event, maintain a close working relationship among:

- Security personnel
- The promoter
- Health and medical services
- Other police and emergency services
- Other security services (for example, those who are responsible for the performers' personal safety)

Special security considerations include:

- Will the event organizers or promoters use police officers for onsite security, or will they hire private security officers?
- If you use private security officers, what will their role and functions be, and how will their services be integrated with those of the police? Are they permitted to work outside of the venue?
- What policies will security personnel enforce for minor offenses onsite to assure that established policy is enforced consistently during the event and throughout the venue?
- Will there be areas onsite for the collection and storage of significant sums of money, and what security will be established to protect these areas, as well as offsite transfer or banking? Are these areas positioned near road access to avoid the risks associated with carrying large sums of money on foot through spectator areas?
- How will security personnel move high-profile persons through crowded areas?

SECURITY ROLES AND RESPONSIBILITIES (CONTINUED)

- How will security personnel handle lost or stolen property?
- How will security personnel detect forged credentials?
- How will security personnel deal with lost children and missing persons?
- Ensure that equal patron assessment and treatment occurs at entrances and security checkpoints. All attendees must be treated as “equal risks” from a security standpoint.

You should clearly define the responsibilities and roles of security personnel before the event. These may include:

- Crowd management, including measures taken to prevent crushing.
- Control of access to stage or performance areas.
- Security control at entrances and exits.
- Area patrol to minimize the risk of fire.
- Control of vehicle traffic and marshaling.
- Searches for alcohol, drugs, and weapons.
- Security of large sums of money and confiscated goods.
- Assistance to emergency services, if necessary.

PRE-EVENT BRIEFING OF SECURITY PERSONNEL

To enable security personnel to perform their duties effectively, you must brief them appropriately prior to the event. This briefing should provide security personnel with:

- Details of the venue footprint and grid map, including entrances, exits, medical aid posts, and any potential hazards.
- Clear direction on the management of unacceptable behavior.
- Basic information about the event, such as the locations of medical aid posts and lost-person stations, information, parking, transportation matters, and other pertinent spectator information.
- Details of emergency and evacuation plans, such as procedures for raising alarms, protocols for requesting assistance, and evacuation procedures.
- Instructions for the operation, deactivation, and isolation of any onsite machinery and utility supply in case of emergency.
- Details of the incident communications plan and the equipment to be used.

The attitude of security personnel has a major influence on crowd compliance. Security personnel are charged with not only controlling a crowd, but also with making them feel welcome. Every individual staff member who comes into contact with the spectators plays a role in crowd control. The dress, demeanor, and actions of staff may set behavioral expectation levels, and you should consider this fact in planning and pre-event briefing of staff.

DEPLOYMENT

You should consider strategic deployment of security staff. All venues will have areas that are particularly suited to crowd monitoring and problem areas where particular attention is required. The type and size of the venue may control what method of transportation the security personnel use. Using bicycles or golf carts may be more practical than deploying in vehicles or on foot. Indoor events are usually patrolled on foot, while a large outdoor area may be patrolled using bicycles, golf carts, or automobiles. The amount of time during which the personnel must patrol also may be a factor. Deployment considerations include:

- Identification of strategic deployment points, such as entrances and exits, barriers, and general thoroughfares.
- Establishment of strategic observation points to monitor crowd movements and behavior (A central control room with video surveillance may be required.)
- Use of video pole cameras in densely populated areas.

DIGNITARIES AND CELEBRITY GUESTS

Events with invited dignitaries or in which dignitaries participate create an entirely new group of hazards and difficulties. A dignitary presence may change the level of jurisdiction and the type of security needed at the event. The planning team may not know in advance if a dignitary or celebrity is coming. Therefore, it is important to have contingency plans involving local agencies such as law enforcement, fire, and others to coordinate with the State and Federal agencies if a special guest arrives. Many dignitaries have their own security service that travels with them. Providing special seating for dignitaries may be necessary. Discuss the possible difficulties and hazards before allowing the promoter or sponsor to extend invitations to dignitaries.

A Law Enforcement Venue Assessment Checklist is included on pages A-51 and A-52 of Appendix A: Job Aids.

LOST-CHILD AND "MEET ME" LOCATIONS

Because of the size of an event and the number of spectators at the venue, children will inevitably be separated from their adult supervisors. Planners must designate a place for lost children to be reunited with their parents or guardians and have a checklist to allow information to be disseminated quickly and accurately. Issues regarding legal custody of minor children may be a consideration, and would probably be best dealt with by law enforcement agencies onsite.

Other useful areas include "meet me" locations. These are designated locations throughout the site, which are well marked and easily spotted. Patrons can plan to meet at these locations at a predetermined time, or they may use these locations if they become separated.

INFORMATION CENTER

A well-identified, well-publicized information center onsite, staffed with knowledgeable personnel, can reduce pressures on security, medical, and other event staff, by providing a full range of informational services to patrons. Reduction of uncertainty among spectators defuses the kind of tension that can lead to behavioural problems. To ease the burden on the public sector, the promoter should be required in the permit application process to provide this service.

PLAN FOR "MURPHY'S LAW"

As the title for this section suggests, organizers cannot plan for or anticipate every crisis. You can, however, take certain measures to ensure personnel safety. For example, if a stand collapses, the fire department routinely uses an established, practiced procedure to remove the injured and to cordon off the area. This procedure will not change simply because the stand collapses at a spontaneous event. Contingency plans, modeled on established procedures, need to be in place for demonstrations, protests, or picketing that may occur during a planned event. Train for the worst and respond to your training. Plan for the worst, and you can handle even the unexpected events in an orderly manner. Designate specific incident resources in advance to respond to spontaneous events as they may occur. During event planning, brainstorm a list of the potential spontaneous events that are most likely to occur.

CHAPTER 3: NATIONAL INCIDENT MANAGEMENT SYSTEM AND INCIDENT COMMAND SYSTEM

INTRODUCTION

Chapter One stresses the importance of pre-event planning, organization, and leadership. It suggests a planning team using the Incident Command System (ICS) to manage the event planning process effectively. In a large-scale event involving numerous agencies, people can become confused as to who is in charge, what role everyone plays, and what responsibilities everyone has. ICS is an excellent tool that can resolve these issues. This chapter discusses ICS, how it can be applied to special events, and the concept of Unified Command.

Unfortunately, even the best-planned special events may not run entirely smoothly. During any special event, you must be prepared to respond to one or more incidents that may occur during the event. The way these incidents are managed has a great deal to do with the ultimate success of the special event. Everyone must know his or her role and tasks, and where to seek information. This chapter also discusses the use of ICS during these situations.

NATIONAL INCIDENT MANAGEMENT SYSTEM

The National Incident Management System (NIMS) provides a systematic, proactive approach to guide departments and agencies at all levels of government, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life and property and harm to the environment. NIMS works hand in hand with the National Response Framework (NRF). NIMS provides the template for the management of incidents, while the NRF provides the structure and mechanisms for national-level policy for incident management.

NIMS integrates existing best practices into a consistent, nationwide, systematic approach to incident management that is applicable at all levels of government, nongovernmental organizations (NGOs), and the private sector, and across functional disciplines in an all-hazards context. Five major components make up this systems approach: Preparedness, Communications and Information Management, Resource Management, Command and Management, and Ongoing Management and Maintenance.

The components of NIMS were not designed to stand alone, but to work together in a flexible, systematic manner to provide the national framework for incident management.

The Emergency Management Institute (EMI), located at the National Emergency Training Center in Emmitsburg, MD, offers a broad range of NIMS-related training. Additional information about NIMS and ICS training can be found at <http://training.fema.gov>.

PREPAREDNESS: OVERVIEW

NIMS provides the mechanisms for emergency management/response personnel and their affiliated organizations to work collectively by offering a consistent and common approach to preparedness.

Preparedness is achieved and maintained through a continuous cycle of planning, organizing, training, equipping, exercising, evaluating, and taking corrective action. Ongoing preparedness efforts among all those involved in emergency management and incident response activities ensure coordination during times of crisis. Moreover, preparedness facilitates efficient and effective emergency management and incident response activities.



This component describes specific measures and capabilities that emergency management/response personnel and their affiliated organizations should develop and incorporate into their overall preparedness programs to enhance the operational preparedness necessary for all-hazards emergency management and incident response activities. In developing, refining, and expanding preparedness programs and activities within their jurisdictions and/or organizations, emergency management/response personnel should leverage existing preparedness efforts and collaborative relationships to the greatest extent possible. Personal preparedness, while an important element of homeland security, is distinct from the operational preparedness of our Nation's emergency management and incident response capabilities and is beyond the scope of NIMS.

Communications and Information Management: Overview

Effective emergency management and incident response activities rely on flexible communications and information systems that provide a common operating picture to emergency management/response personnel and their affiliated organizations. Establishing and maintaining a common operating picture and ensuring accessibility and interoperability are the principal goals of the Communications and Information Management component of NIMS. Properly planned, established, and applied communications enable the dissemination of information among command and support elements and, as appropriate, cooperating agencies and organizations.

Incident communications are facilitated through the development and use of common communications plans and interoperable communications equipment, processes, standards, and architectures. During an incident, this integrated approach links the operational and support units of the various organizations to maintain communications connectivity and situational awareness. Communications and information management planning should address the incident-related policies, equipment, systems, standards, and training necessary to achieve integrated communications.

Resource Management: Overview

Emergency management and incident response activities require carefully managed resources (personnel, teams, facilities, equipment, and/or supplies) to meet incident needs. Utilization of the standardized resource management concepts such as typing, inventorying, organizing, and tracking will facilitate the dispatch, deployment, and recovery of resources before, during, and after an incident.

Resource management should be flexible and scalable in order to support any incident and be adaptable to changes. Efficient and effective deployment of resources requires that resource management concepts and principles be used in all phases of emergency management and incident response.

The resource management process can be separated into two parts: resource management as an element of preparedness and resource management during an incident. The preparedness activities (resource typing, credentialing, and inventorying) are conducted on a continual basis to help ensure that resources are ready to be mobilized when called to an incident. Resource management during an incident is a finite process, as shown in the below figure, with a distinct beginning and ending specific to the needs of the particular incident..

Command and Management: Overview

The NIMS components of Preparedness, Communications and Information Management, and Resource Management provide a framework for effective management during incident response.

Command and Management Overview: Incident Command System

The Incident Command System (ICS) is a standardized, on-scene, all-hazards incident management approach that:

- Allows for the integration of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure.
- Enables a coordinated response among various jurisdictions and functional agencies, both public and private.
- Establishes common processes for planning and managing resources.
- ICS is flexible and can be used for incidents of any type, scope, and complexity. ICS allows its users to adopt an integrated organizational structure to match the complexities and demands of single or multiple incidents.

ICS is used by all levels of government—Federal, State, tribal, and local—as well as by many nongovernmental organizations and the private sector. ICS is also applicable across disciplines. It is typically structured to facilitate activities in five major functional areas: Command, Operations, Planning, Logistics, and Finance/Administration. All of the functional areas may or may not be used based on the incident needs. Intelligence/Investigations is an optional sixth functional area that is activated on a case-by-case basis.

As a system, ICS is extremely useful; not only does it provide an organizational structure for incident management, but it also guides the process for planning, building, and adapting that structure. Using ICS for every incident or planned event helps hone and maintain skills needed for the large-scale incidents.

ICS Management Principle	Description
<p>Common Terminology</p>	<p>ICS establishes common terminology that allows diverse incident management and support organizations to work together across a wide variety of incident management functions and hazard scenarios. This common terminology covers the following:</p> <ul style="list-style-type: none"> • Organizational Functions: Major functions and functional units with incident management responsibilities are named and defined. Terminology for the organizational elements is standard and consistent. • Resource Descriptions: Major resources—including personnel, facilities, and major equipment and supply items—that support incident management activities are given common names and are “typed” with respect to their capabilities, to help avoid confusion and to enhance interoperability. • Incident Facilities: Common terminology is used to designate the facilities in the vicinity of the incident area that will be used during the course of the incident. <p>Incident response communications (during exercises and actual incidents) should feature plain language commands so they will be able to function in a multijurisdiction environment. Field manuals and training should be revised to reflect the plain language standard.</p>
<p>Modular Organization</p>	<p>The ICS organizational structure develops in a modular fashion based on the size and complexity of the incident, as well as the specifics of the hazard environment created by the incident. When needed, separate functional elements can be established, each of which may be further subdivided to enhance internal organizational management and external coordination.</p> <p>Responsibility for the establishment and expansion of the ICS modular organization ultimately rests with Incident Command, which bases the ICS organization on the requirements of the situation. As incident complexity increases, the organization expands from the top down as functional responsibilities are delegated. Concurrently with structural expansion, the number of management and supervisory positions expands to address the requirements of the incident adequately.</p>

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ICS Management Principle	Description
<p>Management by Objectives</p>	<p>Management by objectives is communicated throughout the entire ICS organization and includes:</p> <ul style="list-style-type: none"> • Establishing overarching incident objectives. • Developing strategies based on overarching incident objectives. • Developing and issuing assignments, plans, procedures, and protocols. • Establishing specific, measurable tactics or tasks for various incident management functional activities, and directing efforts to accomplish them, in support of defined strategies. • Documenting results to measure performance and facilitate corrective actions.
<p>Incident Action Planning</p>	<p>Centralized, coordinated incident action planning should guide all response activities. An Incident Action Plan (IAP) provides a concise, coherent means of capturing and communicating the overall incident priorities, objectives, and strategies in the contexts of both operational and support activities. Every incident must have an action plan. However, not all incidents require written plans.</p> <p>The need for written plans and attachments is based on the requirements of the incident and the decision of the Incident Commander or Unified Command. Most initial response operations are not captured with a formal IAP. However, if an incident is likely to extend beyond one operational period, become more complex, or involve multiple jurisdictions and/or agencies, preparing a written IAP will become increasingly important to maintain effective, efficient, and safe operations.</p>
<p>Manageable Span of Control</p>	<p>Span of control is key to effective and efficient incident management. Supervisors must be able to adequately supervise and control their subordinates, as well as communicate with and manage all resources under their supervision.</p> <p>In ICS, the span of control of any individual with incident management supervisory responsibility should range from 3 to 7 subordinates, with 5 being optimal. During a large-scale law enforcement operation, 8 to 10 subordinates may be optimal. The type of incident, nature of the task, hazards and safety factors, and distances between personnel and resources all influence span-of-control considerations.</p>

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ICS Management Principle	Description
<p>Incident Facilities and Locations</p>	<p>Various types of operational support facilities are established in the vicinity of an incident, depending on its size and complexity, to accomplish a variety of purposes.</p> <p>The Incident Command will direct the identification and location of facilities based on the requirements of the situation. Typical designated facilities include Incident Command Posts, Bases, Camps, Staging Areas, mass casualty triage areas, point-of-distribution sites, and others as required.</p>
<p>Comprehensive Resource Management</p>	<p>Maintaining an accurate and up-to-date picture of resource utilization is a critical component of incident management and emergency response. Resources to be identified in this way include personnel, teams, equipment, supplies, and facilities available or potentially available for assignment or allocation.</p>
<p>Integrated Communications</p>	<p>Incident communications are facilitated through the development and use of a common communications plan and interoperable communications processes and architectures. The ICS 205 form is available to assist in developing a common communications plan. This integrated approach links the operational and support units of the various agencies involved and is necessary to maintain communications connectivity and discipline and to enable common situational awareness and interaction.</p> <p>Preparedness planning should address the equipment, systems, and protocols necessary to achieve integrated voice and data communications.</p>
<p>Establishment and Transfer of Command</p>	<p>The command function must be clearly established from the beginning of incident operations. The agency with primary jurisdictional authority over the incident designates the individual at the scene responsible for establishing command. When command is transferred, the process must include a briefing that captures all essential information for continuing safe and effective operations.</p>
<p>Chain of Command and Unity of Command</p>	<ul style="list-style-type: none"> • Chain of Command: Chain of command refers to the orderly line of authority within the ranks of the incident management organization. • Unity of Command: Unity of command means that all individuals have a designated supervisor to whom they report at the scene of the incident. These principles clarify reporting relationships and eliminate the confusion caused by multiple, conflicting directives. Incident managers at all levels must be able to direct the actions of all personnel under their supervision.

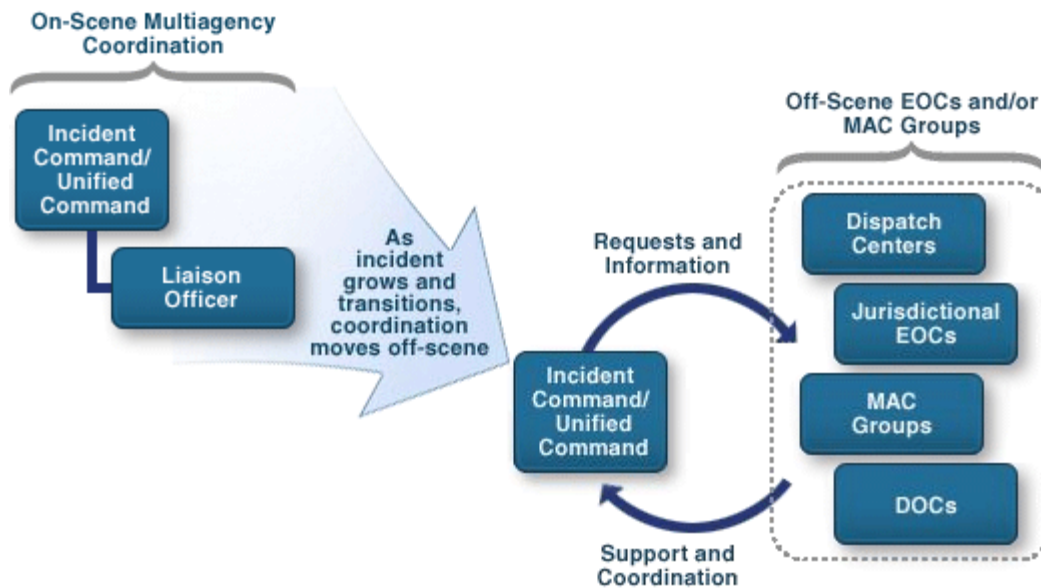
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ICS Management Principle	Description
Unified Command	In incidents involving multiple jurisdictions, a single jurisdiction with multiagency involvement, or multiple jurisdictions with multiagency involvement, Unified Command allows agencies with different legal, geographic, and functional authorities and responsibilities to work together effectively without affecting individual agency authority, responsibility, or accountability.
Accountability	<p>Accountability: Effective accountability of resources at all jurisdictional levels and within individual functional areas during incident operations is essential. Adherence to the following ICS principles and processes helps to ensure accountability:</p> <ul style="list-style-type: none"> • Resource Check-In/Check-Out Procedures • Incident Action Planning • Unity of Command • Personal Responsibility • Span of Control • Resource Tracking
Dispatch/Deployment	<p>Resources should respond only when requested or when dispatched by an appropriate authority through established resource management systems.</p> <p>Resources not requested must refrain from spontaneous deployment to avoid overburdening the recipient and compounding accountability challenges.</p>
Information and Intelligence Management	The incident management organization must establish a process for gathering, analyzing, assessing, sharing, and managing incident-related information and intelligence

Command and Management Overview: Multiagency Coordination Systems

Multiagency coordination is a **process** that allows all levels of government and all disciplines to work together more efficiently and effectively. Multiagency coordination occurs across the different disciplines involved in incident management, across jurisdictional lines, or across levels of government. Multiagency coordination can and does occur on a regular basis whenever personnel from different agencies interact in such activities as preparedness, prevention, response, recovery, and mitigation.

Often, cooperating agencies develop a Multiagency Coordination System (MACS) to better define how they will work together and to work together more efficiently; however, multiagency coordination can take place without established protocols. MACS may be put in motion regardless of the location, personnel titles, or organizational structure. Initially the Incident Command/Unified Command and the Liaison Officer may be able to provide all needed multiagency coordination at the scene. However, as the incident grows in size and complexity, off-site support and coordination may be required.



Integral elements of MACS are dispatch procedures and protocols, the incident command structure, and the coordination and support activities taking place within an activated Emergency Operations Center. Fundamentally, MACS provide support, coordination, and assistance with policy-level decisions to the ICS structure managing an incident.

Command and Management Overview: Public Information

Public Information consists of the processes, procedures, and systems to communicate timely, accurate, and accessible information on the incident's cause, size, and current situation to the public, responders, and additional stakeholders (both directly affected and indirectly affected). Public information must be coordinated and integrated across jurisdictions, agencies, and organizations; among Federal, State, tribal, and local governments; and with NGOs and the private sector.

Well-developed public information, education strategies, and communications plans help to ensure that lifesaving measures, evacuation routes, threat and alert systems, and other public safety information are coordinated and communicated to numerous audiences in a timely, consistent manner.

A Joint Information System (JIS) provides the mechanism to organize, integrate, and coordinate information to ensure timely, accurate, accessible, and consistent messaging across multiple jurisdictions and/or disciplines with nongovernmental organizations and the private sector. A JIS includes the plans, protocols, procedures, and structures used to provide public information. Federal, State, tribal, territorial, regional, or local Public Information Officers and established Joint Information Centers (JICs) are critical supporting elements of the JIS.

A Joint Information Center (JIC) is a central location that facilitates operation of the Joint Information System. The JIC is a location where personnel with public information responsibilities perform critical emergency information functions, crisis communications, and public affairs functions. JICs may be established at various levels of government or at incident sites, or can be components of Multiagency Coordination Systems. A single JIC location is preferable, but the system is flexible and adaptable enough to accommodate virtual or multiple JIC locations, as required.

INCIDENTS OCCURRING DURING A SPECIAL EVENT

As discussed above, certain incidents occurring during a special event may dictate the need for a specific Incident Commander to manage that particular incident (e.g., isolated structure fire, vehicle crash, HazMat incident, structure collapse, multiple casualty incident, etc.).

When an incident occurs within a special event, immediate action must be taken to control and manage the incident. As the incident grows, the issues that must be considered will grow as well. The Incident Commander of the special event may assign command of the emergency incident to a ranking responder. This responder must take initial steps to bring order to the incident, just as in situations that require more traditional applications of ICS.

The Incident Commander of the special event may authorize the responder to implement his or her own command structure and/or call upon the resources of the event command structure. This responder must:

- Assess the situation.
 - Determine whether human life is at immediate risk.
 - Establish the immediate priorities and objectives.
 - Determine whether there are adequate and appropriate resources on-scene or ordered.
 - Establish an appropriately located on-scene Command Post (CP), if needed.
 - Establish an appropriate initial command structure, if needed.
 - Develop an action plan.
 - Ensure that adequate safety measures are in place.
 - Coordinate activity for all Command and General Staff.
 - Consider whether the span of control is approaching, or will soon approach, practical limits, taking into account the safety of all personnel.
 - Determine whether there are any environmental concerns that must be considered.
 - Monitor work progress and coordinate with key people.
 - Review and modify objectives and adjust the action plan as necessary.
 - Approve requests for additional resources or for the release of resources.
 - Keep the overall event Incident Commander informed of incident status.
 - Authorize release of information to the news media.
 - Order the demobilization of the incident, when appropriate.
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CHAPTER 4: ADDITIONAL PLANNING CONSIDERATIONS FOR SPECIFIC EVENTS

INTRODUCTION

Some events present more risks than others, and they require special planning well in advance of the event. This chapter provides some examples of high-risk events and suggests ways to prepare for emergencies that may occur during those events. Planners should ensure that personnel are trained and equipped for the unique nature of these events. Another way to learn of these risks is to check with other agencies to gain additional information. For each of these high-risk events, weather is a critical factor that you must consider.

POWER BOAT RACES AND SIMILAR AQUATIC EVENTS

Before any outdoor event begins, check with the proper agencies such as the Coast Guard, natural resources, or other applicable agencies.

MEDICAL SUPPORT FOR PARTICIPANTS

Aquatic events, particularly those involving motorized watercraft, require careful planning. A designated medical response boat should be available in the water with appropriately trained personnel and equipment, including a spinal board and resuscitation equipment. The medical boat should be linked by two-way radio to the rescue boats and ambulance/medical services. For offshore boat racing, consider a helicopter with rescue capabilities.

A rescue boat should be in attendance with experienced divers, equipped with scuba gear, to remove personnel trapped underwater.

Identify landing locations appropriate for the transfer of patients on stretchers from boats to land ambulances.

SPECTATOR AREAS

Appropriate buffer walls or "run off" areas should be established to prevent out-of-control vessels from entering spectator and pit areas.

Where spectators are permitted to line piers and breakwaters along areas of deep water, observe the following practices:

- In the absence of a physical barrier, mark a line to warn spectators away from the edges fronting deep water.
- In addition to any vessel committed to assisting event participants, a dedicated boat should constantly patrol the shore adjacent to the spectator area. It should be equipped with a loudspeaker to warn spectators who venture too close to the edge. The boat should also be suitably equipped to provide for water rescue and the resuscitation of injured persons.

SPECTATOR AREAS (CONTINUED)

All boats intended for rescue, or designated to provide medical attention, should be clearly marked and equipped with some form of hazard lighting to warn other vessels off. Any boats used for participant or spectator control should be staffed with personnel trained in appropriate lifesaving and emergency medical practices, including cardiopulmonary resuscitation (CPR).

Any boat intended for medical assistance or water rescue should contain sufficient clear space to resuscitate a patient in the supine position and be equipped, at a minimum, with the following:

- Automatic External Defibrillator (AED).
- A spinal board for full-body immobilization, and cervical collars and restraint straps.
- Ventilation equipment, which should ideally be a positive pressure oxygen ventilator, or as a minimum, a bag-valve-mask unit, preferably with oxygen assist (oropharyngeal airways and suction should also be included).
- A supply of large pressure dressings.
- Personnel trained and experienced in the use of the equipment identified above.
- Personnel trained and attired to perform water rescue and removal.

AUTOMOBILE AND SIMILAR RACES

While aquatic events present hazards to participants and spectators, and difficulties to event planners and incident responders that are not present with other events, some types of auto racing also present unique areas of concern.

Sponsors of organized auto races conducted by professional racing organizations at permanent facilities normally meet the safety guidelines required for participants as outlined in this document. Similarly, professional racing organizations using temporary facilities follow very strict guidelines.

For racing events conducted by local clubs, however, no formal safety guidelines exist to cover the health and safety of participants and spectators. Motor Cross races, bicycle races, and specialized automobile rallies are a source of great concern because of both the very limited control exercised over spectators and the often-remote locations in which they are held. Spectators often position themselves in remote, almost inaccessible, areas where the action is expected to be spectacular. The entire course should be monitored as well as possible, and a suitable communications system should be in place.

MEDICAL SUPPORT FOR PARTICIPANTS

In the event of a crash, an ambulance with a trained staff should be available immediately. The medical support staff must understand the racing rules and be trained to recognize the various flags and special warning lights used by race officials. Understanding the racing rules and the signals ensures that the staff knows how soon another racing vehicle will arrive at the accident scene, whether or not the crashed vehicle remains on the track.

At smaller club events, having an ambulance on standby may be cost-prohibitive, and other suitable arrangements must be made. In such circumstances, a designated vehicle with appropriate equipment and trained personnel should be available to serve as the ambulance. The vehicle should not be merely a van with basic equipment provided as an ad hoc measure.

The standby ambulance or other emergency vehicle should be positioned for controlled, rapid access to the track. An appropriate communications system and acknowledged procedures should be in place to activate an immediate ambulance response to a track emergency, while track officials control the activity on the track with flags or other signals.

Guidelines should be established in advance to determine:

- Whether the race will continue if the ambulance leaves to transport a patient and no backup ambulance is available to take its place.
- Whether the ambulance will be designated strictly for the participants, and if so, what means are available to assist with medical emergencies among the spectators.

If possible, the race should be stopped when an ambulance or other emergency vehicle is on the track, even though some races continue to run under the caution flag.

Suitable "first attack" firefighting and rescue equipment should also be available at the track. If onsite resources are not able to respond successfully to an emergency, procedures to obtain additional rapid fire and rescue service must be in place.

If you expect great risk to participants and spectators, large numbers of spectators, or if the nearest hospital is very distant, consider providing a site hospital.

SPECTATOR AREAS

Barriers should be in place to isolate spectators from out-of-control vehicles. Experience shows, however, that these barriers can be moved or broken by out-of-control vehicles, resulting in injuries to spectators who are leaning against the barriers. Further enhance safety by posting a compulsory "no man's land" to keep spectators away from the barrier fence.

Individuals responsible for barrier design, including barrier height and strength, should take into account the possibility that one vehicle may mount another or somersault end over end. A barrier intended to retard penetration by a single impacting vehicle is insufficient.

SPECTATOR AREAS (CONTINUED)

In addition, parts of automobiles involved in collisions can become projectiles, and wheels can come loose and bounce into spectator areas. To protect spectators, affix a strong wire-mesh debris screen to the barrier fencing and to the tops of retaining walls. The wire-mesh screen permits spectator visibility while serving as a trap for projectiles.

Carefully monitor spectator access if spectators are permitted to visit the track and pit areas at any time, including after the race. Participants often test vehicles after the event, with neither drivers nor spectators anticipating each other's presence on the track.

Major problems, including spectator injuries, have occurred at a number of events with spectators accessing the track after the winner has passed the finish line, but while other competitors are still racing. All officials should be briefed on ways to control spectators who intend to access the track and how to respond if those control measures fail.

PIT AREAS

In-race refueling of cars in pit areas creates a potential for fire if fuel inadvertently contacts sufficiently heated parts of vehicles or is ignited by a spark. To counter this threat, appropriate and sufficiently large fire extinguishers, or other equipment suitable for extinguishing fire, must be available at refueling sites for use by trained personnel. Remind personnel that some racing fuels burn with an invisible flame.

The combination of vehicles entering the pit lane at high speed and the drivers' vision being obstructed by barriers increases the risk to both drivers and pit crews. Organizers should consider introducing speed limits in pit lanes and enforcing suitable penalties for transgressions by drivers. Ideally, organizers should also implement a system of notifying pit personnel when vehicles are entering the pits, such as a siren or horn.

Because spectators are generally unfamiliar with pit environments and procedures, organizers should restrict access to the pits to officials and members of the race crews. If spectators are permitted in the pit area, their movement must be properly controlled, to protect them from pit hazards, such as moving vehicles, hot engine parts, and sharp metal.

If possible, organizers should not permit spectators to cross the racetrack. If spectators are permitted to cross the track, then all spectator crossings should be restricted to designated crossing points that are strictly controlled by race officials. Officials should be equipped with an efficient communication system connected to the race control area, which can provide information about upcoming race traffic.

AIR SHOWS AND DISPLAYS

The hazards presented by air events are similar to those already discussed, with a few hazards being unique to these events.

Although air shows are usually staged in accordance with aviation rules and regulations, event organizers, emergency managers, and health personnel should take specific steps to reduce the risk of a serious incident.

ACROBATIC AREAS

Acrobatic maneuvers should not take place over built-up areas, but over fields, water, airstrips, or other uninhabited areas. Aircraft should not fly over spectator areas. Where aircraft execute a maneuver laterally (parallel to the ground) the direction of execution should be away from, or parallel to, the spectators, not toward or over them.

SAFETY

Onsite fire services should be capable of delivering fire-suppressing foam onto a crashed or burning aircraft. If the air show does not take place at an airport with foam-equipped trucks, consider alternate arrangements for their provision, because water-delivering fire apparatus are unsatisfactory.

Organizers should clearly understand the requirements of the coroner and air crash investigators and be prepared to assist them in the event of a mishap.

Contingency plans should state how personnel will interact with spectators following an incident (that is, cancel the show, retain the closest spectators as witnesses, or request home video cameras that might have recorded the incident).

PARACHUTE JUMPS

Events that feature parachute jumps should include designated landing zones that are safely away from spectators and create no obvious hazards to the jumpers. Parachutists can be blown off course and suffer injury or death as a result. Spectators can also be injured in the scramble to avoid a descending jumper.

FIREWORKS AND PYROTECHNICS

Shows involving fireworks or pyrotechnics also present specific risks. When event organizers plan public displays of fireworks, they should notify and consult with the local authorities, including police, fire, and emergency medical services prior to the event. Most pyrotechnic providers or contractors follow Occupational Safety and Health Administration (OSHA) safety standards for the placement of spectator seating and fireworks launch sites.

PLACEMENT OF LAUNCH SITE

Most major incidents involving fireworks can be avoided through careful design of the launch site.

In establishing a launch site, organizers must pay close attention to the anticipated or prevailing wind direction and strength, both of which may affect the flight path of fireworks and the area where debris will fall. In addition, when you establish site placement and design, prepare for the possibility of abandoning the display in an emergency.

Where possible, the launch site should be on water (for example, on a barge or pier), enabling personnel to abandon the site easily if an accident occurs and the pyrotechnic supply ignites.

A barrier must be erected between the crowd and the launch site to protect the crowd if fireworks tip over after ignition, resulting in a lateral, rather than vertical, projection.

Fireworks must not be projected over the heads of spectators because debris is often hot and can injure spectators if it falls into their eyes or onto their heads. Another concern is health effects caused by the smoke. Anticipate potential respiratory difficulties, especially in those spectators prone to breathing problems such as asthma and allergies.

If you launch fireworks over water, do not project them over flammable trees, bush areas, buildings, or boats.

Store unused fireworks in covered metal containers to prevent accidental ignition, either by staff or by descending hot particles from previously ignited fireworks.

Fire equipment, including fire extinguishers appropriate to the location, and trained firefighters should be immediately available at the launch site.

Personnel deploying and igniting fireworks should wear protective clothing, including face shields, helmets, and heavy gloves, in case of explosion or premature or delayed ignition.

After the event, personnel should carefully inspect the launch site and surrounding area to ensure that no incipient or rekindled fires are possible. All used fireworks should be soaked in water and removed from the site, along with any securing spikes, wires, or other potentially hazardous objects.

LASER DISPLAYS

Laser light shows are now frequently included as a form of entertainment at many special events. Prior to the laser light show, health care personnel onsite should understand the kinds of accidents that can occur and identify potential hazards when lasers are used. They also should know the kind and type of laser that will be used.

SPONTANEOUS EVENTS

Occasionally an event occurs without planning. Local emergency management and public safety agencies need to be aware that spontaneous events create the same need for emergency response contingencies as planned events and that safety plans or agreed-upon roles and responsibilities for participants will be established. Such spontaneous events present unique difficulties to public safety personnel because they offer no warning and, therefore, no time to plan.

Types of spontaneous events include those which:

- Are planned without official input or permits as a result of an oversight.
- Are planned without official input or permits on purpose.
- Result from other events, such as:
 - Planned local spinoff, such as a victory parade for a local sports team
 - Local focal point
 - Response to an "under-planned" primary event
- Are demonstrations, protests, or picketing:
 - Civil disobedience
 - Planned disorderly behavior
 - Spontaneous violence

Pre-existing mutual aid agreements, response plans, training, and resource lists will assist communities that are confronted with a spontaneous event. To develop these pre-existing response aids, the local emergency management agency may act as a catalyst to promote cooperation among local response agencies. A local emergency management agency can also fill its role in the Emergency Operations Center (EOC) if the spontaneous event is large enough to require the activation of the EOC.

Because spontaneous events are dynamic, a well-timed and appropriate response is critical to achieving safe outcomes. In many instances, however, the local or county public safety officials on duty are initially charged with all of the roles and responsibilities of managing the spontaneous event. At the same time, they are faced with other non-event incidents in the community. If communities train to respond to the various incidents associated with a spontaneous event, they can respond more effectively in times of emergency.

SPONTANEOUS EVENTS (CONTINUED)

Staffing, response, and public safety requirements for spontaneous events are the same or greater than those for a planned event of the same nature. Essential to the successful outcome of a spontaneous event is implementing ICS for an orderly and coordinated deployment of resources and personnel. Identifying a Staging Area where additional personnel and resources will be gathered is necessary. Briefing all personnel and establishing an appropriate span of control is critical to pre-deployment of personnel and resources in response to a spontaneous event. It may be necessary to establish a Situation Unit in the Planning Section to keep the Incident Commander informed of changes in the nature of the event.

Another essential element in anticipation of, and planning for, a spontaneous event is a continuing evaluation of other events, either locally or nationally, that may be catalysts for a spontaneous event in your community. Many spontaneous events occur with some level of expectation by public safety officials. The significant difference between an organized special event and a spontaneous event is that no planning time exists before a spontaneous event.

If a spontaneous event or unplanned mass gathering occurs in your community, time is critical and should not be wasted trying to determine how the event happened and who will be held responsible. After-action reports and investigations can fulfill that role. Critical time management requires that all energy be focused on response and activation of existing plans and cooperation among participating agencies.

EVENTS INVOLVING PRE-TEEN AND EARLY TEEN AUDIENCES

Concerts that attract younger audiences (for example, pre-teens and early teens) can create a number of difficulties. These spectators can become lost or separated from friends, miss scheduled return transportation, or lack sufficient funds to pay for alternate transportation.

Parents often take young spectators to such events and then have difficulty finding them at the conclusion of the event. If parents are using their cars to pick up children, traffic jams may prevent close access to the venue. Prior to entering the venue, parents and their children should identify a specific place to meet at the conclusion of the event.

One method to alleviate difficulties is to create a "Parents' Oasis" adjacent to the venue to provide parents with a waiting area during the concert. Coffee, soft drinks, snacks, and newspapers can be available to help parents pass the time while waiting for the event to conclude.

The concept of a "Parents' Oasis" is one that is particularly well-suited to concert events that parents would not want to attend and that their children would not want them to attend. The additional cost and effort devoted to providing such a facility are more than offset by the reduction in efforts needed to deal with the young audiences at the conclusion of the event.

EVENTS INVOLVING PRE-TEEN AND EARLY TEEN AUDIENCES (CONTINUED)

Information booths with access to the public address system and clearly identified event staff can assist lost children and their parents. Also consider the compounding effect of a major incident exacerbated by the problems of parents attempting to gain access to the area to reunite with their children or, in the worst-case scenario, trying to find out where their injured children have been taken.

Certain events may pose hazards and risks that are unique to their activity or audience. This chapter presented some of the particular hazards and high risks that event planners need to be aware of. These are not inclusive of all of the risks for which a response must be prepared. Careful planning and expecting the unexpected help to make the special event memorable and safe for sponsors, participants, and spectators.

CHAPTER 5: POST-EVENT ACTION

INTRODUCTION

The After-Action Report must be done in a timely manner and shared with the rest of the team. The After-Action Report focuses on both the positive and negative aspects of the event.

DEMOBILIZATION

Demobilization should be planned just as carefully as the event itself. Demobilization actually begins during the planning stages of an event and continues during the event. Planners must decide upon a logical order in which to release response agencies and other resources, and they must authorize a point of contact to release resources. The impact on the community and its resources must also be considered in the demobilization process. The Incident Commander should direct the demobilization process through the Demobilization Unit in the Planning Section.

POST-EVENT ANALYSIS MEETING

Following the event, all members of the planning team and those in charge of resources should meet to critique the event. For individuals who are unable to attend, providing a survey may be an option. The purpose of the Post-Event Analysis meeting is to allow open discussion of what went well and what could have gone better and to lay the groundwork for future events.

Prior to the meeting, planners should establish guidelines for discussion and select a facilitator for the meeting. The guidelines should emphasize that the meeting is intended to be a positive learning experience for all agencies, not a session to assign blame for problems that occurred during the event. The facilitator may come from the Emergency Management Agency or the lead agency, or planners may bring in a neutral third party that will maintain order if conflicts arise and agencies begin to find fault with one another. Problems should be discussed in generic terms as much as possible to avoid singling out specific agencies for criticism.

The lessons learned during one event can be used in planning for subsequent events. The agenda items discussed at the meeting, both successes and failures, should take the form of a report to be examined and discussed by officials later. If serious incidents occurred, such as a death or mass arrests, then writing the final report may have to wait until after litigation is completed. The facilitator is typically assigned the responsibility for documenting the meeting.

A log of checkout policy and procedures (which is created during the planning stage) ensures that everything is complete and that all agencies are satisfied with the outcome of the event. It is important to finalize one event before planning another.

POST-EVENT ANALYSIS MEETING (CONTINUED)

The Post-Event Analysis meeting is the final gathering of the event planning team before releasing response agencies, resource personnel, or volunteers. Before releasing response or resource personnel or volunteers, event planners should ensure that the responders have sufficient rest and the means to return to their home bases safely.

During this meeting, the promoter and planners should conclude any outstanding matters, such as financial obligations or matters concerning supplies and equipment. Planners and promoters should prepare a detailed statement of expenditures and outstanding bills as a part of the After-Action Report.

AFTER-ACTION REPORT

The facilitator or a representative of the Emergency Management Agency may be tasked to prepare the After-Action Report. This report is a vital document. The After-Action Report is composed following the critique meeting. The main purpose of an After-Action Report is to identify and document what worked, what did not work, and what could be improved. A useful After-Action Report should prevent the same kinds of mistakes and incidents from occurring at the next event. The report can also include any additional data, such as crowd control measures that were especially successful, that may be useful in planning similar future events. Everyone involved in the event (including volunteers) should contribute to this important document. After-Action Reports have no established formats. Most communities have a sample report to guide planners. If an incident occurred during the event, the planning team must prepare a summary sheet to show how personnel responded to the incident in case questions of legal liability arise later. After-Action Reports are also excellent ways to document events for historical or legal purposes, and to describe how crowd sizes were determined if estimations or formulas were used.

While this manual focuses mainly on planning for a special event, an After-Action Report focuses on improving the next event.

APPENDIX A: JOB AIDS

PRE-EVENT PLANNING MATRIX

Because responsibilities vary from jurisdiction to jurisdiction, certain risks or hazards are not always handled by only one agency. This matrix is designed for you to determine the risks and hazards your agency is accountable for handling and then refer to the corresponding page in the Job Aids manual. If more than one agency is tasked to respond to the risk or hazard, some overlap of responsibility may occur. One way to handle this is to place a "P" in the primary agency position and an "S" in the support agency position. The responsibilities of each agency must be discussed and decided in the planning stages, not when an incident occurs. Additional room is provided in the matrix to add agencies or risks as they may apply.

	County Agency	EMS	Emergency Management	FAA	FBI	Fire	Law Enforcement	Public Health	Public Works	State Agency	U.S. Secret Service	Utilities	Promoter/ Sponsor
Abandoned Vehicles Check page references for entire list													
Airspace Encroachment													
Assault on County Official													
Assault on Federal Official													
Assault on State Official													
Suspicious Package													
Bomb Threat													
Building Inspection													
Cancellation of Event													
Civil Disturbance w/ Demonstration													
Communications													
Credentials													

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Job Aids Manual**

	County Agency	EMS	Emergency Management	FAA	FBI	Fire	Law Enforcement	Public Health	Public Works	State Agency	U.S. Secret Service	Utilities	Promoter/ Sponsor
Crowd Control													
Demonstrations													
Dignitary Protection													
EMS													
Environmental Hazards													
Evacuation of Area													
Fire													
First Aid Stations													
Food Handling													
Food Waste													
HazMat													
Hostage w/o Terrorism													
Human Waste													
Kidnapping													
Lost Child													
Lost and Found													
Media Relations													
Motorcades													
Parking													
Permitting													
Potable Water													

**IS-15: Special Events Contingency Planning
Job Aids Manual**

	County Agency	EMS	Emergency Management	FAA	FBI	Fire	Law Enforcement	Public Health	Public Works	State Agency	U.S. Secret Service	Utilities	Promoter/ Sponsor
Power Interruption													
Security/Governor													
Security/State Department													
Security													
Structural Collapse													
Terrorist act													
Terrorist Threat													
Ticketing													
Traffic Control													
Weather Hazards													
WMD: Chemical													
WMD: Biological													
WMD: Radiological													
WMD: Nuclear													
WMD: Explosive													

SPECIAL-EVENT PLANNING CHECKLIST

Name of Event: _____

Name of Applicant: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____

Name of Organization: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____

- For-Profit Organization
- Not-for-Profit Organization
ID Number: _____

- Insurance for event (Attach a copy to this document.)
- Bond for event (Attach a copy of conditions.)
- Financial Responsibility for Public Services (e.g., police, fire, health, etc.)

Date(s) of Event: _____

Type of Event

- Arena sporting event
- Competitive road-race
 - Foot
 - Bicycle
 - Motor vehicle
- Convention
- Festival
- Live performance
- Music
- Non-competitive on public way
- Political rally
- Sales
- Speaker
- Other: _____

Expected attendance _____

SPECIAL-EVENT PLANNING CHECKLIST (CONTINUED)

Number of similar events previously sponsored _____ (Attach summary documents.)

Marketing

- Local
- Regional
- Multiple states
- National
- Event Web site

Public Access

- Open event
- Spectators limited to first _____ arrivals
- Tickets will be required for all events
- Tickets will be required for certain venues

Name of Location Venue: _____

- Indoor
- Outdoor
- Considered an alcohol-free event
- Advertised as an alcohol-free event
- Alcoholic beverages will be sold or served at venue
- Alcoholic beverages will be sold outside of venue

Location venue capacity: _____

Seasonal weather concerns: _____

Food Service

- None
- Multiple vendors
- Single concessionaire
- Water provided

Health and Safety Inspection

- Issued permit(s)
- Fire inspection
- Waste disposal plan

SPECIAL-EVENT PLANNING CHECKLIST (CONTINUED)

Health and Sanitation Plan

- Number of toilet facilities _____
- Number of trash facilities _____
- Disposal plan (Attach a copy to this document.)

Medical Plan (Complete and attach ICS Form 206.)

- Sponsor responsibility
- Public provided
- Medical services and facilities notified
- First Aid or rehab stations on site

Transportation Plan

- None
- Public transportation
 - Special routes
 - Extra capacity
 - Contract transportation
 - Emergency routing
 - Peak period capacity time frame
- Private transportation

Street or highway access: _____

Vehicle capacity factor: _____

Peak traffic period factor: _____

Parking Plan

Number of lots: _____

Total available spaces _____

- Public parking spaces _____
- Private parking spaces _____ (Attach private parking agreements.)
- Parking attendants _____

SPECIAL-EVENT PLANNING CHECKLIST (CONTINUED)

Traffic Patterns

- Public Works signing
- Event will require traffic flow or street closures (If checked, attach complete list.)
- Temporary traffic code or parking restrictions (If checked, attach list.)
- Traffic direction and control restrictions (If checked, attach list.)
- Tow truck service (If checked, attach agreements.)
- Abandoned and/or illegally parked vehicle recovery (If checked, attach agreements.)

Incident Action Plan

Attach ICS Forms 201, 202, 203 and 205.

Risk/hazard analysis

- Criminal response
- Fire response
 - Structure
 - At site
 - Vehicle
- Hazardous materials
- CBRNE
- Electrical hazards
- Medical emergencies
 - Food-related illnesses
 - First aid
 - Heat/cold exposures
 - Trauma
 - Overdoses
- Structure collapse
- Crowd rush
- Mass casualty
- Mass fatality
- Lost or missing persons/children
- Unattended packages
- Crowd dispersal
- Offender identification
- Public notification process (ICS Form 205 required)
- Access control
- Evacuation routes
- Evacuee assembly areas
- Shelters

SPECIAL-EVENT PLANNING CHECKLIST (CONTINUED)

Event Logistics

- Support
- Facilities
- Food Unit
- Communications
- Ground Support
- Air Support
- Medical Unit

Demobilization Plan

- Traffic or pedestrian egress from site
- Secondary transportation plan
- Sanitation removal
- Venue cleanup
- Traffic pattern normalization
- Contractual evaluation
 - Organizer commitments
 - Other public or private contracts

Debriefing

PROMOTER/SPONSOR CHECKLIST

Event Details

Name of Event: _____

Date(s) of Event: From: ___/___/___ To: ___/___/___

Event Time: Start: _____ Finish: _____

Site: _____

Site Address: _____

Promoter: _____

Event Manager:

Address: _____

Contact: Phone: _____ Fax: _____

After/Hours: _____ Cell: _____

E-Mail: _____ Pager: _____

Site preparation start date: ___/___/___ Site vacated date: ___/___/___

Brief details of function (including entertainment and main attractions):

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Sponsorship details (including any restrictions): _____

What Legislative, Regulative, and Legal Issues Need to be Addressed?

State legislative/regulative requirements: _____

Local legislative/regulative requirements: _____

Permits required: (for example, liquor, pyrotechnics, fire, laser, food): _____

Engineering approvals: _____

Insurance required: _____

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Reimbursement considerations for public agency involvement costs due to event:

Site Details

NOTE: Include details such as: Indoor/outdoor, normal use, permanent structure, temporary site, multiple sites, site boundaries, temporary structures, natural features, likely hazards including weather, historic sites, environmental issues, parking arrangements, access and egress. Include facilities, such as: Water, toilets, food preparation, waste removal. (Attach diagram or site map.)

Estimated total attendance: _____

Estimated age composition of audience:

- 0 – 12 years: _____ % of total audience
- 12 – 18 years: _____ % of total audience
- 18 – 25 years: _____ % of total audience
- 25 – 40 years: _____ % of total audience
- 40 – 55 years: _____ % of total audience
- 55 years and above: _____ % of total audience

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Admission will be by: _____ Pre-sold ticket _____ Free _____ Other: Please specify)

Has this event been conducted previously? YES / NO

If yes, when? _____

Where? _____

Event Manager: _____

Contact phone: _____ Fax: _____

If no, please detail the changes: _____

What effects will the changes have? _____

Key Stakeholders

	Name	Phone
State Government Dep't.(s):	_____	_____
Local Council(s):	_____	_____
	_____	_____
	_____	_____
Neighboring Councils:	_____	_____
	_____	_____
Police:	_____	_____
Ambulance Service:	_____	_____
First Aid Service:	_____	_____
Fire Service:	_____	_____

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Hospital/Medical Services: _____

State Emergency Service: _____

Security Personnel _____

Liquor Licensing _____

Local Hotel and Businesses: _____

Transportation Authority: _____

Neighbors: _____

Other: _____

Other: _____

Time frame necessary for contact with stakeholders:

A full briefing of all of the above stakeholders is planned for _____ (date)

at _____ (venue).

Event Communications

During the event what form of communication systems will be available/provided/required for:

- Event management: _____
- Public address (internal): _____
- Public address (external): _____
- Emergency services: _____
- Coordination requirements: _____

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Event Promotion and Media Management

Can the promotion ticketing and publicity for the event include messages that clarify the focus of the event (for example, family fun, sporting contest, musical entertainment)?

Event Web site _____

The focus of the event is _____

The event promotion and publicity will promote:

- Safe drinking practices YES / NO
- Don't drink and drive YES / NO
- Intoxicated and underage persons will not be served alcohol YES / NO
- Bags may be searched or restricted YES / NO
- Glass containers permitted YES / NO
- Water will be freely available YES / NO
- Availability of "wet" and "dry" areas YES / NO
- Location of facilities included on ticketing YES / NO
- Health care advice included on ticketing YES / NO
- Smoke-free environment YES / NO

Security

Which type of security will be appropriate for the event? _____

Who will be the appropriate security firm to be contracted? _____

Event security would commence on ____/____/____ and conclude on ____/____/____

What will be the role of security? _____

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Have relevant police departments been contacted in relation to security? YES / NO

If yes, what will be required of the police? _____

When will a briefing/debriefing be held involving police, security, bar staff and licensing personnel?

_____ (Date before Event) _____ (Date after Event)

Will a briefing of all personnel and officials be provided regarding helping patrons with amenities and services?

Who will pay for event security costs, including overtime?

Signage

What signage, including those required under the local liquor laws, will need to be developed and obtained?

Will there be signage in languages other than English? YES / NO

Transport

Does a transportation strategy need to be developed? YES / NO

List the departments, councils and/or agencies that are likely to be involved in developing this strategy.

Name: _____	Organization: _____
Name: _____	Organization: _____
Name: _____	Organization: _____
Name: _____	Organization: _____

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Access and Egress for Patrons

What provisions can be made for patrons to access, move around, and leave the event venue without excessive queuing, or crushes (for example, gate control, pathways, free space)?

Will patrons be able to access toilets, food and bar areas, and entertainment sites without difficulty? YES / NO

In an emergency, will patrons be able to leave the venue or move to other areas within the venue in reasonable safety? YES / NO

Comments:

Access for Persons with Disability

What provisions need to be made for persons with a disability to access and move around the event venue?

Will persons with a disability be able to access toilets, food and bar areas, and entertainment sites without difficulty? YES / NO

In an emergency, will persons with a disability be able to leave the venue without significantly impeding the movement of other patrons? YES / NO

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Comments:

Noise

What provisions can be made to minimise the level of noise at and around the event?

1.

2.

3.

4.

5.

Management of Alcohol

Are there any standard conditions of the licensing permit? YES / NO

If YES, what are they?

How will event personnel, specifically bar and security personnel, be trained and informed of the State and local statutes/ordinances and made aware of the responsibilities and penalties?

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

What types of alcohol (for example beer, wine, and liquor) and other drinks will be available at the event?

In what types of containers will alcohol and other drinks be available (for example, glass, can or plastic containers)?

What provisions will be made for the collection of drink containers during and after the event?

What will be the pricing structure for alcoholic and non-alcoholic drinks?

Is it anticipated that the pricing structure will discourage patrons from becoming unduly intoxicated? YES / NO

Can the event publicity, ticketing, and signage inform patrons of the restrictions on alcohol including that alcohol will not be served to minors and intoxicated people? YES / NO

Can some, if not all, bars be shut prior to the end of the entertainment? YES / NO

If the event is **“Bring Your Own Bottle” BYOB**, what provisions can be made to prevent glass-related injuries, underage drinking, and excessive intoxication?

If the event is **not BYOB**, what provisions can be made to prevent alcohol from being brought into the venue?

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

If there are to be designated drinking areas, will they be adequate in size and number and supported by toilet facilities to cope with the expected size of the crowd? YES / NO

Will there be dry areas for families, entertainment, and food? YES / NO

Will the event provide the following facilities to encourage responsible drinking by patrons?

- Free drinking water YES / NO
- Cheap non-alcoholic drinks YES / NO
- Range of quality food YES / NO
- Shade or cover YES / NO
- Safe drinking information YES / NO
- Quality entertainment YES / NO
- "Wet" and "Dry" areas YES / NO

Other Drug Use

Is it possible that drugs, including marijuana and amphetamines, may be available and used at this event? YES / NO

List any drugs and related information known from previous experience:

What provisions can be made to address this drug use?

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

Medical

What level of medical service is considered necessary, and for what duration?

Who can provide this service? _____

What will be the cost of the service? _____

If it is not a local provider, what arrangements have been made to coordinate with the local ambulance service?

What facilities will the medical service require (including helipad)?

How can these be provided? _____

Animals

If the event involves animals, what arrangements will be necessary for their management, care, and well being?

PROMOTER/SPONSOR CHECKLIST (CONTINUED)

If the event may affect animals, what arrangements will be necessary for their management, care, and well being?

Briefing/Debriefing

A final briefing of stakeholders is planned for _____ weeks prior to the event.

A debriefing will be conducted with all stakeholders within _____ days of the event.

APPROVING AUTHORITY CHECKLIST

Event Details

Name of Event: _____

Requested Date(s) of Event: From: ____ / ____ / ____ To: ____ / ____ / ____

Request Event Time: Start: _____ Finish: _____

Requested Site: _____

Site Address: _____

Promoter: _____

Event Manager: _____

Address: _____

Contact: Phone: _____ Fax: _____

After Hours: _____

Requested site preparation start date: ____ / ____ / ____

Suggested site vacated date: ____ / ____ / ____

Brief details of function (including entertainment and main attractions):

APPROVING AUTHORITY CHECKLIST (CONTINUED)

Legal Requirements

Does the application:

- Comply with State and Local legislation/regulations/codes? YES / NO
- Provide for adequate general public liability insurance? YES / NO
- Provide for adequate liability insurance for a major incident? YES / NO
- Need to post a bond to cover contingencies? YES / NO

Licenses/Permits

Does the application require:

- Liquor licensing? YES / NO
 - Road closures/restrictions? YES / NO
 - Food outlet licenses? YES / NO
 - Health care licensing? YES / NO
 - Fire Inspection? YES / NO
 - Fireworks/pyrotechnics permits? YES / NO
 - Any other: _____
-

Site

Is it appropriate for the type of event? YES / NO

Are there multiple sites involved in the event? YES / NO

Comment: _____

Indoor/outdoor: _____

APPROVING AUTHORITY CHECKLIST (CONTINUED)

Permanent structure or temporary site: _____

Normally used for this type of event? YES / NO

Normally used for large crowds? YES / NO

Topography: _____

Any effect on neighboring communities? YES / NO

Suitability for camping facilities? YES / NO

List any environmental issues (green, flora, fauna, historic site): _____

List any natural features likely to be hazardous (river, dam, long grass, forest): _____

Anticipated crowd number of attendees: _____

Is site large enough for expected crowd? YES / NO

Tickets being pre-sold? YES / NO _____% Of Attendance

Tickets sold at the gate? YES / NO _____% Of Attendance

Other means of limiting crowd: _____

APPROVING AUTHORITY CHECKLIST (CONTINUED)

Type of crowd expected (young, old, family, unruly): _____

Is water available at site? YES / NO

Quality of water: _____

Quantity of potable water: _____

Probability of sabotage of water? YES / NO

Comment: _____

Fixed sewerage? YES / NO

Adequate sewerage capacity? YES / NO

Comment: _____

Other utility supplies (power, gas): _____

Will they be adequate? _____

Will emergency water supplies be required? YES / NO

Will emergency water supplies be supplied? YES / NO

Will emergency water supplies be available? YES / NO

Comment: _____

Will emergency electricity supplies be required? YES / NO

Will emergency electricity supplies be supplied? YES / NO

Will emergency electricity supplies be available? YES / NO

APPROVING AUTHORITY CHECKLIST (CONTINUED)

Comment: _____

Will emergency gas supplies be required? YES / NO

Will emergency gas supplies be supplied? YES / NO

Will emergency gas supplies be available? YES / NO

Comment: _____

Emergency Services/Key Stakeholders

Has applicant consulted and gained support/approval from:

- State/Local Government Departments? YES / NO
- If yes, list by abbreviation: _____
- Police Department? YES / NO
- Ambulance Service? YES / NO
- First Aid Service? YES / NO
- Fire Department? YES / NO
- Medical/Hospital Facilities? YES / NO
- State Emergency Service? YES / NO
- Transportation Authorities? YES / NO
- Liquor Licensing Court? YES / NO
- Neighboring Communities? YES / NO
- Neighbors/Community Association? YES / NO

APPROVING AUTHORITY CHECKLIST (CONTINUED)

Other: _____

Other: _____

Have emergency management plans been prepared? YES / NO

Have contingency plans been prepared? YES / NO

If NO, are they necessary? YES / NO

If they are necessary, who will coordinate the preparation? _____

Security

Is special security being provided? YES / NO

If YES, who is providing it? _____

If NO, is it considered necessary? YES / NO

Is the provider licensed to provide the service? YES / NO

Event Safety Issues

Natural

Weather (rain, wind, heat, cold): _____

Terrain (cliffs, creeks, reclaimed land): _____

Environmental

Animals, forests, pollens, pests, flora, fauna, historical: _____

APPROVING AUTHORITY CHECKLIST (CONTINUED)

Technological

Utility lines, noise, lighting, access and egress: _____

Human

Alcohol, hysteria, nuisance, neighbors, fire: _____

Event

Pyrotechnics, lasers: _____

Access/Egress—Parking

Are road access and egress suitable? YES / NO

Are road access and egress suitable in all weather? YES / NO

Are road access and egress adequate? YES / NO

Will special traffic control be required? YES / NO

Is sufficient suitable off-road parking available? YES / NO

Will emergency services have continual access and egress? YES / NO

In the event of a major emergency, do access and egress allow for emergency services? YES / NO

Food

See Job Aids Food Vendor Information Sheet and Catering Inspection Checklist for Food Vendors.

APPROVING AUTHORITY CHECKLIST (CONTINUED)

Toilets

What is the anticipated crowd mix of male and female attendees (by percentage)?

_____ MALE _____ FEMALE

How many fixed-toilet facilities will be available?

_____ MALE TOILETS

_____ URINALS

_____ MALE SHOWERS

_____ FEMALE TOILETS

_____ FEMALE SHOWERS

_____ DISABLED

Will separate toilet facilities be available for food vendors? YES / NO

Will separate toilet facilities be available for medical attendants? YES / NO

Are there sufficient toilet facilities? YES / NO

If NO, what additional requirements will there be? _____ MALE TOILETS

_____ URINALS

_____ MALE SHOWERS

_____ FEMALE TOILETS

_____ FEMALE SHOWERS

_____ DISABLED

Will the current sewerage system cope with the extra demand? YES / NO

APPROVING AUTHORITY CHECKLIST (CONTINUED)

If NO, what additional requirements will there be?

Where additional requirements are unserved, can service trucks gain easy access?

YES / NO

What servicing of toilets will be provided during the event? _____

What, if any, plumbing maintenance will be available onsite? _____

Garbage and Water Removal

Number of garbage bins available _____ Public Use

_____ Food Outlet Use

_____ Medical Facility Use

Type of garbage bins (including for sharps, wet, dry, hazardous): _____

Program for emptying garbage bins: _____

Program for removal of site garbage: _____

APPROVING AUTHORITY CHECKLIST (CONTINUED)

What toilet and personal hygiene facilities will be available within campsite?

_____ MALE TOILETS _____ FEMALE TOILETS
_____ URINALS
_____ MALE SHOWERS _____ FEMALE SHOWERS
_____ DISABLED TOILETS _____ DISABLED SHOWERS

What water supply is available? _____

Is it potable? _____

Can you estimate whether this is sufficient? YES / NO

Comments: _____

What garbage bins are available? _____

Can you estimate whether this is sufficient? YES / NO

What waste disposal arrangements are being made (including wet, dry, sharps, sewage)?

Site Plan

Camp site plan available (including access and egress for emergency vehicles, access and egress for service vehicles, parking areas, camping areas, numbered camp sites, toilet and personal hygiene facilities, water points, trash bins, food venues, First Aid/Medical facilities, any other related facilities). YES / NO

FOOD VENDOR INFORMATION SHEET
(one required for each vendor)

(To be provided to the local health authority)

Name of Vendor: _____

Point of Contact: _____

Business Address: _____

Business Phone: _____ Business Fax: _____

POC Phone: _____ POC Mobile: _____

POC Pager: _____

Main purpose of business: _____

Is a menu attached, indicating the full range of food to be provided? YES / NO

Indicate which of the following foods you sell directly or will be using as ingredients:

- Milk/milk products YES / NO
- Poultry YES / NO
- Salads/rice dishes YES / NO
- Egg products YES / NO
- Fish/fish products YES / NO
- Raw meat YES / NO
- Ice cream YES / NO
- Shellfish YES / NO
- Cooked meat YES / NO

Other (specify): _____

FOOD VENDOR INFORMATION SHEET (CONTINUED)

Type of operation:

- Stall YES / NO
- Mobile unit YES / NO
- Stand YES / NO
- Tent YES / NO

Other (specify): _____

Indicate the type of equipment to be provided/used on site:

- Refrigeration YES / NO
- Freezer YES / NO
- Oven YES / NO
- Deep fryer YES / NO
- Microwave oven YES / NO
- Sink YES / NO
- Wash hand basin YES / NO
- Grill YES / NO

Other (specify): _____

Are fire extinguishers provided at each site? YES/ NO

What kind/type?: _____

Indicate power sources:

- LPG (propane) YES / NO
- Electrical generator YES / NO

Other (specify): _____

FOOD VENDOR INFORMATION SHEET (CONTINUED)

Is the food to be prepared or stored in premises other than the temporary food premises or vehicle? YES / NO

If YES, please state the address: _____

Will food be delivered to the site by a separate supplier? YES / NO

If YES, what arrangements will be made for receipt of those goods? _____

Have you or any of your staff completed a food handler hygiene course? YES / NO

If YES, when and where: _____

Vendor Point of Contact signature: _____

Date: _____

Location of vendor in event footprint _____

CATERING INSPECTION CHECKLIST FOR FOOD VENDORS

The establishment of a temporary catering facility can mean working in less-than-ideal conditions. The following checklist will provide guidance on minimum requirements for this type of event catering.

Setting Up

Food service operation is licensed or registered in accordance with State/local requirements. YES / NO

The appropriate permit has been obtained from the State/local authority where the event is to be held. YES / NO

The area for which the permit is valid is clear, that is, the location where the vendor can set up? YES / NO

Staff Training

Staff are trained in food handling and food safety. YES / NO

Staff have been instructed on machinery operation, food preparation routines and occupational health and safety matters. YES / NO

There are clear guidelines for staff about what to do if problems occur (who to contact and appropriate contact numbers). YES / NO

Food Handling

All food handlers carry out hand washing thoroughly and regularly, particularly:

- Before commencing work and after every break YES / NO
- After visiting the toilet YES / NO
- After handling raw food YES / NO
- After using a handkerchief or tissue or touching nose, hair or mouth YES / NO
- After handling trash YES / NO
- After smoking YES / NO

Correct food temperatures can be, and are, maintained. YES / NO

CATERING INSPECTION CHECKLIST FOR FOOD VENDORS (CONTINUED)

Food is cooled rapidly under refrigeration in trays not more than 4 inches deep	YES / NO
Tongs are provided and used where possible for food handling.	YES / NO
Gloves, if used, are changed regularly.	YES / NO
Food is thoroughly cooked.	YES / NO
Food is protected from dust, insect pests, and other contaminating matter.	YES / NO
Staff wear suitable, clean clothing and have long hair tied back.	YES / NO
Food on display on counters is protected from contamination from the public by use of covers or guards.	YES / NO
Condiment area is checked and cleaned regularly.	YES / NO

Food Storage

Sufficient refrigeration space is provided to cope with peak demand.	YES / NO
Refrigerated storage temperatures can be maintained during peak loads.	YES / NO
Raw foods are stored below cooked or ready to eat foods.	YES / NO
Food containers are covered.	YES / NO
Food is stored off the floor on pallets or shelving	YES / NO
Frozen food is thawed on the bottom shelf in the refrigerator or under cold running water.	YES / NO
Dry food storage space is adequate for peak loads.	YES / NO
Dry foods are protected from dust and insect pests and rodents at all times.	YES / NO
Hot food storage is in accordance with applicable standards.	YES / NO
Cold food storage is in accordance with applicable standards.	YES / NO

CATERING INSPECTION CHECKLIST FOR FOOD VENDORS (CONTINUED)

Food Transport

Transport times are kept to a minimum. YES / NO

Food temperatures are met at all times during transport. YES / NO

All foods are protected from dust, pests, chemicals, and other contaminating matter. YES / NO

Cleaning and Sanitizing

Cleaning cloths are replaced frequently. YES / NO

Equipment and surfaces used for the preparation of raw foods are cleaned and sanitized before further use. YES / NO

Sanitizers are appropriate for use in the food industry and are used in accordance with the manufacturers' directions. YES / NO

Packaging and Labeling

All prepackaged foods are labeled in accordance with United States Food and Drug Administration nutritional requirements. YES / NO

Waste Management

Waste is removed regularly from food preparation areas. YES / NO

Putrescible (decomposable) waste removed from food preparation areas is placed in bins with tight-fitting lids.

Capacity to store sullage waste is adequate or connection to the sewer is maintained without leakage. YES / NO

Infectious Diseases

All staff are required to report any gastrointestinal type illness to the supervisor. YES / NO

A register of staff illness is kept by the supervisor. YES / NO

Staff are not permitted to work while they have symptoms of gastrointestinal illness or in the acute stage of a cold or flu-like illness. YES / NO

CATERING INSPECTION CHECKLIST FOR FOOD VENDORS (CONTINUED)

Safety

The workplace is safe, that is, there are no trip hazards, no unprotected hot zones, and no unguarded equipment. YES / NO

Fire precautions are followed and fire safety devices are to the satisfaction of the fire authority. YES / NO

Food handlers have contact details for all necessary personnel in case of problems occurring. YES / NO

A list of appropriate contact details is maintained and accessible. YES / NO

For example,

- Event organizer YES / NO
- Environmental health officer YES / NO
- Plumber YES / NO
- Electrician YES / NO
- Refrigeration mechanic YES / NO
- Alternative refrigeration suppliers YES / NO

UTILITIES DEPARTMENT VENUE ASSESSMENT CHECKLIST

Electrical—Ground Fault Interrupter and National Electrical Code (NEC) Standards

- Back-up generator with fuel supply
- Emergency lighting and exit signs
- Clearly marked distribution and disconnect
- Key personnel ID (photo and briefing)
- System security
- Alternate electrical sources

Alternative Fuels

- Valves and emergency shutoff
- Pilotless ignition

Isolation of Subsections of System

- Hood
- Carbon monoxide (CO) monitors
- Waste oil storage
- No interior storage of, or use of, unapproved systems

HVAC

- HVAC engineer on duty
- Reversible system?
- Back-up power for system

Telecommunications—E-911

Emergency system access (coded)
Event primary PSAP identified

Uninterruptible Power Supply (UPS)

- Adequate number of lines, with locations clearly marked
- Amplified receivers (ADA)
- System priority lines

UTILITIES DEPARTMENT VENUE ASSESSMENT CHECKLIST (CONTINUED)

Water

- Fire water system – Fire Department Connection (FDC)
- System grid established
- Potable water – locations, security, markings identified

Sanitary Sewer

- Adequacy
- Pre-event inspection
- Portable units, as needed, with servicing established
- Have formulas regarding toilets (male and female) been followed? (See Chapter 2 in this manual for toilet facility suggestions.)

PUBLIC WORKS DEPARTMENT CHECKLIST

Street/Drainage Division

- Barricades, traffic cones and jersey barriers.
- Transport water tankers as necessary.
- Assure sidewalks are clean and in safe condition.

Traffic Engineering Operations Division.

- Review the traffic event management plan submitted by the event manager.
- Coordinate with the Police Department regarding traffic flow patterns.
- Timing of signals changes to maximize traffic flow.
- Regional traffic management plan.

Animal Control Division

- Back-up program to respond to the event as necessary.

Solid Waste Management Division

- Collection of site debris.
- Sweeping of site and adjacent roadways.
- Litter control and disposal.
- Coordination with the Health Department concerning debris removal from food serving areas.

Parking Operations/Enforcement Division

- Review parking program and offer assistance.
- Coordinate with mass transportation organization regarding pick-up point parking.

Engineering Division

- Coordinate with organizations involved in the event to review the site and the layout of the various program.
- Work with the Building Inspections Division to coordinate the planning for the event.

Regional Mass Transportation Division

- Establish timely schedules for shuttles.
- Review the fees and charges for providing services.

PUBLIC WORKS DEPARTMENT CHECKLIST (CONTINUED)

Forestry/Horticulture Division

- Protect the landscaping in year-round planter areas from public damage.
- Inspect trees and large shrubbery for trimming as required to accommodate event security concerns and to ensure the public welfare of the event attendees.

Parks and Recreation Division

- Schedule personnel to support activities in the event area.
- Work with vendors in supplying the needed support for the event.
- Arrange for special events coordination with the children's area.

BUILDING DEPARTMENT VENUE ASSESSMENT CHECKLIST

Occupancy

Type: _____

Overload: _____

Seating: (quality, quantity, state of repair, fixed, and portable) _____

Stairs/Ramps: _____

Handrails—size and capacity: _____

Adequate Exits

Number: _____

Capacity: _____

Parking

Spaces: _____

Location: _____

Storage

Square feet: _____

Location: _____

Hazardous Materials

Use: _____

Storage: _____

Kind/type: _____

Security concerns: _____

BUILDING DEPARTMENT VENUE ASSESSMENT CHECKLIST (CONTINUED)

Auxiliary Power

Type: _____

Capacity: _____

Facility Use

Type: _____

History: _____

Building Inspection History

Date of last building inspection: _____

Date of last fire inspection: _____

Correction of violations: _____

Date of last elevator/escalator inspections: _____

Slip/trip/fall hazards present?: _____

Documentation/Monitoring

HVAC Adequacy

Tons per square feet: _____

**Plan Review and Walk-Through Inspection with Fire Department Code
Enforcement Officer**

Building Suppression Systems: _____

ADA Compliance: _____

**Coordinate Security of Structurally Vulnerable Areas with Law Enforcement
Agency**

Catwalks, balconies, and stages: _____

BUILDING DEPARTMENT VENUE ASSESSMENT CHECKLIST (CONTINUED)

Building Owner Contact Information

Name: _____ Phone: _____

Address: _____

Billing Address: _____

Liability Insurance: _____

PUBLIC HEALTH DEPARTMENT VENUE ASSESSMENT CHECKLIST

Buildings and Facilities

- HVAC/Air quality
- Inspections – water, food vendors

Sanitation _____

Waste Disposal

Type: _____

When/how often: _____

Water

Quality: (potable): _____

Quantity: (potable): _____

Quantity: (non-potable): _____

Hot Water

Quality: _____

Quantity: _____

Cleaning Agents

- Types, use, quantity
- Toilets – fixed, portable, quantity, cleaning, inspection, and servicing
- Floors – nonslip, drains, and cleanup
- Cleanup – trash, sweeping, mopping, grass, and dust control

PUBLIC HEALTH DEPARTMENT VENUE ASSESSMENT CHECKLIST (CONTINUED)

Food—General

- Licenses – fixed and temporary
- Fire extinguishers

Food—Ice and Water

- Vector control

Food—Refrigeration/Storage

- Inspection – cleanliness, temperature, off the floor

Food—Cooking

- Devices – fuel, temperature, hot/cold, thermal, exhaust

Food—Handling

- Staff training (hygiene, cross contamination, etc.)

Food—Power Supplies

- Power Cord – ground fault interrupter

Food—Generators

- Fuel
- Refueling
- Exhaust
- Operators

Sneeze Shields/Covers

First Aid Kits

FIRE SERVICES VENUE ASSESSMENT CHECKLIST

Exit Doors

- Appropriate number
- Appropriate locations
- Appropriate size
- Appropriate operation
- Appropriate markings

Avenues of Egress

- Sufficient width
- Adequate accessibility

Exit Route Markings

- Sufficient size
- Sufficient numbers
- Understandable
- Emergency lighting

Notification Systems

- Smoke
- Heat detectors
- Pull boxes
- Fire watch
- Carbon monoxide
- On line and functioning, monitored detection systems

Automated Fire Protection

- Sprinklers
- Zones
- Grids
- Hoods

Manual Fire Protection

- Extinguishers
- Hose lines
- Connections

FIRE SERVICES VENUE ASSESSMENT CHECKLIST (CONTINUED)

Fire Department Connections

- Sprinkler: locations _____
- Standpipe: locations _____

Fire Department Response

- Time
- Size of assignment

Fire Spread Ratings of Stage Materials

Pyrotechnic Safety Used in the Show

Permit obtained? YES / NO

Licensed show provider? YES / NO

Other?: _____

Need for On-Duty Inspector and Technical Expert for HVAC System

Develop, Review and/or Update Plan for Event Site/Buildings

Ensure Occupancy Load is Posted and Not Exceeded

Fire Lane Marked and Kept Clear

911 System Access:

Handheld radio / cellular phone / landline (NOT pay phone)

LAW ENFORCEMENT VENUE ASSESSMENT CHECKLIST

Crowd Control/Site Security

Access by the public: _____

Access by VIPs: _____

Access by emergency services: _____

Secondary route: _____

Security concerns: _____

Demographics of Spectators and Participants

Age: _____

Mobility: _____

Numbers: _____

Attitude: _____

VIP's to attend: _____

Patrols

Uniformed: _____

Non-uniformed: _____

Other security: _____

Intelligence contact: (Joint Terrorism Task Force (JTTF), etc.)

Traffic

Control: access/egress _____

Concerns: _____

LAW ENFORCEMENT VENUE ASSESSMENT CHECKLIST (CONTINUED)

Alcohol

- None
- Limited access (such as beer gardens): _____
- Distributing locations on event footprint

Incident Command Post

Location and contact information: _____

Closest mutual aid resources if required?

Promoter background investigation completed?

Surveillance: (closed-circuit television, locations, etc.)

Credentialing required?

Meals/lodging arrangements made for staff, if required?

Overtime considerations addressed?

Arrest/booking process identified?

Special teams required? (SWAT, EOD, K-9, etc.)

EMERGENCY MEDICAL SERVICES VENUE ASSESSMENT CHECKLIST

Event Type

Hazards: _____

Vulnerabilities: _____

Environment

Indoor/Outdoor: _____

Climate: _____

Alcohol/Drugs: _____

Demographics of Spectators and Participants

Age: _____

Mobility: _____

Numbers: _____

Attitude: _____

VIPs: _____

Transportation

Access/Egress: _____

Americans with Disabilities Act (ADA) Compliance: _____

Internal/External: _____

Facility

Visibility/Lighting: _____

EMERGENCY MEDICAL SERVICES VENUE ASSESSMENT CHECKLIST (CONTINUED)

Fixed or Festival Seating: _____

Layout: _____

ADA Compliance: _____

Communications

Internal: _____

External: _____

Aid Station on Site YES / NO

Number: _____

Staffed for event? YES / NO

Mobile teams to be used YES / NO

Foot: YES / NO Number: _____

Bike: YES/ NO Number: _____

Carts: YES / NO Number: _____

Other: YES / NO Number: _____

HAZARD VULNERABILITY ASSESSMENT

Frequency Distributions

The planning team should assign a *frequency distribution* for each type of hazard identified in the Rating Worksheet. A frequency distribution categorizes the jurisdiction's *exposure* to each hazard (that is, the likelihood of occurrence for each type of hazard). Exposure can be assessed in terms of cycles, hours, or years. The definitions of frequency distribution are shown in the table below.

Exposure	Frequency
Highly likely = 3	The potential for impact is very probable (near 100 percent) in the next year.
Likely = 2	The potential for impact is between 10 and 100 percent within the next year. or There is at least one chance of occurrence within the next 10 years.
Possible = 1	The potential for impact is between 1 and 10 percent within the next year. or There is at least one chance of occurrence within the next 100 years.
Unlikely = 0	The potential for impact is less than 1 percent in the next 100 years.

HAZARD VULNERABILITY ASSESSMENT (CONTINUED)

Severity Ratings

The planning team should use historical and analytical data to assign a *severity rating* to each type of hazard that the team identifies in the hazard rating worksheet. The severity ratings selected should quantify, to the degree possible, the damage to be expected in the jurisdiction as a result of a specific hazard. The definitions of the severity ratings are shown in the table below.

Population/Property Level of Severity	Definition
Catastrophic = 3	Multiple deaths. Complete shutdown of critical facilities for 30 days or more. More than 50 percent of property is severely damaged.
Critical = 2	Injuries and/or illnesses result in permanent disability. Complete shutdown of critical facilities for at least 2 weeks. More than 25 percent of property is severely damaged.
Limited = 1	Injuries and/or illnesses do not result in permanent disability. Complete shutdown of critical facilities for more than 1 week. More than 10 percent of property is severely damaged.
Negligible = 0	Injuries and/or illnesses are treatable with first aid. Minor quality of life lost. Shutdown of critical facilities and services for 24 hours or less. No more than 1 percent of property is severely damaged.

HAZARD VULNERABILITY ASSESSMENT (CONTINUED)

Ranking the Hazards

Using the severity and frequency distribution definitions, the planning team should identify potential hazards for the event and rank them in the Rating Worksheet.

Hazard	Frequency (Likelihood)	Potential Impact on Population	Potential Impact on Property	Level of Coverage in EOP	Point Total
	0 = Unlikely 1 = Possible 2 = Likely 3 = Highly Likely	0 = Negligible 1 = Limited 2 = Critical 3 = Catastrophic	0 = Negligible 1 = Limited 2 = Critical 3 = Catastrophic	0 = None 1 = Limited 2 = Sufficient 3 = Comprehensive (annex)	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	
	0 1 2 3	0 1 2 3	0 1 2 3	0 1 2 3	

HAZARD VULNERABILITY ASSESSMENT (CONTINUED)

Recording the Information

Using the information from the Rating Worksheet, the planning team should complete the Profile Worksheet to assess each hazard.

Hazard Profile Worksheet	
Hazard _____	
<p>Potential Magnitude</p> <ul style="list-style-type: none"> ▪ Catastrophic: Can affect more than 50 percent of the jurisdiction. ▪ Critical: Can affect between 25 and 50 percent of the jurisdiction. ▪ Limited: Can affect between 10 and 25 percent of the jurisdiction. ▪ Negligible: Can affect less than 10 percent of the jurisdiction. 	
Areas Likely to be Most Affected (by sector) _____	
Probable Duration _____	
<p>Potential Speed of Onset</p> <ul style="list-style-type: none"> ▪ More than 24 hours' warning probably will be available. ▪ Between 12 and 24 hours' warning probably will be available. ▪ Between 6 and 12 hours' warning will be available. ▪ Minimal (or no) warning will be available. 	
Existing Warning Systems _____	
Complete Vulnerability Analysis with local/State emergency management agencies?*	YES/NO

* Note that some hazards may pose such a limited threat to the jurisdiction that additional analysis is not necessary.

LOST-CHILD INFORMATION SHEET

(Check local regulations for reporting and release requirements.)

Date and time of report: _____

Case number (if needed): _____ Officer assigned: _____

Date and time of assignment: _____

Resolution

- Child was found. Location: _____ By whom: _____
- Name of parent/legal guardian that child was released to: _____
- Parent left and did not return to CP after being advised to stay.
- Child was not found. Report was filed. Complaint number: _____

Information About the Child

Name: _____

Address: _____

DOB: _____ Phone number: _____

Description of Child

Height: _____ Weight: _____ Hair color: _____ Eye color: _____

Clothing: _____

Unique physical features: _____

Other individuals with missing child: _____

Parent/Guardian Information

Name: _____

Address: _____

Phone number: _____ DOB: _____

Social Security #: _____

Form of identification provided: _____

**IS-15: Special Events Contingency Planning
Job Aids Manual**

GASTROINTESTINAL ILLNESS QUESTIONNAIRE

(For use at medical aid posts during gatherings,
to be used in addition to any patient information intake form.)

Date: _____ / _____ / _____ Officer assigned: _____

Name: _____

Address: _____

Phone number: _____

What symptoms have you had?

Diarrhea YES / NO

Nausea YES / NO

Vomiting YES / NO

Abdominal cramps YES / NO

Headache YES / NO

Fever YES / NO

Blood in feces YES / NO

Joint or muscle aches YES / NO

Other: _____

When did the symptoms first start?

Date: ____/____/____

Time: _____ a.m./p.m.

Do you know of others who have been ill with similar symptoms? YES / NO

(Include names and contact details for others on the reverse side of this form for further followup.)

What have you eaten since being at this event and where was it purchased or obtained?

(List the food history on the reverse side of this form. Include all food, drinks, and any other snacks. It is important to list where the food was obtained.) YES / NO

GASTROINTESTINAL ILLNESS QUESTIONNAIRE (CONTINUED)

Have you been swimming since being at this event?

Pool YES / NO

Spa YES / NO

River YES / NO

Lake YES / NO

Other: _____

Do you suspect anything that may have caused your illness? YES / NO

Explain: _____

NOTE: Keep this form for review or collection by the supervisor or public health official. Report anything suspicious or, if there are several cases, similar illness within a short period of time. Provide a report to local emergency rooms and those in surrounding communities for statistical analysis and distribution.

INCIDENT ACTION PLAN SCHEDULE

Operational Period:

Date:

	Form	Responsibility	Time Needed By
Cover			
Incident Objectives	202		
Organization Assignment	203		
Division Assignment	204		
Communication Plan	205		
Medical Plan	206		
Traffic Plan			
Weather Forecast			
Fire Behavior Forecast			
Air Operations Summary	220		
Safety Message			
Tool and Equipment Plan			
Finance Message			
Rehabilitation Plan			
Cover			

INCIDENT COMMAND SYSTEM FORMS

Copies of the following Incident Command System forms can be found on the NIMS Resource Center at <http://www.fema.gov/nims>:

- ICS Form 201, Incident Briefing
- ICS Form 202, Incident Objectives
- ICS Form 203, Organization Assignment List
- ICS Form 204, Assignment List
- ICS Form 205, Incident Radio Communications Plan
- ICS Form 206, Medical Plan
- ICS Form 207, Organizational Chart
- ICS Form 209, Incident Status Summary
- ICS Form 210, Status Change Card
- ICS Form 211, Check-In List
- ICS Form 213, General Message
- ICS Form 214, Unit Log
- ICS Form 215, Operational Planning Worksheet
- ICS Form 215a, Incident Action Plan Safety Analysis
- ICS Form 216, Radio Requirements Worksheet
- ICS Form 217, Radio Frequency Assignment Worksheet
- ICS Form 218, Support Vehicle Inventory
- ICS Form 220, Air Operations Summary
- ICS Form 221, Demobilization Plan
- ICS Form 308, Resource Order Form

**IS-15: Special Events Contingency Planning
Job Aids Manual**

Expense Report

Prepared by:

Date / time:

Incident:

Name:

Title:

SS#:

DATE:								TOTAL
LOCATION:								
Time	Regular Hours							
	Overtime Hours							
Transportation	Vehicle Mileage							
	Common Carrier Transportation Cost							
	Vehicle Fuel/Oil Cost							
	Tolls							
	Vehicle Repair Cost							
Other	Lodging Cost							
	Meals Cost							
	Equipment Repair Cost							
	Miscellaneous							
EXPENSE TOTAL								

NOTE: Attach copies of travel vouchers, meal receipts, hotel bills, lodging requests, toll receipts, and/or repair bills. Copy of time sheet and copy of vehicle cost record and gas or repair receipts must be submitted prior to, or as part of, the demobilization process.

HAZMAT/CBRNE DATA COLLECTION REPORT

Reported by: _____

Phone Number: _____

Agency or Home Address: _____

Date and Time of Incident: _____

Incident Location and Description

Neighborhood and occupancy: _____

Topography: Urban Rural Suburban

Describe: _____

Population sensitive areas (for example, nursing homes, schools, or hospitals):

Reason for Report

- Unusual liquid droplets
- Unusual odors
- Unusual cloud or vapor
- Unusual metal debris
- Other (describe): _____
- People becoming sick
- People dying
- Dead/discolored vegetation
- Dead/dying or sick animals

Weather

- Clear
- Misty
- Temperature: _____
- Relative humidity: _____
- Other (describe): _____
- Cloudy
- Rain
- Snow

HAZMAT/CBRNE DATA COLLECTION REPORT (CONTINUED)

Wind

Direction (to/from): _____

Speed (none, mild, gusts, high winds): _____

Other (describe): _____

Odor

- None
- Irritating
- Garlic/Horseradish
- Sweet
- Pepper
- Fruity
- Changing
- Other (describe): _____
- Flower
- Forest
- Almond/Peach
- Fresh hay
- Rotten eggs

Visible Emission

- Cloud or Vapor
- Mist
- Smoke
- Liquid
- Other (describe): _____

Signs and Symptoms

- None
- Tightness in chest
- Dizziness
- Blurred vision
- Difficulty breathing
- Fever
- Runny nose
- Other (describe): _____
- Stinging of skin
- Reddening of skin
- Welts/Blisters
- Nausea/Vomiting
- Choking
- Diarrhea

HAZMAT/CBRNE DATA COLLECTION REPORT (CONTINUED)

Date and Time of Onset: _____

Duration of Symptom(s): _____

Number of Casualties: _____

Explosion/Fires

- None
- Air
- Ground
- Other (describe): _____
- Structure
- Underground

Describe device: _____

Describe container/condition/size: _____

Describe location where device was found: _____

Describe structures involved/estimated damage: _____

Report filed by:

Information reported to: _____

BOMB THREAT CHECKLIST

Place by each telephone. Duplicate as necessary.

Exact date and time of call: _____

Exact words of caller: _____

Questions to ask

1. When is the bomb going to explode? _____

2. Where is the bomb? _____

3. What does it look like? _____

4. What kind of bomb is it? _____

5. What will cause it to explode? _____

6. Did you place the bomb? _____

7. Why? _____

8. Where are you calling from? _____

9. What is your address? _____

10. What is your name? _____

Caller's Voice (Please circle appropriate terms.)

calm	disguised	nasal	angry	broken
stutter	slow	sincere	lisp	rapid
giggling	deep	crying	squeaky	excited
stressed	accent	loud	slurred	normal

If voice is familiar, whom did it sound like? _____

Were there any background noises? _____

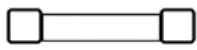
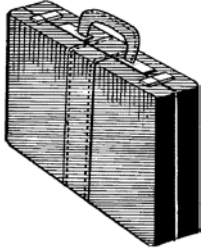





Remarks: _____

Person receiving call: _____

Telephone number where call was received: _____

Report call immediately to: _____
(Refer to bomb incident plan.)

BOMB THREAT STAND-OFF

THREAT	THREAT DESCRIPTION	EXPLOSIVE CAPACITY	LETHAL AIRBLAST RANGE	MANDATORY EVACUATION DISTANCE	DESIRED EVACUATION DISTANCE
	Pipe Bomb	5 LBS / 2.3 KG	25 FT / 8 M	70 FT / 21 M	850 FT / 259 M
	Briefcase or Suitcase Bomb	50 LBS / 23 KG	40 FT / 12 M	150 FT / 46 M	1,850 FT / 564 M
	Compact Sedan	220 LBS / 100 KG	60 FT / 18 M	240 FT / 73 M	915 FT / 279 M
	Sedan	500 LBS / 227 KG	100 FT / 30 M	320 FT / 98 M	1,050 FT / 320 M
	Van	1,000 LBS / 454 KG	125 FT / 38 M	400 FT / 122 M	1,200 FT / 366 M
	Moving Van or Delivery Truck	4,000LBS / 1,814KG	200 FT / 61 M	640 FT / 195 M	1,750 FT / 534 M
	Semi-Trailer	40,000 LBS / 18,144 KG	450FT / 137M	1,400FT / 427M	3,500FT / 1,607M

Explosive Capacity is based on maximum volume or weight of explosives (TNT equivalent) that could reasonably fit or be hidden in a suitcase or vehicle.

Lethal Airblast Range is the minimum distance personnel in the open are expected to survive blast effects. This minimum range is based on anticipation of avoiding severe lung damage or fatal impact injury from body translation.

Mandatory Evacuation Distance is the range within which all buildings must be evacuated. From this range outward to the Desired Evacuation Distance, personnel may remain inside buildings but away from windows and exterior walls. Evacuated personnel must move to the Desired Evacuation Distance.

APPENDIX B: REFERENCES AND BIBLIOGRAPHY

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APPENDIX C: GLOSSARY OF TERMS

GLOSSARY

A

Action Plan	See Incident Action Plan.
ADA	Americans With Disabilities Act.
Administrative/Finance Section	The section responsible for all incident costs and financial considerations. Includes the Time Unit, Procurement Unit, Compensation/Claims Unit, and Cost Unit.
Agency	A division of government with a specific function offering a particular kind of assistance. In the Incident Command System, agencies are defined either as jurisdictional (having statutory responsibility for incident management) or as assisting or cooperating (providing resources or other assistance). Governmental organizations are most often in charge of an incident, though in certain circumstances private-sector organizations may be included. Additionally, nongovernmental organizations may be included to provide support.
Agency Executive or Administrator	The official responsible for administering policy for an agency or jurisdiction. An Agency Administrator/Executive (or other public official with jurisdictional responsibility for the incident) usually makes the decision to establish an Area Command.
After-Action Report	A report detailing an event with recommendations for improvements.
Agency Dispatch	The agency or jurisdictional facility from which resources are sent to incidents.
Agency Representative	A person assigned by a primary, assisting, or cooperating Federal, State, tribal, or local government agency, or nongovernmental or private organization, that has been delegated authority to make decisions affecting that agency's or organization's participation in incident management activities following appropriate consultation with the leadership of that agency.
Air Operations Branch Director	The person primarily responsible for preparing and implementing the air operations portion of the Incident Action Plan (IAP). Also responsible for providing logistical support to helicopters operating at the incident..
Allocated Resources	Resources dispatched to an incident..

GLOSSARY (CONTINUED)

Area Command	An organization established to oversee the management of multiple incidents that are each being handled by a separate Incident Command System organization or to oversee the management of a very large or evolving incident that has multiple Incident Management Teams engaged. An Agency Administrator/Executive or other public official with jurisdictional responsibility for the incident usually makes the decision to establish an Area Command. An Area Command is activated only if necessary, depending on the complexity of the incident and incident management span-of-control considerations.
Assigned Resources	Resources checked in and assigned work tasks on an incident.
Assignments	Task given to a personnel resource to perform within a given operational period that is based on operational objectives defined in the Incident Action Plan.
Assistant	Title for subordinates of principal Command Staff positions. The title indicates a level of technical capability, qualifications, and responsibility subordinate to the primary positions. Assistants may also be assigned to Unit Leaders.
Assisting Agency	An agency or organization providing personnel, services, or other resources to the agency with direct responsibility for incident management. See Supporting Agency.
Available Resources	Resource assigned to an incident, checked in, and available for a mission assignment, normally located in a Staging Area.

B

Base	The location at which primary logistics functions for an incident are coordinated and administered. There is only one base per incident. (An incident name or other designator will be added to the term <i>base</i> .) The Incident Command Post may be collocated with the base.
Branch	The organizational level having functional or geographical responsibility for major aspects of incident operations. A Branch is organizationally situated between the Section Chief and the Division or Group in the Operations Section, and between the Section and Units in the Logistics Section. Branches are identified by the use of Roman numerals or by functional area.

GLOSSARY (CONTINUED)

C

Cache	A predetermined complement of tools, equipment, or supplies stored in a designated location and available for incident use.
Camp	A geographical site within the general incident area (separate from the Incident Base) that is equipped and staffed to provide sleeping, food, water, and sanitary services to incident personnel.
Check-in	The process through which resources first report to an incident. All responders, regardless of agency affiliation, must report in to receive an assignment in accordance with the procedures established by the Incident Commander.
Chain of Command	The orderly line of authority within the ranks of the incident management organization.
Chief	The Incident Command System title for individuals responsible for management of functional Sections: Operations, Planning, Logistics, Finance/Administration, and Intelligence/Investigations (if established as a separate Section).
Clear Text	The use of plain English in radio communications transmissions. No Ten Codes or agency-specific codes are allowed when using Clear Text.
CBRNE	Chemical, Biological, Radiological, Nuclear, Explosive
Command	The act of directing, ordering, or controlling by virtue of explicit statutory, regulatory, or delegated authority.
Command Staff	The staff who report directly to the Incident Commander, including the Public Information Officer, Safety Officer, Liaison Officer, and other positions as required. They may have an assistant or assistants, as needed.
Communications Unit (Comm. Unit)	An organizational unit in the Logistics Section responsible for providing communication services at an incident. A Communications Unit may also be a facility (for example, a trailer or mobile van) used to provide the major part of an Incident Communications Center.
Compensation Unit/ Claims Unit	Functional unit within the Administration/Finance Section responsible for financial concerns resulting from injuries or fatalities at the incident.

GLOSSARY (CONTINUED)

Complex	Two or more individual incidents that are located in the same general area and are assigned to a single Incident Commander or Unified Command.
Contingency Plan	A documented scheme of assigned responsibilities, actions, and procedures to be followed if an emergency situation develops.
Cooperating Agency	An agency supplying assistance other than direct operational or support functions or resources to the incident management effort.
Coordination Center	Term used to describe any facility that is used for the coordination of agency or jurisdictional resources in support of one or more incidents.
Cost Unit	Functional unit within the Administration/Finance Section responsible for tracking costs, analyzing cost data, making cost estimates, and recommending cost-saving measures.
Credential	A letter or other testimonial attesting the bearer's right to confidence or authority.
Credible Threat	A threat with sufficient credibility that would cause the FBI to begin a threat assessment. The FBI would notify law enforcement authorities within the affected State and the appropriate Federal agencies of a significant threat of terrorism.
Critical Crowd Densities	A common characteristic of crowd disasters. Critical crowd densities are approached when the floor space per standing person is reduced to about 4-5 square feet.
Crush Load	Overwhelming the capacity of a given area that results in gridlock, limited access, and hazards incompatible to life safety. This may apply to both inside and outside venues and parking areas.
Cues	A signal, hint, or guide.
D	
Debrief	A meeting held during or at the end of an operation with the purpose of assessing the conduct or results of an operation.
Deputy	A fully qualified individual who, in the absence of a superior, could be delegated the authority to manage a functional operation or perform a specific task. In some cases, a Deputy could act as relief for a superior and therefore must be fully qualified in the position. Deputies can be assigned to the Incident Commander, General Staff heads, and Branch Directors.

GLOSSARY (CONTINUED)

Demobilization Unit	Functional unit within the Planning Section responsible for ensuring orderly, safe, and efficient demobilization of incident resources.
Director	The Incident Command System title for individuals responsible for supervision of a Branch.
Dispatch	The ordered movement of a resource or resources to an assigned operational mission, or an administrative move from one location to another.
Dispatch Center	A facility from which resources are directly assigned to an incident.
Division	The organizational level having responsibility for operations within a defined geographic area. Divisions are established when the number of resources exceeds the manageable span of control of the Section Chief. See Group.
Documentation Unit	Functional unit within the Planning Section responsible for collecting, recording, and safeguarding all documents relevant to the incident.

E

Emergency Medical Technician (EMT)	A healthcare professional with special skills and knowledge in pre-hospital emergency medicine.
Emergency Operating Center (EOC)	The physical location at which the coordination of information and resources to support incident management (on-scene operations) activities normally takes place. An EOC may be a temporary facility or may be located in a more central or permanently established facility, perhaps at a higher level of organization within a jurisdiction. EOCs may be organized by major functional disciplines (e.g., fire, law enforcement, medical services), by jurisdiction (e.g., Federal, State, regional, tribal, city, county), or by some combination thereof.
Emergency Management	A range of measures to manage risks to communities and the environment.
Emergency Management Coordinator	Refers to the individual within each political subdivision who has coordination responsibility for jurisdictional emergency management.
Emergency Management Plan	A formal record of agreed emergency management roles, responsibilities, strategies, systems, and arrangements.
Emergency Operations Plan (EOP)	An ongoing plan for responding to a wide variety of potential hazards.

GLOSSARY (CONTINUED)

Endemic	Constant presence of a disease or infectious agent within a given geographic area or population group.
Environmental Health Officer	Terminology used that includes Health Inspectors/Surveyors, Public Health Officers, Sanitary Inspectors/Engineers, Hygiene Officers, and Preventive Health Officers.
Event	A scheduled nonemergency activity (e.g., sporting event, concert, parade, etc.).
Event Footprint	The area impacted by the event. This includes the event site(s) and any surrounding area impacted.

F

Facilities Unit	Functional unit within the Support Branch of the Logistics Section that provides fixed facilities for the incident. These facilities may include the Incident Base, feeding areas, sleeping areas, or sanitary facilities.
Field Operations Guide	Durable pocket or desk guides that contain essential information required to perform specific assignments or functions.
Food Unit	Functional unit within the Service Branch of the Logistics Section responsible for providing meals for incident personnel.
Freelance	Term used to describe resources performing assignments on their own and not under direct ICS supervision.
Function	The five major activities in the Incident Command System: Command, Operations, Planning, Logistics, and Finance/Administration. A sixth function, Intelligence/Investigations, may be established, if required, to meet incident management needs. The term function is also used when describing the activity involved (e.g., the planning function).

G

Gastric Illness (Gastroenteritis)	An inflammation of the stomach and the intestinal tract, often described as food poisoning.
General Staff	A group of incident management personnel organized according to function and reporting to the Incident Commander. The General Staff normally consists of the Operations Section Chief, Planning Section Chief, Logistics Section Chief, and Finance/Administration Section Chief. An Intelligence/Investigations Chief may be established, if required, to meet incident management needs.

GLOSSARY (CONTINUED)

Goal	The end toward which incident efforts are directed.
Ground Support Unit	Functional unit within the Support Branch of the Logistics Section responsible for the fueling, maintaining, and repairing of vehicles, and for the transportation of personnel and supplies.
Group	An organizational subdivision established to divide the incident management structure into functional areas of operation. Groups are composed of resources assembled to perform a special function not necessarily within a single geographic division. See Division.

H

Hazard Analysis	Identifies potential hazards, estimates how serious they are, and establishes planning priorities. Provides a factual basis for planning and the necessary documentation for planning and response efforts.
Helibase	The main location for parking, fueling, maintenance, and loading of helicopters operating in support of an incident. It is usually located at or near the Incident Base.
Helibase Crew	A crew of individuals who may be assigned to support helicopter operations.
Helispot	Any designated location where a helicopter can safely take off and land. Some helispots may be used for loading of supplies, equipment, or personnel.
HIPAA	Health Insurance Portability and Accountability Act.

I

Incident	An occurrence, natural or manmade, that requires a response to protect life or property. Incidents can, for example, include major disasters, emergencies, terrorist attacks, terrorist threats, civil unrest, wildland and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, tsunamis, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response.
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GLOSSARY (CONTINUED)

Incident Action Plan (IAP)	An oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.
Incident Base	The location at which primary Logistics functions for an incident are coordinated and administered. There is only one Base per incident. (Incident name or other designator will be added to the term Base.) The Incident Command Post may be co-located with the Incident Base.
Incident Commander (IC)	The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.
Incident Command Post (ICP)	The field location where the primary functions are performed. The ICP may be co-located with the Incident Base or other incident facilities.
Incident Command System (ICS)	A standardized on-scene emergency management construct specifically designed to provide an integrated organizational structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. It is used for all kinds of emergencies and is applicable to small as well as large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, to organize field-level incident management operations.
Incident Management Team	An Incident Commander and the appropriate Command and General Staff personnel assigned to an incident. The level of training and experience of the IMT members, coupled with the identified formal response requirements and responsibilities of the IMT, are factors in determining "type," or level, of IMT.
Incident Objectives	Statements of guidance and direction needed to select appropriate strategy(s) and the tactical direction of resources. Incident objectives are based on realistic expectations of what can be accomplished when all allocated resources have been effectively deployed. Incident objectives must be achievable and measurable, yet flexible enough to allow strategic and tactical alternatives.

GLOSSARY (CONTINUED)

Initial Action Resources initially committed to an incident.

J

JIC (Joint Information Center) A facility established to coordinate all incident-related public information activities. It is the central point of contact for all news media. Public information officials from all participating agencies should co-locate at the JIC.

JIS (Joint Information System) A structure that integrates incident information and public affairs into a cohesive organization designed to provide consistent, coordinated, accurate, accessible, timely, and complete information during crisis or incident operations. The mission of the JIS is to provide a structure and system for developing and delivering coordinated interagency messages; developing, recommending, and executing public information plans and strategies on behalf of the Incident Commander (IC); advising the IC concerning public affairs issues that could affect a response effort; and controlling rumors and inaccurate information that could undermine public confidence in the emergency response effort.

Jurisdiction Refers to the range or sphere of authority. Public agencies have jurisdiction at an incident related to their legal responsibilities and authority for incident mitigation. Jurisdictional authority at an incident can be political/geographical (for example, city, county, State, or Federal boundary lines) or functional (for example, police department or health department). (See *Multi-jurisdiction*, below.)

Jurisdictional Agency The agency having jurisdiction and responsibility for a specific geographical area or for a mandated function.

L

Leader The ICS title for individuals responsible for a Task Force, Strike Team, or functional unit.

Liaison Officer A member of the Command Staff responsible for coordinating with representatives from cooperating and assisting agencies or organizations.

Logistics Section The Incident Command System Section responsible for providing facilities, services, and material support for the incident.

Life-Safety Highest incident priority refers to the joint consideration of both the life and physical well-being of individuals.

GLOSSARY (CONTINUED)

M

Managers	Individual within an Incident Command System organizational unit who is assigned specific managerial responsibilities (e.g., Staging Area Manager).
Management by Objectives	A management approach that involves a five-step process for achieving the incident goal. The Management by Objectives approach includes the following: establishing overarching incident objectives; developing strategies based on overarching incident objectives; developing and issuing assignments, plans, procedures, and protocols; establishing specific, measurable tactics or tasks for various incident-management functional activities and directing efforts to attain them, in support of defined strategies; and documenting results to measure performance and facilitate corrective action.
Mass Gathering Medicine	The management of the health and medical requirements of mass gatherings.
Medical Unit	The functional unit within the Service Branch of the Logistics Section responsible for the development of the Medical Emergency Plan and for providing emergency medical treatment of incident personnel.
Message Center	Part of the Incident Communications Center and collocated with or placed adjacent to it. It receives, records, and routes information about resources reporting to the incident, resource status, and administration and tactical traffic.
Metering	Term applied to the control procedures used to prevent critical crowd densities from developing in specific areas.
Mobilization	The process and procedures used by all organizations-Federal, State, tribal, and local-for activating, assembling, and transporting all resources that have been requested to respond to or support an incident.
Mobilization Center	An off-incident location at which emergency service personnel and equipment are temporarily located pending assignment, release, or reassignment.
Moshing	A practice carried out at concerts in which a person is supported by the upheld arms of a crowd of people. This practice is carried out in the moshpit area where the crowd is the densest.

GLOSSARY (CONTINUED)

Multiagency Coordination (MAC)	A group of administrators or executives, or their appointed representatives, who are typically authorized to commit agency resources and funds. A MAC Group can provide coordinated decisionmaking and resource allocation among cooperating agencies, and may establish the priorities among incidents, harmonize agency policies, and provide strategic guidance and direction to support incident management activities. MAC Groups may also be known as multiagency committees, emergency management committees, or as otherwise defined by the Multiagency Coordination System.
Multiagency Coordination System (MACS)	A system that provides the architecture to support coordination for incident prioritization, critical resource allocation, communications systems integration, and information coordination. MACS assist agencies and organizations responding to an incident. The elements of a MACS include facilities, equipment, personnel, procedures, and communications. Two of the most commonly used elements are Emergency Operations Centers and MAC Groups.
Multijurisdiction Incident	An incident requiring action from multiple agencies that each have jurisdiction to manage certain aspects of an incident. In the Incident Command System, these incidents will be managed under Unified Command.
Mutual Agreement or Assistance Agreement	Written or oral agreement between and among agencies/organizations and/or jurisdictions that provides a mechanism to quickly obtain emergency assistance in the form of personnel, equipment, materials, and other associated services. The primary objective is to facilitate rapid, short-term deployment of emergency support prior to, during, and/or after an incident.

N

NIMS (National Incident Management System)	A set of principles that provides a systematic, proactive approach guiding government agencies at all levels, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life or property and harm to the environment.
NRF (National Response Framework)	A guide to how the Nation conducts all-hazards response

GLOSSARY (CONTINUED)

O

Officer	The Incident Command System title for a person responsible for one of the Command Staff positions of Safety, Liaison, and Public Information.
Operational Period	The time scheduled for executing a given set of operation actions, as specified in the Incident Action Plan. Operational periods can be of various lengths, although usually they last 12 to 24 hours.
Operations Section	The Incident Command System (ICS) Section responsible for all tactical incident operations and implementation of the Incident Action Plan. In ICS, the Operations Section normally includes subordinate Branches, Divisions, and/or Groups.
Out-of-Service Resources	Resources assigned to an incident but unable to respond for mechanical, rest, or personnel reasons.

P

Planning Meeting	A meeting held as needed before and throughout the duration of an incident to select specific strategies and tactics for incident control operations and for service and support planning. For larger incidents, the Planning Meeting is a major element in the development of the Incident Action Plan.
Post-Event Analysis	The final gathering of the event planning team before releasing response agencies, resource personnel, or volunteers.
Potable Water Procurement Unit	Water that is safe for human consumption. Functional unit within the Administration/Finance Section responsible for financial matters involving vendor contracts.
Public Information Officer (PIO)	A member of the Command Staff responsible for interfacing with the public and media and/or with other agencies with incident-related information requirements.
Putrescible	Waste that will decompose, such as food waste.

R

Radio Cache	A radio cache may consist of a number of portable radios, a base station and, in some cases, a repeater, all stored in a pre-determined location for dispatch to incidents.
Rave	An all-day/night dance party, especially one where techno, house, or other electronically synthesized music is played.

GLOSSARY (CONTINUED)

Recorders	Individuals within ICS organizational units who are responsible for recording information. Recorders work in Planning, Logistics, and Administration/Finance Sections.
Reinforced Response Reporting Locations	Those resources requested in addition to the initial response. Locations or facilities where incoming resources can check in at the incident. Refers to staging.
Resource Status Unit	Functional unit within the Planning Section responsible for recording the status of resources committed to the incident and for evaluating resources currently committed to the incident, the impact that additional responding resources will have on the incident, and anticipated resource needs.
Resource Gap Analysis	In pre-event planning the analysis of what public safety resources the event will require versus what is locally available.
Resources	Personnel and major items of equipment, supplies, and facilities available or potentially available for assignment to incident operations and for which status is maintained. Resources are described by kind and type and may be used in operational support or supervisory capacities at an incident or at an Emergency Operations Center.
Reticulated	Distribution or collection network for drinking water or sewage.
Risk Analysis	Assesses the probability of injury or damage due to a hazard and estimates the actual damage that may occur.
Risk Assessment	The process used to determine risk management priorities by evaluating and comparing the level of risk against pre-determined standards, target risk levels, or other criteria.

S

Safety Officer	A member of the Command Staff responsible for monitoring incident operations and advising the Incident Commander on all matters relating to operational safety, including the health and safety of emergency responder personnel.
Service Branch	A Branch within the Logistics Section responsible for service activities at the incident. Includes the Communications, Medical, and Food Units.
Sewage	Waste matter that passes through sewers.

GLOSSARY (CONTINUED)

Single Resource	An individual, a piece of equipment and its personnel complement, or a crew/team of individuals with an identified work supervisor that can be used on an incident.
Situation Status Unit	The functional unit within the Planning Section responsible for the collection and organization of incident status information and for analysis of the situation as it progresses. Reports to the Planning Section Chief.
Slam Dancing	A spontaneous form of dancing where people deliberately throw themselves against people they are dancing with.
Span of Control	The number of resources for which a supervisor is responsible, usually expressed as the ratio of supervisors to individuals. (Under the National Incident Management System, an appropriate span of control is between 1:3 and 1:7, with optimal being 1:5, or between 1:8 and 1:10 for many large-scale law enforcement operations.)
Staging Area	Temporary location for available resources. A Staging Area can be any location in which personnel, supplies, and equipment can be temporarily housed or parked while awaiting operational assignment.
Strategy	The general plan or direction selected to accomplish incident objectives.
Strike Team	A set number of resources of the same kind and type that have an established minimum number of personnel, common communications, and a leader.
Sullage	Waste water from sinks, showers, and hand-washing basins.
Supervisor	The Incident Command System title for an individual responsible for a Division or Group.
Supply Unit	Functional unit within the Support Branch of the Logistics Section responsible for ordering equipment and supplies required for incident operations.
Support Branch	A Branch within the Logistics Section responsible for providing personnel, equipment, and supplies to support incident operations. Includes the Supply, Facilities, and Group Support Units.
Support Materials	Refers to the attachments that may be included with an Incident Action Plan (for example, communications plan, map, safety plan, traffic plan, and medical plan).

GLOSSARY (CONTINUED)

T

Tactical Direction	The term includes the tactics appropriate for the selected strategy, the selection and assignment of resources, and performance monitoring for each operational period.
Target Hardening	Activities undertaken to reduce vulnerability of a venue site, i.e., installation of jersey barriers, pre-screening of attendees, etc
Task Force	Any combination of resources assembled to support a specific mission or operational need. All resource elements within a Task Force must have common communications and a designated leader.
Technical Specialists	Person with special skills that can be used anywhere within the Incident Command System organization. No minimum qualifications are prescribed, as technical specialists normally perform the same duties during an incident that they perform in their everyday jobs, and they are typically certified in their fields or professions.
Temporary Flight Restrictions (TFRs)	Federal Aviation Regulation 91.137 provides for the establishment of temporary airspace restrictions for non-emergency aircraft. TFRs can be requested for incidents and/or events generating a high degree of public interest, and are normally limited to a 5-nautical-mile radius and 2,000 feet above the surface.
Time Unit	Functional unit within the Administration/Finance Section responsible for recording time for incident personnel.
Topography	Physical features of place or locality.
Type	An Incident Command System resource classification that refers to capability. Type 1 is generally considered to be more capable than Types 2, 3, or 4, respectively, because of size, power, capacity, or (in the case of Incident Management Teams) experience and qualifications.

U

Unified Command	An Incident Command System application used when more than one agency has incident jurisdiction or when incidents cross political jurisdictions. Agencies work together through the designated members of the UC, often the senior persons from agencies and/or disciplines participating in the UC, to establish a common set of objectives and strategies and a single Incident Action Plan.
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GLOSSARY (CONTINUED)

Unit The organizational element with functional responsibility for a specific incident planning, logistics, or finance/administration activity.

Unity of Command An Incident Command System principle stating that each individual involved in incident operations will be assigned to only one supervisor.

V

VBIED Vehicle-borne improvised explosive device.

Vulnerability The degree of susceptibility and resilience of the community and environment to hazards.

W

WMD Weapon(s) of Mass Destruction.



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • FAX (360) 895-9029

Agenda Staff Report

Agenda Item No.:	<u>Business Item 7F</u>	Meeting Date:	<u>October 26, 2021</u>
Subject:	<u>Adoption of an Ordinance Authorizing</u>	Prepared by:	<u>D. Lund</u>
	<u>Positions of Senior Planner and Utilities</u>		<u>HR Manager</u>
	<u>Compliance Specialist</u>	Atty Routing No.:	<u>N/A</u>
		Atty Review Date:	<u>N/A</u>

Summary: As part of the proposed 2021-2022 budget amendment, Council has been asked to authorize two new positions. The position of Senior Planner represents a job title and classification that better reflects the current needs of the department. It is the City’s intent to promote an Associate Planner to this new classification. This would eliminate an FTE at the Associate Planner level.

The position of Utilities Compliance Specialist is being recommended to take the lead on various compliance programs for public works including cross connection control, fats, oils and greases, and stormwater management related to private businesses and commercial activities.

The council previously adopted Ordinance 008-20, which delegates authority to the Mayor to establish and amend job descriptions, provided they are consistent with the general qualifications and duties assigned by the Council. Therefore, attached to the Ordinance for Council’s consideration is a summary for each of the newly proposed positions.

Recommendation: Staff recommends approval of the attached summaries for the new positions proposed as part of the 2021-2022 budget amendments.

Relationship to Comprehensive Plan: N/A

Motion for consideration: “I move to adopt an Ordinance, authorizing the creation of two new positions Senior Planner and Utilities Compliance Specialist, and authorizing the Mayor to develop job descriptions consistent with the attached general qualifications and duties.”

Fiscal Impact: Included in the 2021-22 budget amendment

Alternatives: Do not approve the position summaries and provide alternative guidance.

Attachments: Ordinance and Appendix A, position summaries of Senior Planner and Utilities Compliance Specialist,

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, TO AUTHORIZE NEW EMPLOYEE POSITIONS OF SENIOR PLANNER AND UTILITY COMPLIANCE SPECIALIST AND ESTABLISHING GENERAL QUALIFICATIONS AND DUTIES THEREOF; PROVIDING FOR SEVERABILITY AND PUBLICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City has identified the need to add additional position to adequately serve the residents of Port Orchard; and

WHEREAS, the City has identified staff members whose current job duties more closely resemble an elevated job title; and

WHEREAS, the proposed 2021-2022 budget amendment contains the addition of the newly created position of Utilities Compliance Specialist; and

WHEREAS, the proposed 2021-2022 budget amendment contains the addition of the newly created position of Senior Planner; and

WHEREAS, Ordinance 008-20 delegates authority to the Mayor to establish and amend job descriptions provided they are consistent with the general qualification and duties assigned by the council; and

WHEREAS, a statement of the general qualifications and duties of the two new job classifications is attached hereto as Appendix A, and incorporated herein by reference; and

WHEREAS, the rate of pay for these new positions, if approved, is set through the 2021-2022 budget amendment process; Now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby authorizes the creation of the position of Utilities Compliance Specialist with qualifications and duties as generally provided for in Appendix A.

SECTION 2. The City Council hereby authorizes the creation of the position of Senior Planner with qualifications and duties as generally provided for in Appendix A.

SECTION 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other

section, sentence, clause or phrase of this Ordinance.

SECTION 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

SECTION 5. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this 26th day of October 2021.

Robert Putansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

SPONSOR:

Charlotte A. Archer, City Attorney

John Clauson, Councilmember

PUBLISHED:

EFFECTIVE DATE:

Proposed New Positions 2021-2022 Budget Amendment

As of 10/19/2021

Position	Utilities Compliance Specialist
Department	Public Works
Major Job Function and Purpose	
<p>This position is responsible for administering the City's Utilities Compliance Program, which consolidates the following required inspection and compliance requirements:</p> <ul style="list-style-type: none"> • Cross Connection Control Program, in accordance with WAC 246-290-490 • Control and elimination of Fats, Oil and Grease from the sanitary sewer system in accordance with the Uniform Plumbing Code Sections 1009.6 and 1014.2 • Maintenance and inspection program for private businesses with stormwater management systems connected to the City's Municipal Separate Storm Sewer System (MS4) 	
General Function	
<p>The incumbent is responsible for administering the Utilities Compliance Program intended to regulate and inspect activities for private businesses and commercial activities within the City jurisdiction, as well as residential connection with activities that may be harmful to the City's infrastructure. The program consolidates three required compliance programs (Cross Connection Control, FOG and MS4 Private Business Compliance) under the general title of Utilities Compliance Program. This program is intended to combine each of these required programs into one holistic program to minimize the inspection pressures on local businesses and harmonize regulatory compliance. This program will reduce regulatory pressures on local businesses by reducing the number and frequency of inspections and the amount of paperwork associated with each program.</p>	
Minimum Qualifications Include*	
<p>High school graduation or GED and two years of experience working with any combination of surface water management, wastewater management, municipal water management, or relevant related programs. Must possess or be able to acquire Cross Connection Control Specialist Certification within three months of employment, FOG inspection and confined space entry training within six months of employment, a Washington state driver's license within one (1) month of hire. Associates or bachelor's degree with major course work in the physical or environmental sciences, or a closely related area is highly desirable. Experience developing or implementing enforceable mechanisms for code compliance is also highly desirable.</p>	

Ordinance 008-20 delegates authority to the Mayor to establish and amend job description as needed provided they are consistent with general qualifications and duties assigned by the City Council at the time the position is created by Council.

Position	Senior Planner
Department	Community Development
Major Job Function and Purpose	
<p>The Senior Planner provides advanced professional review of complex and various urban planning proposals. The Senior Planner leads or is significantly more involved with larger, more complex planning assignments than the Associate Planner. The Senior Planner also exercises greater independence and judgment, receiving only some general supervision from senior management.</p>	
General Function	
<p>The Senior Planner reviews applications for compliance with zoning regulations and may be responsible for long range planning activities including but not limited to updates to the City's Development Code and annual amendments and periodic updates to the Port Orchard Comprehensive Plan. Position provides technical assistance and information to the Director, department staff, and the public, including responding to questions at the front counter, by phone, or via email. The Senior Planner functions as the designated decision maker on certain permits as allowed by Port Orchard Municipal Code and provides guidance to Associate and Assistant Planners as needed. This position may serve as staff to the Port Orchard Planning Commission and/or other committees.</p>	
Minimum Qualifications Include*	
<p>Bachelor's degree in Planning or closely related field from an accredited college or university and six years of professional planning experience. AICP certification is required. Master's degree in Planning or closely related field from an accredited college or university with four years of professional planning experience may be substituted for six years of experience requirement. Candidates with experience with the Washington State Management Act and community planning are preferred. The ideal candidate will have substantial experience in managing complex planning projects and programs preparing a variety of code and comprehensive plan amendments and presenting proposals to advisory groups and elected officials. A valid driver's license is required.</p>	

* All position descriptions allow the hiring manager to consider any combination of experience and training that provides the desired skills, knowledge and abilities.



City of Port Orchard

216 Prospect Street, Port Orchard, WA 98366
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Agenda Staff Report

Agenda Item No.: Business Item 7G
Subject: Approval of Personnel Policy Update for
COVID Vaccination as a Condition for New
City Hires

Meeting Date: October 26, 2021
Prepared by: Debbie Lund
HR Manager
Atty Routing No.: 366922-0008 – HR
Atty Review Date: October 20, 2021

Summary: Due to the COVID-19 pandemic, the City has adopted a variety of policies and practices to ensure the health and safety of our employees and preserve the City’s ability to continue to offer vital services to the residents. These steps have been taken in response to orders from the Governor’s office, Washington Department of Labor & Industries, and in consideration of the guidance from the Centers for Disease Control and Prevention (CDC), Washington State Department of Health and the Kitsap Public Health District.

As an additional measure to ensure the City can continue to provide services to residents and customers, and to protect the safety and health of employees, residents, and visitors to the City of Port Orchard, under guidance from the aforementioned authorities and medical experts it is in the City’s best interests to have as many employees vaccinated against the COVID-19 virus as possible. One tool that the City has available is the ability to incorporate vaccination to COVID-19 into the minimum qualifications for employment with the City. For Council’s consideration is a modification to City personnel policy setting the COVID-19 vaccination a requirement for new employees. The proposed policy would contain a provision allowing applications to seek an exemption due to a valid medical or religious reason, along with an acknowledgement that the City will perform an accommodations analysis where an exemption is granted.

This proposed policy would be effective for employment offers beginning November 1, 2021.

The motion on the floor is:

MOTION: By Councilmember Diener, seconded by Councilmember Clauson, to approve revised Personnel Policy 2.4 “Eligibility for Employment”, as presented to require new employees, effective October 1, 2021, [Amended to November 1, 2021] to have received at least one dose of the COVID-19 vaccination prior to employment and as a condition of employment receive the second dose within 30 days, unless they have an approved medical or religious exemption.

Recommendation: Staff recommends the Council adopt a revision to Personnel Policy 2.4 “Eligibility for Employment” to include a requirement that new employees provide proof of having received at least one dose of the COVID-19 vaccination prior to employment and as a condition of continued employment receive the second dose within 30 days of, unless exempted by the City.

Relationship to Comprehensive Plan: N/A

Motion for consideration: N/A

Fiscal Impact: None.

Alternatives: Do not approve the revised policy and provide alternative guidance.

Attachments: Proposed revised Personnel Policy 2.4.

2.4 ELIGIBILITY FOR EMPLOYMENT

A. Employment Eligibility Verification

Federal law requires the City of Port Orchard to comply with the Immigration Reform and Control Act of 1986 and related law. All new employees must complete an “I-9 Form” and provide proof of their identity and eligibility to work in the United States. The City is responsible for obtaining the I-9 Form from each employee and verifying his/her eligibility to work in the United States.

Employees will be expected to complete the I-9 Form during their first day of work. The City will then properly complete the “Employer Section” of the I-9 Form. If a new employee is unable to provide the necessary documentation within three working days from the date of hire, he/she must provide proof that he/she has applied for the required documents. If this is not provided, the employee will be terminated as required by law.

The I-9 Form will be retained for at least three years after the date of hire or one year after the date of the individual’s termination, whichever is later. Former employees who are rehired must also complete the I-9 Form if they have not completed the Form with the City within the past three (3) years, or if their previous I-9 Form is no longer retained or valid.

B. New Hire COVID-19 Vaccination Requirement (effective November 1, 2021)

All persons newly hired for employment by the City must provide proof of having received at least one dose of an approved COVID-19 vaccine prior to beginning their employment, except for those who obtain an exception from the City due to medical or sincerely held religious belief, subject to the reasonable accommodation process.

After receiving a conditional offer of employment from the City, an applicant for employment must provide proof of having received at least one dose of an approved COVID-19 vaccine within a reasonable period of time. Failure by the applicant to provide the agency with proof of having received at least one dose of an approved COVID-19 vaccine will result in the agency revoking the conditional offer unless the applicant obtains an exception through the reasonable accommodation process.

Any person who begins their employment after providing proof of having received only one dose in a 2-dose series of a COVID-19 vaccine, will also be required to provide the City with proof of receipt of a second dose within 30 days of the first dose. Failure to do so will result in termination.

Alternatives: Deny the road closure.

Attachments: Application, including maps and traffic flow map, and comments from various departments and agencies.



SPECIAL EVENT PERMIT APPLICATION

(PORT ORCHARD MUNICIPAL CODE 5.94 AND 5.96)

STANDARD PROCESSING FEE: **\$50.00**

ADDITIONAL EXPEDITED FEE (LESS THAN 90 BUT MORE THAN 30 DAYS BEFORE EVENT): **\$50.00**

Event Information

Name of event: Festival of Chimes and Lights	
Location of event: Downtown Port Orchard	
Description of event: Free annual holiday celebration organized by councilmembers, community volunteers, and local non-profit organizations. Serves as a kick-off to the holiday season. This year is a vehicle drive-thru event only to see decorations, lighted trees and lighted, decorated trees.	
Will you be charging an entry fee? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how much? \$ _____	Anticipated number of visitors: Approx. 500 over the 3 HR event
Date(s) of the Event: Saturday, December 4, 2021	Time Open to Public: 5:00pm Time Closed to Public: 8:00pm Time Open to Vendors (include setup and teardown): N/A
Event Web Site cityofportorchard.us	
Type of Event: <input checked="" type="checkbox"/> Festival <input type="checkbox"/> Walk/Run <input type="checkbox"/> Parade <input type="checkbox"/> Vendor Fair <input type="checkbox"/> Block Party <input type="checkbox"/> Other: _____	

Organization Information*

Name of Organization City of Port Orchard					
Do you have an active City Business License? <input type="checkbox"/> Yes <input type="checkbox"/> No What is your UBI number? N/A					
Point of Contact Name Brandy Rinearson					
Street Address 216 Prospect Street			Mailing Address (if different from street address)		
City Port Orchard	State WA	Zip 98366	City	State	Zip
Phone 360-876-4407		Alternate Phone		Email cityclerk@cityofportorchard.us	

**Please note the organization information provided may be shared for inquires made on event details*

Public Health

Food:

Will your event have any food service and/or sales? Yes No If yes, how many: _____

Will your event have professional catering? Yes No If yes, how many: _____

Will your event have food trucks? Yes No If yes, how many: _____

Will your event have food booths or food vendors? Yes No If yes, how many: _____

If yes, you must contact the Kitsap Public Health District as they may require a temporary food establishment permit. Visit their website at https://kitsapublichealth.org/FoodSafety/food_vendors.php or call (360) 728-2235 for information..

Alcohol:

Will alcohol be served at the event? Yes No

If yes, you must contact the Washington State Liquor and Cannabis Board for a special liquor license. Visit their website at <https://cb.wa.gov/> or call (360) 664-1600 for information.

Garbage and Recycling:

Describe your garbage and recycling plan:

The City has sanitation containers downtown and public works will be responsible for ensuring they are kept up.

Clean-up Plan:

Describe your cleanup plan and who will be responsible (Note: Runs/Walks can only use washable paint for marks on route and must be removed by organization after event has completed):

Public Works staff is responsible for the clean-up.

Restrooms and Sanitation:

Describe your restroom and sanitation plan (i.e. number of facilities available including handicap accessible, Sani-cans, wash stations, Port of Bremerton facilities):

Bathrooms will be open to the public at the Port of Bremerton Marina during their normal hours, and the City will have restrooms available at the boat launch parking lot. However, this is a drive-thru only event only pedestrian crowds should not be gathering.

Public Safety

Crowd Control:

Please indicate how public safety, traffic, and crowd control will be provided.

This event is scheduled to be a drive-thru event only. It is not anticipated to have standing crowds. Traffic control to be provided by outside vendor if road closures are approved.

Will you be requesting police officers for traffic and crowd control? Yes No

If yes, how many police officers you anticipate will be needed for (a) traffic control and (b) crowd control:

Outside vendor will be used for traffic control if road closures are approved.

POMC 5.94.080 'City Assistance' states the chief of police, fire chief, and/or public works director may require any reasonable and necessary traffic control, including requiring non-city staff to serve as certified flagger(s), use of downtown parking lots, police protection and/or emergency medical services to be provide at the special event at the organizer's expense.

Resolution 040-18 states Community events or private activities, which have not been previously exempted from reimbursement under prior City ordinance or resolution, and which require enhanced police security shall pay a flat rate of \$100 per hour to the City for each commissioned officer and police reserve. The use of commissioned officers and police reserves shall be at the sole discretion of the Chief of Police.

Parking Impacts:

Have parking impacts been coordinated with neighbors (residential/business)? Yes No Not Applicable

If yes, how will parking be provided for participants and visitors (including handicapped parking)?

This is a drive-thru event, no parking is needed.

Amplified Sound:

Will you have Amplified Sound? Yes No Not Applicable

If yes, please note that noise levels generated shall not be in excess of allowable levels, consistent with POMC 9.24.050. For more information please contact the Port Orchard Police Department (360) 876-1700.

Tents:

Does your event include a tent or membrane structure? Yes No Not Applicable

If yes, what is the tent size: _____ Does the tent have sides? Yes No Not applicable

May be required to obtain a permit per POMC 20.204.010 please contact Community Development (360) 874-5533.

Use of City Right-of-Way and Parking Impacts

Use of State Highway:

Will this event require closure of a State Highway Street (Bay Street/SR166)? Yes No

For State Highway Closures (Bay Street), the sponsoring organization must submit the application to the city at least 120 calendar days before the event date. Upon city approval of the event, the sponsoring organization shall seek permission from the Washington State Department of Transportation (WSDOT) by completing an online application. Once permission is granted from WSDOT, a copy of the Letter of Acknowledgment or an Agreement will need to be provided to the city. WSDOT's online application is located at: <https://www.wsdot.wa.gov/contact/events/special-events>

Use of City Right-of-Way: Port Orchard Municipal Code 5.94.020(7) states "Right-of-way (ROW)" means any road, public parking lot, city street, highway, boulevard or place in the city open as a matter of right to public travel and shall include arterials, neighborhood streets, alleys, bicycle paths and pedestrian ways; including streets or portions thereof which are designated as portions of the state highway system."

Will this event require closure of any of the below closures? Yes No

If yes, indicate what type of City right-of-way is requested to be closed and the location (select all that apply):

City Parks:

- | | | | |
|---|---|---|--|
| <input type="checkbox"/> Van Zee Park | <input type="checkbox"/> McCormick Village Park | <input type="checkbox"/> Etta Turner Park | <input type="checkbox"/> Rockwell Park |
| <input type="checkbox"/> Paul Powers Park | <input type="checkbox"/> Central Park | <input type="checkbox"/> Givens Park | |

Parking Lots:

- | | | | |
|--|---|--|---|
| <input checked="" type="checkbox"/> Lot 1: between Orchard and Frederick streets on the north side of Bay Street | <input type="checkbox"/> Lot 3: five rows of parking west of Harrison Ave and east of and parallel to the library | <input type="checkbox"/> Lot 5: all parking on City Hall property in front of the Police department | <input type="checkbox"/> Lot 7: all parking spaced located on the library property which is limited to library staff only |
| <input checked="" type="checkbox"/> Lot 2: between Frederick Street and Sidney Avenue, north of Bay St. | <input type="checkbox"/> Lot 4: all parking east of Lot 3 and Harrison Ave and west of the Marina Park | <input type="checkbox"/> Lot 6: abutting the landscaped area at the SW corner of the Bay St and Dekalb St intersection | <input type="checkbox"/> Lot 8: employee parking lot east of City Hall adjacent to Prospect Alley which is between Kitsap Street and Prospect Street. |

Sidewalks: _____

Street(s)

If requesting street closure, please fill out the closure information below and include a map (indicated on Page 7) of the area impacted.

SPECIAL EVENT STREET CLOSURE(S):

Street to be closed and/or obstructed: One lane on Bay Street

Between which streets/intersections: Kitsap to Sidney (See map)

Date(s) of closure/obstruction: 12/4/2021

Time(s) of closure/obstruction: 5pm to 8pm

Site Map

A site map is **required** to be submitted which includes the following:

Vendors:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not applicable
Beer Garden:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not applicable
Signage:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not applicable
Tents:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not applicable
Public entrances and exits:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
Road closures and detours:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
Traffic patterns:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
Fire Lanes:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
Garbage/Recycling:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
Barricades:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
First Aid:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
Parking:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
Restrooms:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not applicable
If event is a run/walk, list start and stop locations and water/rest stations:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not applicable

Event Signage and Vending

Signage:

Are you planning to put up temporary signs? Yes No

POMC 20.132.290 "Temporary sign" (which may include special event sign) means any sign that is used temporarily and is not permanently mounted, painted or otherwise affixed, excluding portable signs as defined by this chapter, including any poster, banner, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability and rot prevention. Temporary signs may only be made of nondurable materials including, but not limited to, paper, corrugated board, flexible, bendable or foldable plastics, foamcore board, vinyl canvas or vinyl mesh products of less than 20-ounce fabric, vinyl canvas and vinyl mesh products without polymeric plasticizers and signs painted or drawn with water soluble paints or chalks. Signs made of any other materials shall be considered permanent and are subject to the permanent sign regulations of this chapter. Please contact the Community Development Department at (360) 874-5533 if you have questions or if you need to apply for a sign permit.

Vending:

Did you indicate your event will have vendors? Yes No

How many anticipated exhibitors/vendors will be at your event? _____

POMC 5.96, if your event has two or more vendors engaged in public property vending, you are required to have a Master Multi-Vendor Event License (MMVEL). The MMVEL fee is \$15.00 per day or \$200 per month. POMC 5.96.020(3)(a) states the sponsor of the master event shall provide a list of participating vendors, their business names, their addresses and their State Tax Revenue Identification Numbers to the city clerk within three working days after the first day of the operation.

- No public vending is allowed within twenty-five (25) feet of any municipal building, monument, or fountain, OR within ten (10) feet of intersection sidewalks.
- Vending devices must be removed from vending sites daily between the hours of 10:00 p.m. and 6:00 a.m.
- Vending devices and vending sites must always be clean and orderly. The vendor must furnish a suitable refuse container and is responsible for the daily disposal of refuse deposited therein. Refuse containers must be removed each day along with vending devices.
- Vendors may engage in public property vending only in the location specified in the public property license. The location shall be deemed the vending site.
- Utility service connections are not permitted, except electrical when provided with written permission from the adjacent property owner. Electrical lines are not allowed overhead or lying in the pedestrian portion of the sidewalk.
- No mechanical audio or noisemaking devices are allowed, and no hawking is allowed.
- A vinyl or canvas umbrella may be added to the vending device, but its open diameter may not exceed eight and one-half feet. Any part of the umbrella must have a minimum of seven feet of vertical clearance to the area on which the vending device stands.
- Individual vendor advertising signs may be placed only upon the vending device. Temporary master event advertising signs may be placed as approved by the city engineer; and
- No conduct shall be permitted which violates any other section of the Port Orchard Municipal Code.

Insurance

The sponsoring organization must provide an insurance certificate, with endorsements, at least 30 days prior to the event with the City of Port Orchard shown as Additional Named Insured with minimum coverage to be as follows:

\$1,000,000 Liability; \$1,000,000 Bodily Injury

Special Event Insurance for events held at city-owned facilities can be purchased at eventinsure.hubinternational.com/.

Release

I certify that the event for which this permit is to be used will not be in violation of any City of Port Orchard ordinance.

By applying for this special event permit, the organization or entity obtaining such permit agrees to defend, indemnify, and hold harmless the City, its officers, officials, employees and volunteers from all claims, injuries, damages, losses, or suits, including attorney fees and costs, arising out of or in conjunction with the activities or operations performed by the applicant or on the applicant's behalf resulting from the issuance of this permit, except for injuries and damages caused by the sole negligence of the City.

The information on this form is considered a public record and is subject to public disclosure laws in Chapter 42.56 RCW.

I, as the President or Chair of my organization, agree to the terms and conditions listed above.

Signature of President/Chair of Organization

Brandy Pineau

Print Name

10/18/2021

Date

FOR CITY CLERK'S OFFICE USE ONLY

Comments received by: _____ Date \$50 Permit Fee Received: _____

Date final review sent: _____ Date \$50 Expedited Fee Received (if applicable): _____

Police Fire Public Works Finance Community Development Kitsap Transit Clerk's Office Health District

Date Insurance Certificate(s) Received: _____

Does event require a Master Multi-Vendor License: Yes No If Yes: \$15/day fee \$200/monthly fee

Number of days: _____ Amount: _____ Date fee paid: _____



Special Event Permit Application Checklist

Please use this list to ensure you have included all supporting documentation with your special event application.

- If your event coincides with another organizations event in the same location, please provide written approval from the event organizer that indicates their approval of your event.
- Reviewed Special Event Tool Kit
- Special Event Fee (Check, Cash, Credit Card) **(Page 1)**
- Written approval from property owner if location is on non-City owned property (if applicable) **(Page 2)**
- Health Permits (if applicable) **(Page 4)**
- Special Liquor License (if applicable) **(Page 4)**
- Upon event approval, use of State Highway Letter of Acknowledgment or an Agreement that is received from the Department of Transportation if State Highway is requested to be closed **(Page 6)**
- Completed site map **(Page 7)**
- Master Multi-Vendor Event License fee (if applicable) **(Page 8)**
- Contact Department of Community Development for tent permit (if applicable) **(Page 8)**
- Contact Department of Community Development for sign permit (if applicable) **(Page 8)**
- Special Event Application/Release is completed and signed by the President or Chair of organization **(Page 9)**
- Insurance Certificate, with endorsement, provided at least 30 days prior to event date **(Page 9)**

Tips for a successful event

- ❖ Contact the local media (Kitsap Sun, Port Orchard Independent, etc.).
- ❖ Post information on your social media site.
- ❖ Contact the Port Orchard Chamber of Commerce.
- ❖ Attend a City Council meeting to speak during citizen comments letting council and public know of your event.

Jenine Floyd

From: sgfloral <sgfloral@aol.com>
Sent: Monday, October 4, 2021 8:52 AM
To: Jenine Floyd; Cindy Lucarelli
Subject: Re: 2021 Festival of Chimes and Lights

Hello Jenine,

We'll have a better idea of how to respond when we know better what our event will look like. Would you please check with the traffic control agencies to get an estimate of what the charges would be for managing a drive/by 3-4 hour event on December 4th? Basically managing a one way line of traffic coming into town and turning on Sidney towards the waterfront, then following the parking area towards Kitsap Bank, re-entering Bay, with a turnaround in the boat launch parking lot, past City Hall and back down Bay to exit at Sidney heading south?

I'm headed out of state but will draw a little map with the general idea.

Thank you!

Cindy

[Sent from the all new AOL app for iOS](#)

On Monday, October 4, 2021, 8:18 AM, Jenine Floyd <jfloyd@cityofportorchard.us> wrote:

Hi Cindy,

Please see below email.

Jenine Floyd, CMC | Deputy City Clerk

City of Port Orchard | 216 Prospect Street, Port Orchard, WA 98366

360.876.7024 | www.cityofportorchard.us | [Click here to visit our Facebook page](#)



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From: Jay Ramos <wram1088@gmail.com>
Sent: Thursday, September 30, 2021 8:32 AM
To: CityClerk Mailbox <CityClerk@cityofportorchard.us>
Subject: 2021 Festival of Chimes and Lights

Hello,

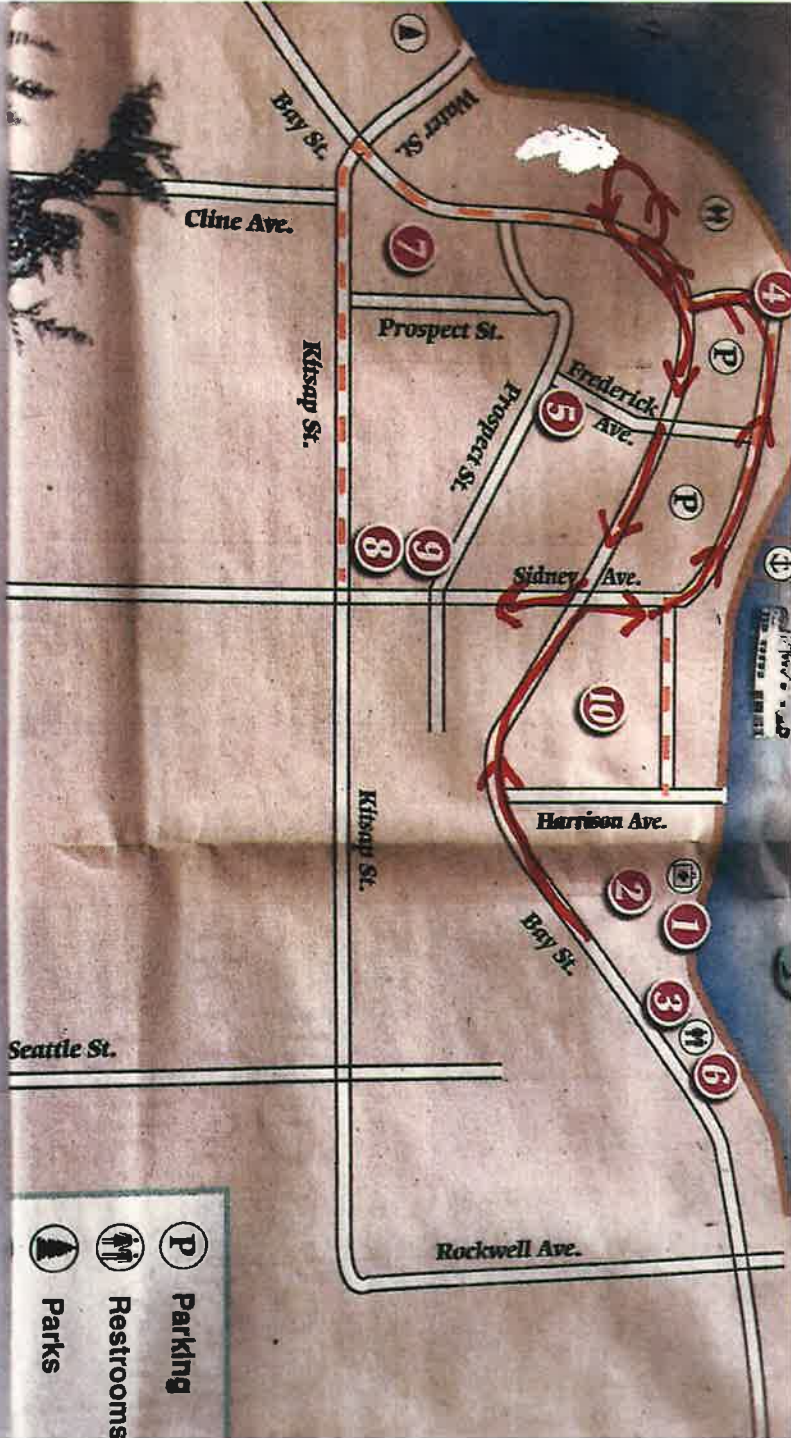
We are Egg Roll Hut-Lumpias, LLC an authentic Filipino/Vietnamese food vendor and we would like to participate in this event. Our menu consists of eggrolls, lumpias, potstickers, veggie stir fry noodles, rice, lemonade, thai ice tea, hot cider and cocoa. Please let us know if we can join.

Thank you,

Jay and Angie

Egg Roll Hut, LLC

2021 Chimes + Lights
Route Possibility?
3-4 hours - One Way Traffic



Jenine Floyd

From: Jenine Floyd
Sent: Monday, October 18, 2021 4:36 PM
To: Brandy Rinearson
Subject: Chimes Meeting

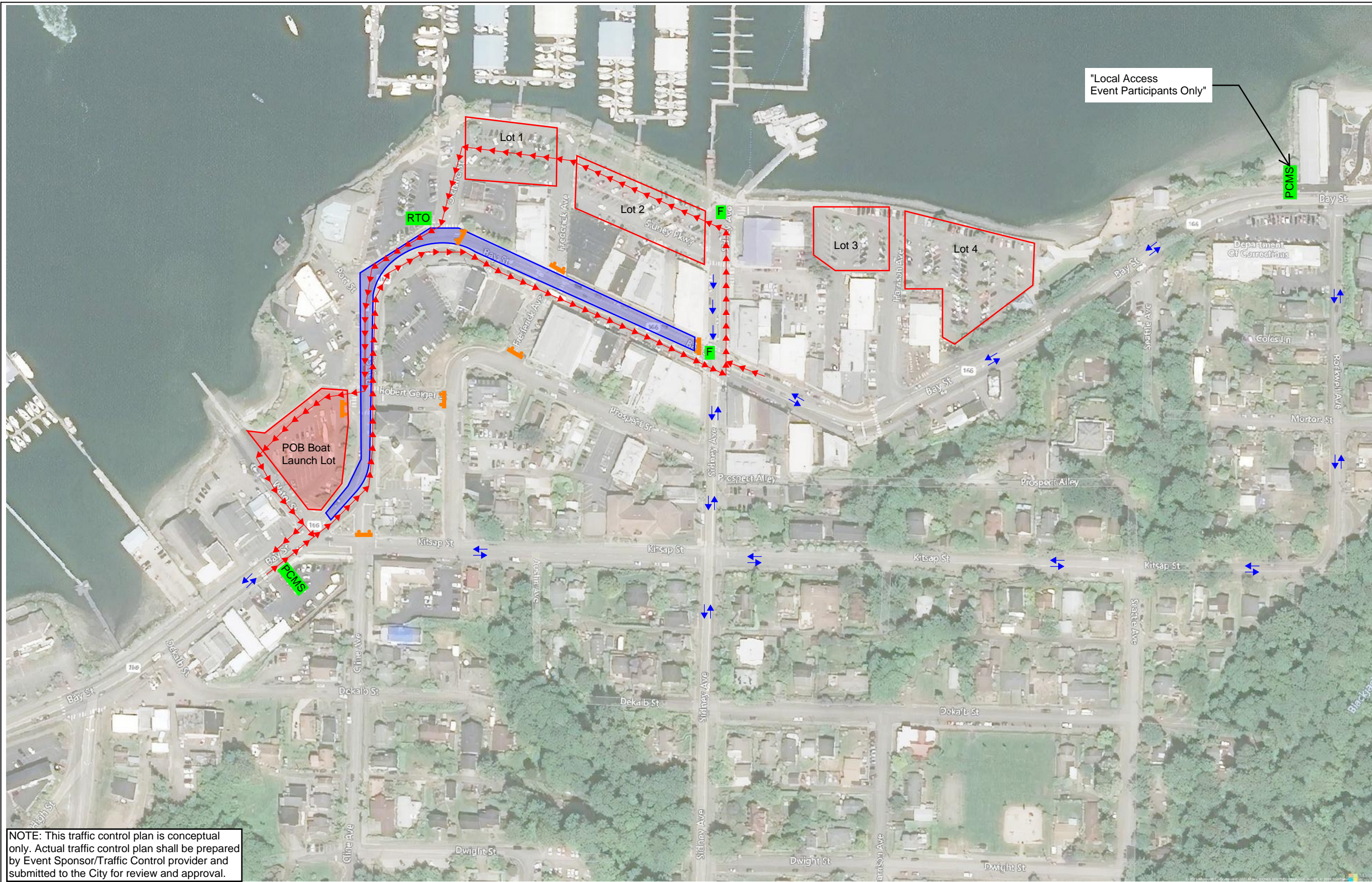
- Santa will be there, but no pictures. Just waving at cars
- Sharron is still debating bringing the sleigh for Santa
- Finding volunteers to add decorations in empty lots downtown, like 640 Bay Street.
- Have music and boomboxes playing music in various areas
- Can the City partner with the Port to put up lights in the POB parking grassy area?
- Next meeting November 1
- One of the planters was damaged by a car in front of the Bay St Bistro

Jenine Floyd, CMC | Deputy City Clerk
City of Port Orchard | 216 Prospect Street, Port Orchard, WA 98366
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LEGEND:

-  Event Route
-  Water Barrier
-  Event Lots
-  SR 166 Event Closure - WB Lane Only
-  PCMS Portable Changeable Message Sign
-  F Flagger
-  Detour Route
-  RTO Right Turn Only Sign

NOTE: This traffic control plan is conceptual only. Actual traffic control plan shall be prepared by Event Sponsor/Traffic Control provider and submitted to the City for review and approval.



Conceptual Traffic Control and Detour Plan
Festival of Chimes and Lights

Drawn By:	Christian Williams, PE
Date:	October 11, 2021
Scale:	NTS



PORT ORCHARD POLICE DEPARTMENT
SERVICE • HONOR • INTEGRITY

MEMORANDUM

TO: Rob Putaansuu
FROM: Matt Brown, Chief of Police
SUBJECT: 2021 Chimes and Lights Festival
DATE: September 30th, 2021

Purpose

The purpose of this memo is to provide a better understanding of the strategic challenge facing the City of Port Orchard for the planned 2021 Chimes and Lights Festival.

Background

The Chimes and Lights Festival has been a city-supported event since the completion of City Hall in 1999. The festival has grown from a tree-lighting ceremony to an event that includes the Port of Bremerton, tree decorations along Bay Street, a parade, a 5k fun run, as well as vendor booths. Annual attendance of the event has grown to several thousand people who come to enjoy the lights, vendors, and activities.

The event has historically required the closure of Bay Street from Kitsap Street to Sidney Avenue. Bay Street is a state highway (SR-166) and all closures require approval from the City Council and the Washington Department of Transportation.

Situational Assessment

The event organizers must manage two additional challenges this year. The effects of the COVID-19 pandemic are making large gatherings difficult. The Department of Health requires all organizers to include a COVID-19 safety plan for any sponsored event. The City has also taken the public safety stance that law enforcement resources will be used for public safety, not traffic management. This has increased the workload on Public Works staff who must install and remove water barricades to block and direct traffic.

Stakeholders must attempt to balance public interest with public safety and the ability for the City to safely manage the large influx of visitors to the downtown core. Ideas presented in the Chimes and Lights committee meeting have included the following:

- Full closure of Bay Street between Kitsap Street and Sidney Avenue.
- Partial closure of Bay Street to allow one-way traffic with one lane dedicated for visitors to drive by specific locations (tree decorations, floats, and the City tree.)
- No closure of Bay Street. Vehicle traffic will remain and pedestrians will be restricted to crosswalks, public sidewalks, and parking lots.



PORT ORCHARD POLICE DEPARTMENT

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Priorities

As the sponsor of the event, the city must consider its priorities carefully:

- Ability to provide a COVID safety plan while encouraging a public gathering.
- Ability to prevent or reduce the mixing of pedestrians and vehicles.
- Ability to appropriately staff for public safety concerns associated with crowds.

Constraints

- *Budgetary impact:* The City's decision to allow the police department to focus on public safety is the right one, but this creates a gap in the management of vehicle traffic in and out of the area. Contracting with a traffic management company will alleviate this problem but will cost an estimated \$5,000. These funds have not been budgeted for this event.
- *Public Safety:* The police department is currently operating at a staffing deficit. Gatherings of several thousand persons require additional public safety staff to attend while on-duty staff manage calls for service.
- *Community Response:* The community has been expecting an increase in opportunities to return to normalcy. A modified version of the event may have political impacts amongst those who wish to participate in a family event during the holiday season.

Options

1. Permit a full closure of Bay Street.

The full closure of Bay Street eliminates the need for an outside traffic management company. Public Works can barricade the roadway at the appropriate time and law enforcement remains focused on public safety. Vehicles and pedestrians are given clear guidance and are not allowed to mix. The risks of this choice include:

- Large crowds may gather within the enclosed area.
- Public Works has the increased responsibility to fully close the roadway.
- The closure of the roadway may negatively impact local businesses and commuters.

2. Permit a partial closure of Bay Street.

The partial closure of Bay Street reduces the likelihood of a large gathering as it encourages visitors to remain in their vehicles while they tour a prescribed path through the event. Law enforcement would still provide the same level of public safety appropriate for visitor numbers. Public Works would have a minimal impact as most duties would be contracted with a private traffic management company. Risks of this choice include:

- A traffic management company would need to be hired to manage the closure and any associated detours. Costs associated with contracting traffic management are not currently budgeted.
- One-way traffic may negatively impact local businesses and commuters.



PORT ORCHARD POLICE DEPARTMENT

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- Vehicles and pedestrians are encouraged to mingle under abnormal traffic conditions.
- The complexity of the event is significantly increased.

3. No closure of Bay Street.

Allowing Bay Street to remain fully open does not effect the anticipated crowd size. Law enforcement maintains its appropriate public safety presence. Public Works is minimally impacted as no closures are needed. The risks associated with this choice include:

- Large crowds would likely gather at specific points of interest such as the tree or lighting display.
- Increased foot traffic may impact the roadway as groups traverse at designated crosswalks or outside of crosswalks. Vehicles and pedestrians will mingle without any additional safety measures, lighting, or barricades in place. This creates a higher risk of a negative event.
- The scope of the event is reduced, thus reducing the public safety planning process.

Recommendation:

Should the City determine it appropriate to permit the 2021 Chimes and Lights festival, I recommend the full closure of Bay Street from Kitsap Street to Sidney Avenue. Although it will be the most labor intensive out of the three options for the police department and Public Works, it creates the safest means for pedestrians to view the tree lighting and other areas of interest.

I propose the following:

1. City monitors the evolving DOH pandemic guidelines.
 - Develop an appropriate safety plan.
 - Determine the necessity of providing additional PPE to visitors.
2. Internal planning group established.
 - Public Works.
 - Police Department.
 - Fire Department.
 - Kitsap Health District.
 - Chimes and Lights Committee.
3. Monthly evaluation and communication with Council.
 - Share progress and plan development.
 - Public forum to provide the community with transparency.
 - Develop additional information from outside the core workgroup.

Brandy Rinearson

From: Matt Brown
Sent: Tuesday, October 19, 2021 11:08 AM
To: Mark Dorsey; Brandy Rinearson; Kevin Futrell; 'Brad Wiggins'; Tony Lang; Dayna Katula; Donna Main; Ellen Ferguson; Business Licensing; Lisa Stone
Cc: Kathy Garcia; Jenine Floyd
Subject: RE: Festival Chimes and Lights Event

Without a finalized traffic control plan from the outside contractor, and a full description of the events scope, I am unable to approve the event. Last night's committee meeting discussed adding a choir and marching band, but no finalized decisions were made. The police department is unable to create a public safety plan without an understanding of what will actually occur.

Matt

Matt Brown, Chief of Police
Port Orchard Police Department
546 Bay St.
Port Orchard, WA 98366
(360) 876.1700

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From: Mark Dorsey <mdorsey@cityofportorchard.us>
Sent: Tuesday, October 19, 2021 10:59 AM
To: Brandy Rinearson <brinearson@cityofportorchard.us>; Kevin Futrell <kevinf@kitsaptransit.com>; 'Brad Wiggins' <bwiggin@skfr.org>; Matt Brown <mbrown@cityofportorchard.us>; Tony Lang <tlang@cityofportorchard.us>; Dayna Katula <Dayna.Katula@kitsappublichealth.org>; Donna Main <dmain@cityofportorchard.us>; Ellen Ferguson <eferguson@cityofportorchard.us>; Business Licensing <BLS@cityofportorchard.us>; Lisa Stone <lstone@cityofportorchard.us>
Cc: Kathy Garcia <kathyg@portofbremerton.org>; Jenine Floyd <jfloyd@cityofportorchard.us>
Subject: RE: Festival Chimes and Lights Event

Here is the PW memo

From: Brandy Rinearson <brinearson@cityofportorchard.us>
Sent: Monday, October 18, 2021 4:13 PM
To: Kevin Futrell <kevinf@kitsaptransit.com>; 'Brad Wiggins' <bwiggin@skfr.org>; Matt Brown <mbrown@cityofportorchard.us>; Mark Dorsey <mdorsey@cityofportorchard.us>; Tony Lang <tlang@cityofportorchard.us>; Dayna Katula <Dayna.Katula@kitsappublichealth.org>; Donna Main <dmain@cityofportorchard.us>; Ellen Ferguson <eferguson@cityofportorchard.us>; Business Licensing <BLS@cityofportorchard.us>; Lisa Stone <lstone@cityofportorchard.us>
Cc: Kathy Garcia <kathyg@portofbremerton.org>; Jenine Floyd <jfloyd@cityofportorchard.us>
Subject: Festival Chimes and Lights Event



CITY OF PORT ORCHARD
Public Works Director

216 Prospect Street, Port Orchard, WA 98366
Voice: (360) 876-4991 • Fax: (360) 876-4980
mdorsey@cityofportorchard.us
www.cityofportorchard.us

PUBLIC EVENT APPLICATION REVIEW

TO: City Clerk's Office

FROM: Mark R. Dorsey, P.E. - Public Works Director/City Engineer

DATE: October 19, 2021

RE: Public Event Application – 'Modified' Festival of Chimes & Lights 2021

In response to the above referenced Public Event Application dated October 18, 2021, the City of Port Orchard Public Works Department approves the modified event application scheduled for Saturday December 4, 2021 (5 PM to 8 PM) with the following requirements:

Jolly Jingle Run Coordination: It is understood that this event has been cancelled for 2021, therefore no inter-event coordination is necessary.

Traffic Control Plan: A TCP shall be required, based upon the Conceptual Traffic Control and Detour Plan provided by the Public Works Department. Intersection control shall be required by the Event Sponsor at the intersection of Sidney Avenue and SR166/Bay Street and at the north end terminus of Sidney Avenue.

Sanitation Control: Public Works provides and collects garbage from additional garbage cans placed around/near City Hall activities, as well as collecting garbage from the existing City garbage can locations. All additional garbage cans to be provided by the Event Sponsor and/or volunteers will need to be collected and disposed by others. The City will not be providing Sani-Cans.

Parking Lot Closures and On-Street Parking: As this is a drive-thru event only, all Waterfront Parking Lots and associated drive isles shall remain open. On-street parking shall be restricted along the north side of SR 166/Bay Street between Orchard Street and Sidney Avenue during the event.

Road Closures: POPD to obtain SR 166/Bay Street road closure approval from WSDOT for SR 166/Bay Street from Kitsap to Sidney from 4:00 PM to 8:00 PM. Public Works to establish the Standard Event Detour Plan (Kitsap to Rockwell) and the corresponding side street closures as follows; Cline (Kitsap to Lower City Hall Entrance), Geiger (Prospect to SR 166), Frederick (Prospect to Sidney Parkway) and restricting the left-turn movement from Orchard Street to SR 166/Bay Street.



CITY OF PORT ORCHARD
Public Works Director

216 Prospect Street, Port Orchard, WA 98366
Voice: (360) 876-4991 • Fax: (360) 876-4980
mdorsey@cityofportorchard.us
www.cityofportorchard.us

Event Cleaning: Public Works will sweep streets prior to and after the event and will provide sanitation control as noted above. Event Sponsor and/or volunteers to assist in the garbage collection and disposal process as noted above.



CITY OF PORT ORCHARD
DEPARTMENT OF COMMUNITY DEVELOPMENT
216 Prospect Street, Port Orchard, WA 98366
Phone: (360) 874-5533 • planning@cityofportorchard.us

Date: October 19, 2021
To: Brandy Rinearson, City Clerk
From: Lisa Stone, Building Permit Technician
RE: 2021 Event Application for Festival of Chimes and Lights

The Department of Community Development has reviewed the 2021 Public Event application for the following event:

Public Event Application: Festival of Chimes and Lights
Date: December 4, 2021
Location: Downtown Port Orchard
Organization: City of Port Orchard

DCD has the following comments on this application.

Event Signage Requirements:

1. All such temporary signage shall be subject to the requirements of Port Orchard Municipal Code 20.132.270.
2. For further signage information, please contact the City of Port Orchard Department of Community Development at (360) 874-5533.

Brandy Rinearson

From: Dayna Katula <Dayna.Katula@kitsappublichealth.org>
Sent: Tuesday, October 19, 2021 8:54 AM
To: Brandy Rinearson
Subject: RE: Festival Chimes and Lights Event

Hi Brandy,

No comment. Thanks and have a great day!

Dayna Katula, RS | Program Manager

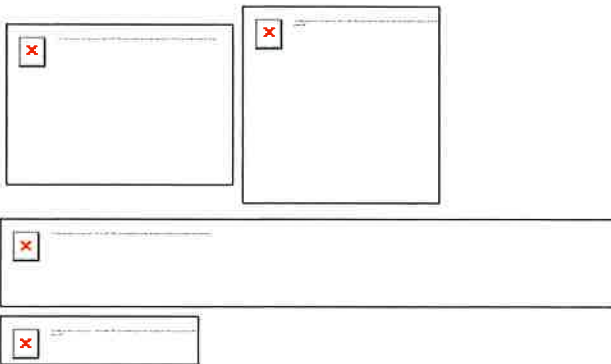
Food & Living Environment Program

Kitsap Public Health District

345 6th St., Suite 300 | Bremerton, WA 98337

(360) 728-2301 Office | (360) 633-9018 Cell | (360) 728-2235 Main

Dayna.Katula@kitsappublichealth.org | kitsappublichealth.org



From: Brandy Rinearson <brinearson@cityofportorchard.us>
Sent: Monday, October 18, 2021 4:13 PM
To: Kevin Futrell <kevinf@kitsaptransit.com>; 'Brad Wiggins' <bwiggin@skfr.org>; Matt Brown <mbrown@cityofportorchard.us>; Mark Dorsey <mdorsey@cityofportorchard.us>; Tony Lang <tlang@cityofportorchard.us>; Dayna Katula <Dayna.Katula@kitsappublichealth.org>; Donna Main <dmain@cityofportorchard.us>; e ferguson <eferguson@cityofportorchard.us>; Business Licensing <BLS@cityofportorchard.us>; Lisa Stone <lstone@cityofportorchard.us>
Cc: Kathy Garcia <kathyg@portofbremerton.org>; Jenine Floyd <jfloyd@cityofportorchard.us>
Subject: Festival Chimes and Lights Event

[CAUTION]: This email originated from outside Kitsap Public Health District. **Do not click links or open attachments** unless you are expecting this email. If you are unsure please contact IT.

Brandy Rinearson

From: Susan Unser
Sent: Tuesday, October 19, 2021 8:28 AM
To: Brandy Rinearson
Subject: RE: Festival Chimes and Lights Event

Business Licensing has no comment.

Thank you,

Susan Unser

Accounting Assistant II

City of Port Orchard
216 Prospect Street
Port Orchard, WA 98366
(360) 874-5529 / (360) 895-9029 FAX

Please visit our website at <https://www.cityofportorchard.us>

From: Brandy Rinearson <brinearson@cityofportorchard.us>
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To: Kevin Futrell <kevinf@kitsaptransit.com>; 'Brad Wiggins' <bwiggin@skfr.org>; Matt Brown <mbrown@cityofportorchard.us>; Mark Dorsey <mdorsey@cityofportorchard.us>; Tony Lang <tlang@cityofportorchard.us>; Dayna Katula <Dayna.Katula@kitsappublichealth.org>; Donna Main <dmain@cityofportorchard.us>; Ellen Ferguson <eferguson@cityofportorchard.us>; Business Licensing <BLS@cityofportorchard.us>; Lisa Stone <lstone@cityofportorchard.us>
Cc: Kathy Garcia <kathyg@portofbremerton.org>; Jenine Floyd <jfloyd@cityofportorchard.us>
Subject: Festival Chimes and Lights Event

Good afternoon,

Attached is a Special Event application and supporting documents for the Festival of Chimes and Lights, taking place on Saturday, December 4, 2021. Please review and provide me your comments by 10/22/2021.

Please let me know if you have any questions or need anything further.

Best Wishes,

Brandy Rinearson, MMC, CPRO
City Clerk/Assistant to the Mayor
City of Port Orchard
Direct (360) 876-7030
Fax (360) 895-9029
www.cityofportorchard.us

Brandy Rinearson

From: Kevin Futrell <kevinf@kitsaptransit.com>
Sent: Tuesday, October 19, 2021 11:05 AM
To: Mark Dorsey; Brandy Rinearson; 'Brad Wiggins'; Matt Brown; Tony Lang; Dayna Katula; Donna Main; Ellen Ferguson; Business Licensing; Lisa Stone
Cc: Kathy Garcia; Jenine Floyd
Subject: RE: [EXTERNAL] RE: Festival Chimes and Lights Event

Thank you. Kitsap Transit has no issues with the proposed event.

Kevin Futrell, JD
Kitsap Transit, Transit Service Planner
360-478-6224 (office)
Intraoffice Ext. 1004
360-900-7095 (cell)

From: Mark Dorsey [mailto:mdorsey@cityofportorchard.us]
Sent: October 19, 2021 10:59 AM
To: Brandy Rinearson; Kevin Futrell; 'Brad Wiggins'; Matt Brown; Tony Lang; Dayna Katula; Donna Main; Ellen Ferguson; Business Licensing; Lisa Stone
Cc: Kathy Garcia; Jenine Floyd
Subject: [EXTERNAL] RE: Festival Chimes and Lights Event

Here is the PW memo

From: Brandy Rinearson <brinearson@cityofportorchard.us>
Sent: Monday, October 18, 2021 4:13 PM
To: Kevin Futrell <kevinf@kitsaptransit.com>; 'Brad Wiggins' <bwiggin@skfr.org>; Matt Brown <mbrown@cityofportorchard.us>; Mark Dorsey <mdorsey@cityofportorchard.us>; Tony Lang <tlang@cityofportorchard.us>; Dayna Katula <Dayna.Katula@kitsappublichealth.org>; Donna Main <dmain@cityofportorchard.us>; Ellen Ferguson <eferguson@cityofportorchard.us>; Business Licensing <BLS@cityofportorchard.us>; Lisa Stone <lstone@cityofportorchard.us>
Cc: Kathy Garcia <kathyg@portofbremerton.org>; Jenine Floyd <jfloyd@cityofportorchard.us>
Subject: Festival Chimes and Lights Event

Good afternoon,

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Please let me know if you have any questions or need anything further.

Best Wishes,

Brandy Rinearson, MMC, CPRO
City Clerk/Assistant to the Mayor
City of Port Orchard
Direct (360) 876-7030



**City of Port Orchard
Council Meeting Minutes
Regular Meeting of October 12, 2021**

1. CALL TO ORDER AND ROLL CALL

Mayor Putaansuu called the meeting to order at 6:30 p.m.

Roll call was taken by the City Clerk as follows:

Mayor Pro-Tem Ashby	Absent
Councilmember Chang	Present via Remote Access
Councilmember Clauson	Present via Remote Access
Councilmember Cucciardi	Present via Remote Access
Councilmember Diener	Present via Remote Access
Councilmember Lucarelli	Present via Remote Access
Councilmember Rosapepe	Present via Remote Access
Mayor Putaansuu	Present via Remote Access

Staff present via remote access: Finance Director Crocker, Public Works Director Dorsey, Police Chief Brown, Community Development Director Bond, City Attorney Archer, City Clerk Rinearson, and Deputy City Clerk Floyd.

The meeting is also streaming live on YouTube.

A. PLEDGE OF ALLEGIANCE

Mayor Putaansuu led the audience and Council in the Pledge of Allegiance.

2. APPROVAL OF AGENDA

MOTION: By Councilmember Cucciardi, seconded by Councilmember Clauson, to add Consent Agenda H, excusal of Councilmember Bek Ashby for personal reasons.

The motion carried.

MOTION: By Councilmember Clauson, seconded by Councilmember Lucarelli, to approve the agenda as modified.

The motion carried.

3. CITIZENS COMMENTS

Randy Jones asked if the City is paying any consultants for the Tourism Promotion Strategic Plan, and if so, how much, and does it involve any private property? Also, requested more time to review Council meeting packets.

In response to **Randy Jones**, Mayor Putaansuu said Council packets are posted to the City's website the Friday before each meeting.

4. CONSENT AGENDA

- A.** Approval of Voucher Nos. 82842 through 81864 including bank drafts in the amount of \$310,778.71 and EFT's in the amount of \$ 18,023.32 totaling \$328,802.03.
- B.** Approval of Payroll Check Nos. 82840 through 82841 including bank drafts and EFT's in the amount of \$158,021.34 and Direct Deposits in the amount of \$209,397.94 totaling \$367,419.28.
- C.** Adoption of an Ordinance Amending Ordinance No. 047-21 to Authorize a Letter of Credit with Kitsap Bank for DNR Lease Assignment to Increase Amount to \$18,350 (**Ordinance No. 048-21**)
- D.** Adoption of a Resolution Adopting an Amended Tourism Promotion Strategic Plan (**Resolution No. 069-21**)
- E.** Approval of Amendment No. 2 to Contract No. 074-14 with Dude Solutions, Inc. for SmartGov Subscription
- F.** Approval of the September 21, 2021, City Council Work Study Meeting Minutes
- G.** Approval of the September 28, 2021, City Council Meeting Minutes
- H.** Added Item: Excusal of Councilmember Ashby Due to Personal Reasons

MOTION: By Councilmember Diener, seconded by Councilmember Clauson, to approve the consent agenda.

Councilmember Chang clarified that no outside consultants were involved in the Tourism Promotion Strategic Plan.

The motion carried.

5. PRESENTATION

A. Kitsap County Proposition No. 2 Kitsap 911 Emergency Communication Systems

Fire Chief Faucett provided a presentation which included who is Kitsap 911, radio users, emergency radio system, coverage maps and date, firefighter and police officer safety, progression of public safety radio communication system platforms, radio challenges, current radio system overview, future radio system recommendations, immediate issues, how is Kitsap 911 funded, why a sales tax, what else will Proposition No. 2 fund, and 14-year forecast.

Proposition No. 2 is 1 cent on every \$10 of taxable purchases, Kitsap 911 will be able to secure funding to replace the entire emergency communication system that will ensure safe and effective radio and data communications for your first responders.

6. PUBLIC HEARING

There were no public hearings.

7. BUSINESS ITEMS

Councilmember Rosapepe said he would like to reconsider action on the proposed revised personnel policy for eligibility for employment pertaining to vaccination policies for new hires.

Mayor Putaansuu explained Robert's Rules of Order for a motion of reconsideration. A motion for reconsideration needs to be done at the meeting that the action was taken, or the meeting immediately following, which is this meeting. The motion needs to be made by someone who was in the majority of the action that was taken. Councilmember Rosapepe was in the majority, so someone will need to second the motion for reconsideration.

MOTION: By Councilmember Rosapepe, seconded by Councilmember Lucarelli to reconsider action on the proposed revised personnel policy for eligibility for employment pertaining to vaccination policies for new hires.

The motion moved. Councilmembers Chang and Cucciardi voted no.

The motion now on the floor for reconsideration, from the September 28, 2021, City Council meeting is:

MAIN MOTION: By Councilmember Diener, seconded by Councilmember Clauson, to approve revised Personnel Policy 2.4 "Eligibility for Employment", as presented to require new employees, effective October 1, 2021, to have received at least one dose of the COVID-19 vaccination prior to employment and as a condition of employment receive the second dose within 30 days, unless they have an approved medical or religious exemption.

AMENDED MOTION: By Councilmember Clauson, seconded by Councilmember Lucarelli, to establish the effective date to be November 1, 2021.

The amended motion moved. Councilmembers Chang and Cucciardi voted no.

AMENDED MOTION: By Councilmember Diener, seconded by Councilmember Cucciardi to have this discussed at the October 19th work study meeting, and then for vote at the following regular meeting of October 26th.

A brief discussion was held, stating this additional time will allow the public to provide comments to the Council.

The amended motion moved. Councilmembers Lucarelli and Rosapepe voted no.

A. Adoption of an Ordinance Approving a Contract with the Washington State Public Works Board for the 390 Zone Low Pressure Booster Station Project and Ratifying the Mayor's Signature

MOTION: By Councilmember Lucarelli, seconded by Councilmember Clauson, to adopt Ordinance No. 039-21, thereby approving and ratifying the Mayor's execution of Contract No. C088-21 with the Washington State Public Works Board for the 390 Zone Low Pressure Booster Station Project in the loan amount of \$650,000.

The motion carried.

B. Adoption of an Ordinance Approving a Contract with the Washington State Public Works Board for the Melcher Pump Station Rehabilitation Project and Ratifying the Mayor's Signature

MOTION: By Councilmember Rosapepe, seconded by Councilmember Clauson, to adopt Ordinance No. 040-21, thereby approving and ratifying the Mayor's execution of Contract No. C089-21 with the Washington State Public Works Board for the Melcher Pump Station Rehabilitation Project in the loan amount of \$500,000.

The motion carried.

C. Adoption of an Ordinance Approving a Contract with the Washington State Public Works Board for the Sewer Lift Station Controls Upgrades Project and Ratifying the Mayor's Signature

MOTION: By Councilmember Clauson, seconded by Councilmember Diener, to adopt Ordinance No. 041-21, thereby approving and ratifying the Mayor's execution of Contract No. C090-21 with the Washington State Public Works Board for the Sewer Lift Station Controls Upgrades Project in the loan amount of \$800,000.

The motion carried.

D. Adoption of a Resolution Approving Amendment No. 3 to Contract No. 066-20 with Rice Fergus Miller for Phase 1 of the South Kitsap Community Events Center (SKCEC)

MOTION: By Councilmember Chang, seconded by Councilmember Cucciardi, to adopt a resolution authorizing the Mayor to execute Amendment No. 3 to Contract No. CO66-20 with Rice Fergus Miller for the Phase 1 scope of work on the South Kitsap Community Events Center, in the amount of \$109,153.28, for a total amended contract amount of \$722,768.28.

**The motion carried.
(Resolution No. 070-21)**

E. Approval of a Contract with Avidex for Upgrading the Audio/Visual Capabilities in the Council Chambers

MOTION: By Councilmember Diener, seconded by Councilmember Lucarelli, to authorize the Mayor to enter into an agreement with Avidex to upgrade the City Council Chambers video and audio equipment and services to provide for hybrid meetings.

**The motion carried.
(Contract No. 098-21)**

F. Approval of a Road Closure for a Special Event, Yukon Do It! Winter Edition

MAIN MOTION: By Councilmember Lucarelli, seconded by Councilmember Diener, to approve the road closure for the Yukon Do It! Winter Edition taking place on Saturday, December 18, 2021, as presented.

Councilmember Rosapepe voiced safety concerns of the event and road closures starting while it is still dark.

AMENDED MOTION: By Councilmember Rosapepe, seconded by Councilmember Chang, that the road closure not be granted until sunrise on that date.

Discussion was held regarding how changing the time would affect the event.

City Attorney Archer noted the marathon itself does not start until 8:00 a.m.

Councilmember Rosapepe withdrew his amended motion, seconded by Councilmember Chang.

The main motion carried.

8. DISCUSSION ITEMS (No Action to be Taken)

There were no discussion items.

9. REPORTS OF COUNCIL COMMITTEES

Councilmember Cucciardi reported the Economic Development and Tourism committee is scheduled to meet November 8th.

Councilmember Lucarelli reported on the October 12th Utilities committee meeting. The next meeting is scheduled for November 9th.

Mayor Putaansuu reported the Land Use committee is scheduled to meet October 21st. The Festival of Chimes and Lights committee is scheduled to meet October 18th. The Transportation committee is scheduled to meet October 26th. The Sewer Advisory committee is scheduled to meet October 20th.

Councilmember Clauson reported on the October 7th Finance committee meeting.

Councilmember Rosapepe reported the City is accepting 2022 lodging tax applications and the committee will meet in the next few weeks.

10. REPORT OF MAYOR

The Mayor reported on the following:

- In accordance with Ordinance No. 008-20 Delegating Authority to the Mayor for Creating and Modification of Job Descriptions, he reported on changes to the Police Records/Evidence Specialist job description;
- Traffic study near Tremont roundabout on South Kitsap Boulevard;
- Attended community meeting in the Rockport neighborhood regarding the homeless encampment in Veterans Park;
- RV's parked in Tractor Supply parking lot; and
- Derelict boats.

A brief discussion was held regarding the current situation with the derelict boats, homelessness, and people who are released from the Kitsap County jail.

11. REPORT OF DEPARTMENT HEADS

Police Chief Brown reported on police personnel and complimented the commissioned staff.

12. CITIZEN COMMENTS

Shaun Williams suggested Council table the vaccine mandate and spoke to legal cases.

Mark Morgan spoke to the rise in homelessness and people released from the County jail and asked Council to work with the County on a new release policy.

In response to **Robert McGee**, Mayor Putaansuu noted the design and most of the construction work is being funded by the KPFD. Also, the loan re-payments are all for capital projects that are in our capital facilities plan that we would have had to use ratepayer dollars or connection charges.

13. GOOD OF THE ORDER

There was no good of the order.

14. EXECUTIVE SESSION

There was no executive session.

15. ADJOURNMENT

The meeting adjourned at 7:59 p.m. No other action was taken. Audio/Visual was successful.

Brandy Rinearson, MMC, City Clerk

Robert Putaansuu, Mayor



CITY OF PORT ORCHARD

216 Prospect Street, Port Orchard, WA 98366
(360) 876-4407 • Fax: (360) 895-9029
cityhall@cityofportorchard.us
www.cityofportorchard.us

2022 Legislative Priorities

Transportation Revenue

Port Orchard supports the adoption of a robust transportation revenue package that includes funding for maintenance of state infrastructure, distributions to local governments, and new projects such as the **Gorst interchange** and Highway 16 congestion relief.

Sedgwick Road (State Route 160) and State Route 16, traverse the City and serve as both regional and local thoroughfares. The City continues to seek **\$6 million** for two compact roundabouts at the SR-16 and SR-160 interchanges in order to help mitigate congestion along these state routes.

Transportation Benefit District Funding

The Joint Transportation Committee's Statewide Transportation Needs Assessment has identified a gap of up to \$13 billion in City transportation funding. The City of Port Orchard is among those cities that have accepted the responsibility of raising local revenue through a Transportation Benefit District. We support legislation allowing the City to continue collecting TBD revenue for more than two 10-year periods.

Foster Pilot Program

The City of Port Orchard was chosen by the State for a water resource mitigation pilot project, which will inform a legislative task force on options for how to respond to the Foster decision. The outcomes of this pilot project, and ultimately the recommendations of the legislative task force, are of critical importance for the City and the state.

Police Reform

The City of Port Orchard is committed to advancing social and racial justice in our community. The City supports clarifying changes made during the 2021 Legislative Session that are creating implementation challenges for local law enforcement.

Homelessness

We support additional State funding for housing, substance abuse, and mental health treatment so that local governments can address the needs of the homeless in our communities.

Newspaper Public Notice Requirements

Cities are currently required to publish all ordinances, resolutions, and public notices in print, contracting with a local newspaper to act as the city's official newspaper. This mandate is archaic, duplicative, and expensive for cities. The City is requesting the Legislature remove the requirement that the official newspaper be in print format.

Derelict Vessel Funding

The City requests enhanced funding for the Department of Natural Resources derelict vessel program. Current funding levels do not keep up with demand, threatening water transportation and our natural environment. DNR estimates that \$7.5 million/biennium is needed to adequately fund the need, though the current budget is approximately \$2.6 million/biennium. The City supports the agency's request for an additional \$5 million/biennium from the Watercraft Excise Tax.

The City of Port Orchard supports the Association of Washington Cities' legislative agenda.