



## Legislation Text

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**File #:** 19786, **Version:** 1

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### **.Fiscal Note**

This resolution authorizes amendment of the 2010 Operating Budgets of the Police Department, Engineering Division, Streets Division and Parks Division by the appropriation of \$35,690 from the Contingent Reserve for costs associated with the Halloween event. The current balance of the Contingent Reserve is \$1,176,864. This resolution also authorizes the receipt of revenues from admission fees and donations, which are expected to allow for full recovery of these costs.

### **.Title**

Amending the 2010 Operating Budgets of the Police Department, Engineering Division, Streets Division and Parks Division by appropriating \$35,690 from the Contingent Reserve Fund, utilizing these funds for various expenses related to the Halloween event, and authorizing the receipt of revenues derived from admission fees and donations. Authorizing the Mayor and City Clerk to execute a contract with Frank Productions, Inc., subject to the conditions included in the Street Use Permit expected to be issued to Frank Productions, Inc. for events associated with Halloween 2010.

### **.Body**

WHEREAS, for several years the Halloween event has required significant expenditure of funds for supplies and purchased services that are not included in the Operating Budgets of the Police Department, Parks Division, Streets Division and Engineering Division; and

WHEREAS, ongoing planning efforts resulted in the identification of additional measures that helped improve the safety, limited and reduced the damages associated with, and generated revenues to offset costs associated with the 2009 event; and

WHEREAS, similar measures will be utilized in the planning and implementation of the 2010 event; and

WHEREAS, each year since 2006, the City's out-of-pocket costs associated with the event have reduced significantly, making it difficult to accurately budget for these costs during the City's annual budget process that concludes in November of each year (2007: \$82,442, 2008: \$54,915; 2009: \$48,063.40); and

WHEREAS, the plans for the 2010 Halloween event again call for the use of fencing to create a defined event along State Street, as an exercise of the City's authority to protect public health and safety, together with an admission system, designed to enhance crowd safety and offset costs associated with the Halloween event; and

WHEREAS, the plans for the 2010 Halloween event again call for the use of private security to assist with various parts of the Halloween plan; and

WHEREAS, the numbers of personnel needed to staff this event requires the use of a large staging area in proximity to the event; and

WHEREAS, in 2009 the entire outlay (\$48,063.40) was recovered through the revenue sharing agreement with Frank Productions via ticket sales and sponsorship funds;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council amends the 2010 Operating Budgets of the Police Department, Engineering Division, Streets Division and Parks Division by appropriating \$35,690 from the Contingent Reserve Fund to the following accounts to fulfill the aforesaid purposes:

Police Department (Total of \$23,000)  
54973 Security Services: \$23,000

Engineering Division (Total of \$3,250)  
55210 General Equipment Supplies: \$750 (rental of construction fencing)  
54540 Equipment Rental (\$2,500 (rental of construction barrels)

Streets Division (Total of \$6,340)  
54540 Equipment Rental \$4,700  
54801 Disposal Fees: \$240  
55510 Work Supplies: \$1,400 (poles and mounts for signage)

Parks Division (Total of \$3,100)  
54807 Portable Toilets: \$3,100

WHEREAS, BE IT FURTHER RESOLVED, Frank Productions, Inc. will again be applying for a Street Use Permit to hold music and entertainment activities in the continuing effort to re-brand the Halloween experience into a safe and positive attraction in downtown Madison; and

WHEREAS, the City again has an interest in gating and ticketing to enhance crowd safety and offset costs associated with the Halloween event, and Frank Productions has an interest in charging a ticket fee for the entertainment; and

WHEREAS, one of the conditions expected in the Street Use Permit to be issued to Frank Productions is that the City and Frank Productions enter into a written agreement to address details of ticket sales and appropriate allocation of ticket revenue and any other fundraising revenue, and to reflect costs of city services associated with the Street Use Permit and the contributions of both parties to the safety and success of the event.

NOW, THEREFORE, BE IT RESOLVED that the subject to the approval and issuance of a Street Use Permit to Frank Productions related to the 2010 Halloween event, City Staff are authorized to negotiate and the Mayor and City Clerk are authorized to sign a contract with Frank Productions, Inc. for the above-stated purpose.

BE FINALLY RESOLVED, that the City may collect admission fees and other donations in conjunction with the Halloween event to cover these and other related costs.