THE CITY OF ASHEVILLE

STAFF REPORT

Meeting Date: August 22, 2023

Subject: Event Support Grants & Assistance

Staff Resource(s): Chris Corl, Director, Community & Regional Entertainment Facilities
Jon Fillman, Community Event Manager

Action Requested: Adoption of resolutions to (1) Discontinue the City of Asheville's Strategic Event Partnership program; (2) Authorize the City Manager to enter into an agreement with the Asheville Area Arts Council to administer a grant program to reimburse cultural and arts-related non-profit events for certain city fees and charges, for up to a three year period in an amount not to exceed $228,042 per year; and (3) Authorize the City Manager to enter into an Agricultural Development Agreement with the Appalachian Sustainable Agriculture Project for the production of the Asheville City Market in years 2024-2026.

Background:

- The last performance period for events conducted under the City's Strategic Event Partnership program was Jan 1, 2017 - Dec 31, 2019.
- This program provided additional in-kind support and fee waivers beyond the 75% non-profit discount provided for in the City's fees and charges manual.
- While the program was expected to continue for another 3-year period and proposals were invited in 2019 for performance period: 2020 - 2022, staff recommendations on the selection of partners and distribution of resources were never brought forward to City Council due to legal limitations for such a program.
- As a result of the COVID-19 pandemic, no events were conducted in 2020.
- In 2021, 2022, and 2023, the City only offered fee waivers but not labor services (Police, Fire, Sanitation) to former partners' events while future options were considered.
- Five events have since been preserved under contract as official City of Asheville holiday productions with the city's full support behind them:
    - Juneteenth Celebration
    - Independence Day Celebration
    - Asheville Holiday Parade
    - Memorial Day Ceremony
    - Veterans Day Ceremony
- One event, the Asheville City Market produced by the Appalachian Sustainable Agriculture Project, is eligible for City support (limited in-kind support valued at $30,000) as authorized by N.C.G.S. 106-736(b) and support for the Asheville City Market is consistent with the City's adopted **Food Policy Action Plan** (Resolution No. 17-257) and **Municipal Climate Action Plan** (Resolution No. 23-70).
- For all other events that are not official City of Asheville holiday productions, the City will contract with the Asheville Area Arts Council to administer a City-funded grant program that will reimburse eligible non-profit community events for a variety of their city fees and charges as authorized by N.C.G.S. 160A-488 (Arts Programs).
- Non-profit events that receive funding from Asheville Area Arts Council will still be eligible for the City's 75% non-profit discount afforded to all applicable non-profit events.
- Reviewed and approved by the Office of Equity & Inclusion This isn't an official committee. Perhaps include it as part of the staff review.

Recommendations:

- City Council approval to formally enter into a three-year Agricultural Development Agreement for the Asheville City Market for 2024-2026 at a limited value of $30,000 in-kind per year.

- Continued funding and in-kind support for federal holiday celebrations, executed under agreements with non-profit organizations - Holiday Parade, Juneteenth Celebration, Independence Day Celebration, Memorial Day Ceremony, Veterans Day Ceremony.

- City Council approval to formally enter into a three-year contract with the Asheville Area Arts Council to administer a city-funded grant program to support cultural and arts-related events in outdoor public spaces with a base amount of $69,104/year with a 10% contingency in the amount of $6,910 (total not to exceed $76,014 annually, $228,042 over a three year contract period).

- Former partner events including Downtown After 5 and Pritchard Park Programs, Shindig on the Green, Goombay Festival, and LEAF Downtown would be eligible to apply for support through the Asheville Area Arts Council program.

- Through the Asheville Area Arts Council program, additional event producers will be eligible for event support, increasing the overall equity of the program.

Council Goal(s):

- Well-planned and livable community
- Thriving local economy
- Connected and engaged community

Committee(s):

- June 12, 2023
    - Presentation to Planning & Economic Development Council Committee
        - No action taken
- June 27, 2023
    - Presentation to Policy, Finance, & Human Resources Council Committee
        - Action: Unanimous recommendation to City Council
- July 10, 2023
    - Second presentation to Planning & Economic Development Council Committee
        - Action: Unanimous recommendation to City Council

Pro(s):

- Allows the City to leverage resources for programming and events that serve a wide and diverse audience
- Continues support for nonprofits in a manner that overcomes legal hurdles.
- Creates partnerships that employ events as a tool to stimulate the local economy while providing exposure to the arts, agricultural development, and opportunities for community engagement
- Supports local non-profit organizations

Con(s):

- Overtime for Police, Fire, and Public Works staff for the Juneteenth Celebration, Independence Day Celebration, and Asheville Holiday Parade would need to be paid.
- In-kind support requires departments to absorb staffing costs and creates additional wear and tear of equipment without rental income.
- Special support once provided exclusively to selected partners at no cost will no longer be available to any independent event (at cost or reimbursement) including traffic control signs, medical staff, and sanitation support.

Fiscal Impact (included in FY 23-24 Department Budget)

- **$56,500 + In-Kind Support per Year:**
    - Juneteenth Celebration ($20,000 + broad in-kind support as agreed)
    - Independence Day Celebration ($30,000 + broad in-kind support as agreed)
    - Asheville Holiday Parade ($5,000 + broad in-kind support as agreed)
    - Memorial Day Ceremony ($500 + limited in-kind support)
    - Veterans Day Ceremony ($1,000 with no in-kind support requested/expected)
    - Asheville City Market (limited in-kind support only)

- **$76,014 pear Year:**
    - A three-year agreement with the Asheville Area Arts Council, not to exceed $228,042 including contingency, will have a year-over-year net-zero budget impact with the exception of an administrative fee levied by the Asheville Area Arts Council.

Total Fiscal Impact: **$132,514 per Year**

Suggested Motions:

- Motion to adopt a resolution authorizing the City Manager to discontinue the City's Strategic Event Partnership program.
- Motion to adopt a resolution authorizing the City Manager to enter into a three (3) year contract with the Asheville Area Arts Council to administer a grant program to reimburse arts-related non-profit events conducted within outdoor public spaces for certain city fees and charges in an amount not to exceed $228,042 over the term.
- Motion to adopt a resolution authorizing the City Manager to enter into a three (3) year Agricultural Development Agreement with the Appalachian Sustainable Agriculture Project for the production of the Asheville City Market.

Attachment(s)

- Slide Deck
- Resolutions

RESOLUTION NO. 23-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO DISCONTINUE THE CITY OF ASHEVILLE'S STRATEGIC EVENT PARTNERSHIP PROGRAM

WHEREAS, the City had been conducting a Strategic Event Partnership Program that provided additional in-kind support and fee waivers beyond the established 75% non-profit special event fee discount to selected non-profit events since at least 2015; and

WHEREAS, in 2019 the City's legal department advised that there were legal limitations for this type of program and advised that the program be restructured or discontinued; and

WHEREAS, the City has determined that it may meet the original intent of the Strategic Event Partnership Program by entering into a contract with Asheville Area Arts Council, a local non-profit, to administer a city funded grant program that will be responsible for selecting eligible non-profit community arts and cultural events and reimbursing the non-profits for a variety of city fees and charges; and

WHEREAS, the City will continue to provide the 75% Non-Profit discount for in-kind support and fee waivers to all applicable non-profit events as provided in the City's Fees and Charges Manual;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City of Asheville's Strategic Event Partnership Program, as described above, is hereby discontinued.

Read, approved, and adopted on this 22nd day of August 2023.

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City Clerk Mayor

Approved as to form:

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City Attorney

RESOLUTION NO. 23-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ASHEVILLE AREA ARTS COUNCIL TO ADMINISTER A GRANT TO REIMBURSE CULTURAL AND ARTS-RELATED NON-PROFIT EVENTS FOR CERTAIN FEES AND CHARGES

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, N.C.G.S. 160A-488 authorizes cities to provide funding for cultural and arts related programming; and

WHEREAS, the City of Asheville desires to provide support to arts-focused non-profit events conducted within its outdoor public spaces in calendar years 2024, 2025 & 2026, and requires administrative support to execute a grant funding program**;** and.

WHEREAS, the mission of AAVL is to keep the arts at the heart of our community. The Arts Council fulfills its mission by supporting arts professionals and businesses in Buncombe County through connection, advocacy, and grants; and

WHEREAS, AAVL is the designated arts agency for Buncombe County by Resolution #21-07-13; and has been regranting state arts funding in Buncombe County since 1979; and

WHEREAS, the City and the Asheville Area Arts Council (AAVL) have negotiated an agreement for the public purposes of providing support to community events focused on the arts and cultural preservation; and

WHEREAS, the amount allocated within the existing department budget for this program is not to exceed $76,014 annually, $228,042 over a three-year term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is authorized to execute an Event Support Grant Agreement with the Asheville Area Arts Council for calendar years 2024, 2025 & 2026 at a maximum annual value of $76,014, $228,042 over a three-year term.

Read, approved, and adopted on this 22nd day of August 2023.

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City Clerk Mayor

Approved as to form:

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City Attorney

RESOLUTION NO. 23-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE APPALACHIAN SUSTAINABLE AGRICULTURE PROJECT FOR THE PRODUCTION OF THE ASHEVILLE CITY MARKET

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, the purpose of this Agreement is to provide farm-to-market opportunities in the City's Central Business District; and

WHEREAS, the Asheville City Market produced by the Appalachian Sustainable Agriculture Project, is eligible for City support as authorized by N.C.G.S. 106-736(b); and

WHEREAS, in 2013 City Council adopted Resolution 13-17 establishing the City of Asheville's Food Action Plan in support of the Asheville Buncombe Food Policy Agenda, including prioritizing a long-term permanent location for the Asheville City Market, and supporting community efforts by co-designing incentives that establish neighborhood-based markets that provide healthy food; and

WHEREAS, in 2017 City Council adopted Resolution 17-257 approving the City of Asheville Food Policy Goals and Action Plan, including focus areas in Food Access and Distribution by increasing access to food for people who experience food insecurity; and

WHEREAS, ASAP is a non-profit organization with common interests to help local farms thrive, link farmers to markets and supporters, and build healthy communities through connections to local food; and

WHEREAS, ASAP has requested an agreement with the City to provide programming, in the form of a weekly Asheville City Market (hereinafter referred to as Asheville City Market, to be located at Market Street between the intersections of Woodfin and Walnut Streets (Exhibit "C") in exchange for in-kind support valued at approximately $30,000.00 per year as calculated by the value of fees by the City; and

WHEREAS, cooperation and support for regional economic development are goals set forth in the City Council Strategic Operating Plan, consistent with the City's adopted Food Policy Action Plan (Resolution No. 17-257) and Municipal Climate Action Plan (Resolution No. 23-70); and

WHEREAS, the City and ASAP desire to set forth the terms and conditions of this Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

ASHEVILLE THAT:

The City Manager is authorized to execute an Event Support Grant Agreement with the Asheville Area Arts Council for calendar years 2024, 2025 & 2026 at a maximum annual value of $76,014, $228,042 over a three-year term for production of the Asheville City Market.

Read, approved, and adopted on this 22nd day of August 2023.

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City Clerk Mayor

Approved as to form:

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City Attorney