



Information Item

Date: August 16, 2011

To: Mayor and City Council
From: Barbara Stinchfield, Community and Cultural Services Director
Subject: Update on Unattended Winter Displays in Palisades Park

Introduction

City staff received inquiries recently regarding the status of this year's upcoming unattended winter displays in Palisades Park. To ensure that Councilmembers have the most current information, staff is providing this update.

Background

SMMC 4.55.060 authorizes unattended displays in designated sections of Palisades Park from November 27 to January 4. The City has also adopted written regulations governing these displays. The City's winter display regulations are intended to coordinate multiple uses of a limited space, help preserve park facilities, and ensure that proposed activities are safe and manageable.

Among other requirements, the City's regulations require that space be allocated on a first-come, first-serve basis and that display organizers pay for City services related to their displays (e.g., electricity, parking meters, etc.). The displays constitute expression that is protected by the First Amendment, and the City's requirements protect against impermissible content-based allocation decisions.

As Council was advised months ago, not only did the number of requested display spaces this year exceed the available space, but multiple requests were received on the same day for the same block. Per SMMC 4.55.060 and the corresponding

Administrative Guidelines, a random drawing was held on May 5, 2011, to determine assignments.

Applicants were allowed to request from 1-9 spaces of the total 21 spaces available. Thirteen applications were received. In accordance with procedures detailed in the City's April 25 letter to applicants, all 13 names entered into the drawing were drawn on May 5, 2011, to establish a priority list. As a result of the number of spaces requested by the applicants, only the first four names drawn were allocated space. The priority list will be used should one of the top four applicants decide to withdraw or fail to timely submit the required site plan.

Based on the order of the names drawn, the following applicants were assigned the blocks and spaces noted below. All applicants were notified of the results immediately following the drawing.

Applicant: Raymond McNeely
Display: Solstice Greeting
Block name: Arizona-Santa Monica Blvd.
Space #: 9 spaces (#10-18)

Applicant: Isaac Levitansky
Display: Menorah
Block name: Arizona-Santa Monica Blvd.
Space #: 1 space (#19)

Applicant: Joe Naranja
Display: Christmas/Solstice
Block name: Wilshire-Arizona
Space #: 9 spaces (#1-9)

Applicant: Hunter Jameson
Display: Nativity Scenes
Block name: Arizona-Santa Monica Blvd.
Space #: 2 spaces (#20-21)

Discussion

Staff has remained in contact with applicants throughout the space allocation process. A letter dated May 10, 2011 was sent to display organizers to inform them that staff was considering a change to the site plan submission deadline. Applicants were subsequently notified in a letter dated August 16 that the submission deadline for the site plan had been changed from two weeks prior to the start of the installation to six weeks prior to the start of the installation.

The new due date, October 15 (or next business day if October 15 is a non-business day), will allow staff ample time to review and approve plans and ensure that applicants are referred to the appropriate departments and pay for services. Also, the earlier deadline for submitting site plans will minimize, to the extent possible, the risk of spaces going unused. Failure to comply with the site plan submittal requirement by the due date will result in the loss of display privileges, and if no site plan is submitted, staff will reassess the space allocation based on the priorities established at the initial drawing on May 5, 2011.

Prepared By: Trinie Garcia-Valdez, Community Use Administrator

Attachment: *Administrative Guidelines for Unattended Winter Displays in Palisades Park*



ADMINISTRATIVE GUIDELINES FOR UNATTENDED WINTER DISPLAYS IN PALISADES PARK

Per Santa Monica Municipal Code 4.55.060, unattended winter displays may be installed in a designated part of Palisades Park from November 27 – January 4.

Location

The designated areas are: (1) Palisades Park between Santa Monica Boulevard and Arizona Avenue on the grassy area adjacent to Ocean Avenue (between the sidewalk and the decomposed granite pathway); and (2) Palisades Park between Arizona Avenue and Wilshire Boulevard on the grassy area adjacent to Ocean Avenue (two feet from the curb and up to, but not on, the decomposed granite pathway). The resolution establishing these designated areas is attached.

Requests for Space

Applications for Winter Display Space are available at the Community Recreation Division (Clover Park, 2600 Ocean Park Blvd., SM 90405) or at www.smgov.net/comm_progs.

Space within the designated areas is allocated on a first-come, first-served basis for each block by date received. If multiple requests are received on the same day for the same block, a random drawing will be held to determine assignments. Within each block, spaces are assigned in consecutive order from north to south.

Application Due Date

Applications for winter display space are accepted by the Community Recreation Division beginning February 15th for that same year. Applications received prior to February 15th will be processed with applications received on February 15th. (If February 15th is a non-business day, applications will be accepted the next business day).

Applicants will receive written notification regarding the status of their application and, if approved, their assigned location.

Maximum Amount of Space

Applicants may request 1-9 contiguous or adjacent spaces. Displays are limited to a maximum of 9 consecutive spaces. Spaces range from 18-47 linear feet for an average of approximately 35 linear feet per space.

NOTE: Spaces are intended for the installation of unattended displays. Failure to install a display in each of the assigned spaces will effect an applicant's space allocation for the following year. More specifically, provided an application has been filed in accordance with established policy and space is available for the following year, an applicant will be assigned no more than the number of spaces actually utilized for displays the previous year unless exigent circumstances beyond the applicant's control prevented the applicant from utilizing all the spaces that had been assigned in the previous year.

Requirements

Persons and groups wishing to install winter displays must:

1. Submit the *Application for Winter Display Space* to the Community Recreation Division (Clover Park, 2600 Ocean Park Blvd., SM 90405) in person, by mail or by fax to (310) 396-9609. Emailed applications will not be accepted.
2. Sign an agreement, available from Community Recreation, to hold the City harmless and reimburse it for damage to City property caused by the installation.
3. Sign the section of the application indicating you agree to abide by the Administrative Guidelines as detailed in this document. Failure to comply with the Administrative Guidelines may result in a loss of display privileges and/or removal of display. Staff is authorized to immediately remove displays that are unsafe (e.g., obstructing pathways/sidewalks) or unauthorized (e.g., unsupervised attachments to trees).
4. Submit a site plan and simple schematic of display space for approval to the Public Landscape Division (Clover Park, 2600 Ocean Park Blvd., SM 90405 or by fax: (310) 399-6984) on or before October 15th. If October 15th is a non-business day, site plans will be accepted the next business day. A site plan and simple schematic must be submitted for each display space allocated and must include display dimensions, details about staking into the turf, electrical requirements, and attaching equipment or wiring to trees. If multiple spaces have been allocated, one site plan and one schematic may be submitted if the size and structure will be materially the same for each display. Failure to comply with the site plan submittal requirement by the stipulated due date will result in the loss of display privileges and reallocation of the space(s).

Guidelines for Display Installation

1. Obtain proper authorization from the Public Landscape Division if attaching electrical equipment or wiring to trees. The Community Forester or Arborist must be present to supervise during set-up. Overtime payment may apply if set up is during non-business hours with a 3.0 hour minimum. Contact the Community Forester or Arborist at least 2 business days in advance to make arrangements for staff supervision.

Public Landscape/Community Forest
310-458-8974

john.aguila@smgov.net or walter.warriner@smgov.net

2. Obtain proper authorization from the Public Landscape Division if staking into the turf. Public Landscape staff must be present to supervise during set-up. Overtime payment may apply if set up is during non-business hours with a 3.0 hour minimum. Contact the Public Landscape Superintendent at least 2 business days in advance to make arrangements for staff supervision.

Public Landscape/Parks
310-458-8974

darrell.baker@smgov.net or patrick.balfe@smgov.net

3. Obtain the proper authorization from Public Works, Facilities Maintenance for use of the City's electricity. Requests must be submitted to Public Works, Facilities Maintenance a minimum of two weeks in advance of the installation. All equipment must be UL-listed.

Public Works/Facilities Maintenance
310-458-8529

shidan.adlparvar@smgov.net or manny.pina@smgov.net.

4. If a pre-installation meeting is required by applicant during non-business hours, overtime payment may apply with a 3.0 hour minimum.
5. Unless Public Landscape staff has already inspected your display, contact the Public Landscape Division at 310-458-8974 or patrick.balfe@smgov.net to arrange for an on-site final inspection as soon as display is erected.
6. Metered parking spaces adjacent to display may be reserved for all or any part of the display period. If desired, submit a request to reserve and pay for metered parking spaces and required signage at least three (3) business days prior to implementation of parking restrictions. Provide parking meter numbers and a copy of written approval from Community Recreation Division of assigned location when request is made at City Hall Permit Center, Station E. Meter signage must be posted according to the Temporary No Parking Guidelines. Additional information is available from the Strategic and Transportation Planning Division at 310-458-8291 or transportation.management@smgov.net.
7. Pay for all City service or use charges incurred in connection with display set up. Work directly with the appropriate City Division (e.g., Public Landscape, Public Works) to receive cost estimates and arrange for payment.

Park Rules

Abide by the rules for park usage which keep park the safe and available for everyone.

These rules prohibit:

- Obstructing walkways and paths
- Driving vehicles on to the turf
- Vending in the parks
- Consuming alcoholic beverages in parks
- Smoking in parks
- Mounting signs on trees or shrubs and obstructing City signs
- Damaging City property

Events at Palisades Park involving 150 or more people require an Event Permit which can ONLY be issued for walks and strolling events.

The City is not responsible for stolen or vandalized displays.

Approved by:



Rod Gould, City Manager



Date