Founders Day Committee Regular Meeting

Dripping Springs City Hall

511 Mercer Street - Dripping Springs, Texas

Monday, November 09, 2026, at 6:30 PM

AGENDA

CALL TO ORDER AND ROLL CALL

Committee Members
Jeff Shindler, Chair
Clinton Holtzendorf, Vice Chair
Susan Warwick, Secretary
Scott Berry
David Inman
Justin Cornett
Sirenna Cumberland
Lisa Garza
Sharon Goss
Mark Handley
Scott Phillips
Kimberley Rutherford
Jordan Searle
Eric Strang
Thomas Toms
Michael Ward

Staff, Consultants, & Appointed/Elected Officials
Parks and Community Services Assistant Director Emily Nelson
Content Marketing Specialist Stephanie Hartnett
Emergency Preparedness and Homeland Security Director Roman Baligad
City Attorney Aniz Alani
Maintenance Director Riley Sublett
Council Member Sherrie Parks
Council Member Taline Manassian

MINUTES

1. **Minutes Report October 26, 2026 Regular Meeting**
   Susan Warwick, Secretary

   Report is for update purposes only and no action shall be taken.

BUSINESS AGENDA

2. **Review, discussion, and possible action on a recommendation to the City Council regarding an ordinance establishing the Founders Day Festival Official Participant Expression Ordinance.**

3. **Discussion and possible action on proposal to City Council for the 2027 Founders Day Festival site plan, entertainment, carnival, and vendor booth layout.**

DEPARTMENT REPORTS

4. **Staff Report**
   Emily Nelson, Assistant Director of Parks & Community Services

COMMITTEE REPORTS

Reports are for purposes of planning and providing staff direction for activities related to the Founders Day Event, and no action shall be taken.

5. **Arts & Crafts Committee**
   *Members: **Handley**, Inman, Strang (St. Martin de Porres Reps)*
   Staff: Community Events Coordinator Johnna Krantz

6. **Budget Committee**
   *Members: **Garza***
   Staff: Finance Director Shawn Cox, Community Events Coordinator Johnna Krantz

7. **Carnival & Food Committee**
   *Members: **Goss**, Phillips, Warwick (Lions Club Reps)*

8. **Cook-Off Committee**
   *Members: **Toms**, Garza, Cornett (Cook-Off Club Reps)*

9. **Downtown Relations Committee**
   *Members: **Searle**, Holtzendorf*

10. **DSISD Committee**
    *Members: **Cumberland**, Berry (alternate)*

11. **Entertainment Committee**
    *Members: **Cornett**, Holtzendorf*
    Staff: Community Events Coordinator Johnna Krantz

12. **Parade Committee**
    *Members: **Rutherford** and Holtzendorf*
    Staff: Community Events Coordinator Johnna Krantz

13. **Traffic & Parking Committee**
    *Members: **Inman**, Holtzendorf, and Toms*
    Staff: City Maintenance Director Riley Sublett, and Community Events Coordinator Johnna Krant

14. **Publicity Committee**
*Members: **Ward**, Cornett*
Staff: Content Marketing Specialist Stephanie Hartnett

15. **Safety & Security Committee**
*Members: **Strang**, Shindler, Handley*
Staff: Emergency Management Coordinator Roman Baligad, and City Maintenance Director Riley Sublett

16. **Sanitation Committee**
*Members: **Phillips**, Shindler, and Holtzendorf*
Staff: City Maintenance Director Riley Sublett

17. **Site Plan Committee**
*Members: **Shindler** and Handley*
Staff: City Maintenance Director Riley Sublett, and Community Events Coordinator Johnna Krantz

18. **Sponsorship Committee**
*Members: **Ward**, Cornett, and Garza*
Staff: City Attorney Aniz Alani, and Community Events Coordinator Johnna Krantz

19. **Volunteer Committee**
*Members: **Rutherford***
Staff: Community Events Coordinator Johnna Krantz

UPCOMING MEETINGS

Founders Day Commission Meetings
December 14, 2026, at 6:30 p.m.
January 13, 2027, at 6:30 p.m.
January 25, 2027, at 6:30 p.m.
February 8, 2027, at 6:30 p.m.
February 22, 2027, at 6:30 p.m.

City Council Meetings
November 17, 2026, at 6:00 p.m.
December 1, 2026, at 6:00 p.m.
December 15, 2026, at 6:00 p.m.
January 5, 2027, at 6:00 p.m.
January 19, 2027, at 6:00 p.m.

ADJOURN

Founders Day Committee Regular Meeting

Dripping Springs City Hall

511 Mercer Street - Dripping Springs, Texas

Monday, October 26, 2026, at 6:30 PM

MINUTES

CALL TO ORDER AND ROLL CALL

With a quorum of 11 Committee members present (8 required), Chair Shindler called the meeting to order at 6:34 pm.

Committee Members present
Jeff Shindler, Chair
Clinton Holtzendorf, Vice Chair
Susan Warwick, Secretary
Justin Cornett
Lisa Garza
Sharon Goss
Mark Handley
Scott Phillips
Kimberley Rutherford
Eric Strang
Michael Ward

Committee Members absent
Scott Berry
David Inman
Sirenna Cumberland
Jordan Searle
Thomas Toms

Staff, Consultants, & Appointed/Elected Officials present
Community Events Coordinator Johnna Krantz
Parks & Community Services Director Andy Binz
Content Marketing Specialist Stephanie Hartnett
City Attorney Aniz Alani
Maintenance Director Riley Sublett
Council Member Sherrie Parks

Guests present
Zach and Kylee Barlowe
Anthony Truitt

MINUTES

1. **Minutes Report August 24, 2026 Regular Meeting**
   Susan Warwick, Secretary

   Report is for update purposes only and no action shall be taken.

BUSINESS AGENDA

2. **Discussion and possible action regarding the proposed Founders Day Festival Official Participant Expression Ordinance concerning political campaign activity in the Festival's official program.**

   The committee discussed including support of The Founders Day Festival mission statement in the Participation Registration Agreement forms for all. Campaigning, soliciting, and aggressive salespersons do not fit the five concepts in the FDC mission statement. Each individual subcommittee will handle any improper activity within its specific area. A subcommittee made up of FDC members Ward, Cornett, Holtzendorf, and Handley will continue work on the draft ordinance prohibiting political campaigning within all activities of the festival. Members of this committee will then present it to City Council.

3. **Discussion and possible action on the proposed 2027 Founders Day Committee meeting calendar.**

A motion was made by Committee Member Cornett to accept the proposed 2027 Founders Day Committee meeting calendar with the addition of Monday, April 5, as a monthly meeting. Committee Member Garza seconded the motion which carried unanimously 10 to 0.

4. **Discussion and possible action on the Founders Day Festival Sponsorship Package offerings and rates for 2027.**

   The revised Sponsorship Package will depend on the new Festival site plan layout, which is currently a work-in-progress. This Sponsorship Packet should, if at all possible, be ready for the Nov. 9 meeting so it can be presented to the City Council at their Nov. 17 meeting.

5. **Discussion and possible action on the 2027 Founders Day Festival site plan, carnival, and vendor booth layout.**

   Possible changes in the layout of the Founders Day Festival site plan were discussed at length. Many ideas were explored. A final layout should, if at all possible, be ready for the Nov 9 meeting so it can be presented to the City Council at their Nov. 17 meeting.

6. **Discussion and possible action on stationary parade logistics and other possible Friday evening attractions at the 2027 Founders Day Festival.**

   The committee discussed hosting a Friday evening DSISD Appreciation Night. Various schools could each have a display on a trailer that would be placed on Mercer Street. Candy could be handed out. There could also be space for Fire and EMS. Possibly the DSHS band could play down by City Hall. Content Marketing Specialist Hartnett will put announcements on social media explaining the change in Friday evening activities necessitated by the construction on Old Fitzhugh Road.

DEPARTMENT REPORTS

7. Community Events Coordinator Report
Johnna Krantz, Community Events Coordinator

The VFW has indicated that they will be preselling RV space in the Triangle for the duration of the festival to cook-off teams and overnight vendors.

COMMITTEE REPORTS **No committee reports were given**

Reports are for purposes of planning and providing staff direction for activities related to the Founders Day Event, and no action shall be taken.

8. Arts & Crafts Committee
*Members: **Handley**, Inman, Strang (St. Martin de Porres Reps)*
Staff: Community Events Coordinator Johnna Krantz

9. Budget Committee
*Members: **Garza***
Staff: Finance Director Shawn Cox, Community Events Coordinator Johnna Krantz

10. Carnival & Food Committee
*Members: **Goss**, Phillips, Warwick (Lions Club Reps)*

11. Cook-Off Committee
*Members: **Toms**, Garza, Cornett (Cook-Off Club Reps)*

12. Downtown Relations Committee
*Members: **Searle**, Holtzendorf*

13. DSISD Committee
*Members: **Cumberland**, Berry (alternate)*

14. Entertainment Committee
*Members: **Cornett**, Holtzendorf*
Staff: Community Events Coordinator Johnna Krantz

15. Parade Committee
*Members: **Rutherford** and Holtzendorf*
Staff: Community Events Coordinator Johnna Krantz

16. Traffic & Parking Committee
*Members: **Inman**, Holtzendorf, and Toms*
Staff: City Maintenance Director Riley Sublett, and Community Events Coordinator Johnna Krant

17. Publicity Committee
*Members: **Ward**, Cornett*
Staff: Content Marketing Specialist Stephanie Hartnett

18. **Safety & Security Committee**
*Members: **Strang**, Shindler, Handley*
Staff: Emergency Management Coordinator Roman Baligad, and City Maintenance Director Riley Sublett

19. **Sanitation Committee**
*Members: **Phillips**, Shindler, and Holtzendorf*
Staff: City Maintenance Director Riley Sublett

20. **Site Plan Committee**
*Members: **Shindler** and Handley*
Staff: City Maintenance Director Riley Sublett, and Community Events Coordinator Johnna Krantz

21. **Sponsorship Committee**
*Members: **Ward**, Cornett, and Garza*
Staff: City Attorney Aniz Alani, and Community Events Coordinator Johnna Krantz

22. **Volunteer Committee**
*Members: **Rutherford***
Staff: Parks Maintenance Manager Patrick Baglietto, and Community Events Coordinator Johnna Krantz

UPCOMING MEETINGS

Founders Day Committee Meetings
November 9, 2026, at 6:30 p.m.
December 14, 2026, at 6:30 p.m.

City Council Meetings
November 3, 2026, at 6:00 p.m.
November 17, 2026, at 6:00 p.m.
December 1, 2026, at 6:00 p.m.
December 15, 2026, at 6:00 p.m.

ADJOURN

A motion was made by Vice Chair Holtzendorf to adjourn the meeting. Committee Member Ward seconded the motion which carried unanimously 10 to 0.

This regular meeting of the Founders Day Committee was adjourned at 8:15 pm.

Susan Warwick

Susan Warwick, Founders Day Committee Secretary

STAFF REPORT

City of Dripping Springs

PO Box 384

511 Mercer Street

Dripping Springs, TX 78620

Submitted By: Aniz Alani, City Attorney

Committee Meeting Date: August 24, 2026

Agenda Item Wording: Review and recommendation to the City Council regarding an ordinance establishing the Founders Day Festival Official Participant Expression Ordinance.

Summary:

At its previous meeting, the Founders Day Committee unanimously endorsed a policy to prohibit all political expression at future Founders Day Festivals. The proposed ordinance advances that policy direction by prohibiting Political Campaign Activity through City-Controlled Official Festival Program Elements.

The proposed ordinance establishes clear participation conditions for the use of City-Controlled Official Festival Program Elements during the Founders Day Festival and related parade activities. The ordinance is intended to preserve the Festival's civic, historical, cultural, and family-oriented program; promote safe, orderly, and evenhanded administration; and prevent the use of City-controlled program elements for Political Campaign Activity.

The ordinance is narrowly directed to the City's official Festival program and to program elements that the City selects, assigns, schedules, or administers, such as designated vendor and exhibitor spaces, registered parade entries and lineup positions, stage and microphone access, official acknowledgments, and official Festival publications. It does not prohibit lawful speech by members of the general public in areas open to the public, subject to otherwise applicable law and content-neutral Festival rules.

Background

The City conducts the Founders Day Festival and related parade activities as civic, commemorative, and community events. The Festival includes an organized official program that may provide approved participants with access to designated booths, parade entries, lineup positions, stage and microphone opportunities, official recognitions, sponsor presentations, performer slots, and official Festival communications.

The proposed ordinance is intentionally narrower than a Festival-wide prohibition on all political expression. It preserves the Committee's objective of maintaining a civic, historical, cultural, and family-oriented official Festival program while limiting the regulation to the City-controlled program

elements through which the City provides official access, placement, or amplification. Lawful speech by Festival attendees in General Public Areas remains outside the ordinance's scope, subject to otherwise applicable law and content-neutral Festival rules.

Those City-controlled opportunities are distinct from areas generally available to Festival attendees. The ordinance provides a uniform framework for their administration and makes clear that participation in the official Festival program does not create an unrestricted right to use a City-controlled program element for Political Campaign Activity.

Proposed Ordinance

The proposed ordinance would add Article 16.05, Founders Day Festival Official Participant Expression to the Code of Ordinances. Key provisions include:

- **Purpose and scope.** The ordinance applies to Official or Registered Participants only when they use a City-Controlled Official Festival Program Element.
- **Defined program elements.** The ordinance identifies the City-controlled placements, access points, and communication channels to which the policy applies.
- **Political Campaign Activity.** The ordinance prohibits use of a City-Controlled Official Festival Program Element to communicate Political Campaign Activity. The policy is directed to electoral campaign advocacy and is not intended to restrict lawful general-public speech or ordinary discussion of governmental matters outside the City-controlled program element.
- **Neutral administration.** The City must administer the ordinance without regard to whether campaign activity supports or opposes a candidate, political party, political committee, or ballot measure.
- **General-public speech preserved.** The ordinance does not apply to a person attending the Festival solely as a member of the general public and not using a City-Controlled Official Festival Program Element or Official or Registered Participant role.
- **Administration and due process.** The ordinance authorizes designated City staff to administer the policy and provides for written standards, notice of an alleged violation, an opportunity to cure when practicable, written decisions, and an administrative appeal.
- **No continuing entitlement.** Approval for one Festival does not create a vested right or expectation of approval for a future Festival.

Attachments: Draft Ordinance

City of Dripping Springs

Founders Day Festival Official Participant Expression Ordinance

Ordinance No. 2026-##

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, ADOPTING A FOUNDERS DAY FESTIVAL OFFICIAL PARTICIPANT EXPRESSION POLICY; ESTABLISHING RULES GOVERNING THE USE OF CITY-CONTROLLED OFFICIAL FESTIVAL PROGRAM ELEMENTS BY OFFICIAL AND REGISTERED PARTICIPANTS; PROHIBITING POLITICAL CAMPAIGN ACTIVITY WHEN USING A CITY-CONTROLLED OFFICIAL FESTIVAL PROGRAM ELEMENT OR PARTICIPATING IN AN OFFICIAL OR REGISTERED PARTICIPANT CAPACITY; PROVIDING FOR ADMINISTRATION, ENFORCEMENT, APPEAL, SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Dripping Springs conducts and authorizes the Founders Day Festival and related parade activities as civic, commemorative, and community events; and

WHEREAS, the City Council finds that the official Festival program, including registered participant roles and City-controlled official Festival program elements, is intended to present and facilitate a civic and family-oriented event experience in a safe, orderly, and evenhanded manner; and

WHEREAS, the City Council further finds that certain persons and entities are granted access to Festival roles, placements, and communication opportunities that the general public does not possess, including but not limited to vendor booths, parade entries, stage time, announcer recognition, sponsor presentation, performer slots, and other official or registered participant positions; and

WHEREAS, the City Council further finds that use of those City-conferred roles and City-controlled official Festival program elements for political campaign activity may reasonably be perceived as carrying a degree of official access, City facilitation, or City-controlled amplification not available to ordinary members of the public; and

WHEREAS, the City Council desires to preserve the Founders Day Festival's civic, historical, cultural, and family-oriented character, reduce disruption, avoid the appearance of City sponsorship or endorsement of partisan or campaign-related advocacy, and establish clear and objective participation conditions for official and registered participants; and

WHEREAS, the City Council intends by this ordinance to regulate only the use of City-conferred official and registered participant roles and City-controlled official Festival program elements, and not to prohibit lawful speech by persons attending the Festival as members of the general public, subject to otherwise applicable law; and

WHEREAS, the City Council further intends that this ordinance be interpreted and applied only to the extent necessary to protect the City's official Festival program and City-controlled official Festival program elements, and not to regulate private political speech occurring in areas open to the general public; and

WHEREAS, the City Council intends this ordinance to be administered consistent with applicable constitutional principles, including principles reflected in *Pleasant Grove City v. Summum*, *Walker v. Texas Division, Sons of Confederate Veterans, Inc.*, *Cornelius v. NAACP Legal Defense & Educational Fund, Inc.*, and *Perry Education Association v. Perry Local Educators' Association*;

Now, therefore, be it ordained by the City Council of Dripping Springs:

1. **Findings of fact.** The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. **Enactment.** Chapter 16 is amended to add Article 16.05 to read in accordance with "Exhibit A", which is attached hereto and incorporated into this Ordinance for all intents and purposes.

3. **Repealer.** All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated herein.

4. **Severability.** Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. **Codification.** The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. **Effective date.** This Ordinance shall be effective immediately upon passage and publication as provided for by law.

7. **Proper notice & meeting.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the ___ day of XXX, _____, by a vote of ___ (ayes) to _____ (nays) to ____ (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by: _____

Bill Foulds, Jr., Mayor

ATTEST:

_____

Diana Boone, City Secretary

Exhibit "A"

CHAPTER 16. PUBLIC WAYS AND PLACES

Article 16.05. - Founders Day Festival Official Participant Expression

Section 16.05.001. Title.

This ordinance may be cited as the "Founders Day Festival Official Participant Expression Ordinance."

Section 16.05.002. Purpose.

The purpose of this ordinance is to establish participation conditions governing the use of City-controlled official Festival program elements by persons acting in an official or registered participant capacity during the Founders Day Festival and related parade activities, in order to preserve the Festival's civic and family-oriented program, avoid misuse of City-conferred platforms for campaign purposes, and provide clear, objective, and evenhanded rules for administration and enforcement.

Section 16.05.003. Applicability.

(a) This ordinance applies only to persons or entities participating in the Founders Day Festival or related parade activities in an official or registered participant capacity, and only to their use of City-controlled official Festival program elements made available through City approval, registration, invitation, permit, contract, sponsorship, license, assignment, or other City-authorized participation mechanism.

(b) This ordinance does not apply to a person attending the Festival solely as a member of the general public and not using a City-controlled official Festival program element or official/registered participant role.

Section 16.05.004. Definitions.

For purposes of this ordinance:

City-controlled official Festival program elements means any booth, table, tent, display space, parade entry, parade lineup position, float placement, stage, microphone, announcer script or recognition, performance slot, exhibitor space, sponsor space, official Festival publication, official Festival map, official Festival listing, City-managed audiovisual channel, City-branded location, or other placement, access point, or communication channel made available by or through the City or the City's authorized Festival administrator for use by an official or registered participant in a manner not available to the general public.

Festival means the Founders Day Festival and related parade activities conducted, sponsored, authorized, or administered by or on behalf of the City.

General public area means an area open to members of the public that is not reserved, assigned, licensed, permitted, or designated for use by official or registered participants.

Official or registered participant means any person or entity that, by application, invitation, permit, contract, sponsorship, vendor approval, exhibitor approval, performer approval, parade registration, speaking slot, volunteer assignment, official designation, or other City-authorized mechanism, is granted access to participate in the official Festival program in a manner not available to the general public.

Official Festival program means the organized and City-authorized set of Festival activities, placements, performances, entries, booths, recognitions, exhibits, and related communications presented through official or registered participant roles and City-controlled official Festival program elements.

Political Campaign Activity means conduct that expressly supports or opposes the election or defeat of an identified candidate for elective office, political party, political committee, or ballot measure, including:

(1) displaying or distributing campaign literature, signs, banners, placards, or similar campaign materials;

(2) soliciting votes, campaign support, campaign contributions, campaign pledges, or campaign contact information for that purpose; or

(3) making an announcement, speech, introduction, endorsement, request, or appeal urging support for or opposition to an identified candidate for elective office, political party, political committee, or ballot measure.

Political campaign activity does not include a factual reference to a public office, officeholder, governmental entity, historical event, legislative proposal, executive action, or governmental position that does not expressly support or oppose the election or defeat of an identified candidate, political party, political committee, or ballot measure.

Section 16.05.005. Official Festival program status.

The official Festival program and City-controlled official Festival program element are City-curated and City-authorized program elements made available for limited Festival purposes. Participation in an official or registered participant capacity does not create a right to use a City-controlled official Festival program element for unrestricted private expression.

Section 16.05.006. Prohibited use of City-controlled official Festival program elements.

(a) A person or entity shall not use a City-Controlled official Festival program element to communicate political campaign activity.

(b) For purposes of this section, a person or entity uses a City-controlled official Festival program element to communicate political campaign activity when the political campaign activity is displayed, distributed, announced, performed, presented, or otherwise incorporated into an assigned booth, parade entry, stage appearance, official Festival listing, or other City-controlled official Festival program element.

(c) This section applies equally to advocacy supporting and advocacy opposing any identified candidate, political party, or ballot measure.

(d) The City shall enforce this section without regard to whether the Political Campaign Activity supports or opposes an identified candidate, political party, or ballot measure.

Section 16.05.007. Specific applications.

Without limiting Section 16.05.006, the following conduct is prohibited when undertaken in an official or registered participant capacity or through a City-controlled official Festival program element:

(1) use of a vendor booth, exhibitor booth, sponsor booth, or assigned table space for political campaign activity;

(2) use of a parade entry, float, vehicle, walking group, banner, signs, costumes, handouts, or amplified sound as part of an official parade presentation for political campaign activity;

(3) use of a stage appearance, performance slot, announcement, introduction, emcee function, or microphone access for political campaign activity;

(4) use of official Festival recognition, sponsor acknowledgment, listing, map placement, or program description to communicate political campaign activity; and

(5) use of a City title, City role, City-provided access, or official Festival status in a manner that states or implies City sponsorship or endorsement of a candidate, political party, ballot measure, or campaign.

Section 16.05.008. General public speech unaffected.

(a) Nothing in this ordinance prohibits lawful speech by any person, including an official or registered participant acting outside that capacity, in a general public area, subject only to otherwise applicable laws and content-neutral rules governing safety, pedestrian access, congestion, noise, scheduling, and non-disruption.

(b) Nothing in this ordinance authorizes any person to interfere with Festival operations, obstruct access, trespass into restricted areas, disrupt official presentations, or violate otherwise applicable law.

Section 16.05.009. Administration.

(a) The City Administrator, Parks & Community Services Director, Parks & Community Services Assistant Director, Community Events Coordinator, or their designees may administer and enforce this ordinance in consultation with the City Attorney and may issue reasonable written procedures and application materials consistent with it.

(b) All participation approvals, denials, limitations, suspensions, revocations, relocations, and conditions imposed under this ordinance shall be based on written standards and applied in an evenhanded manner.

Section 16.05.010. Notice, opportunity to cure, and appeal.

(a) Except where immediate action is reasonably necessary to protect safety, prevent substantial disruption, or preserve orderly Festival administration, the City should provide notice of an alleged violation and a reasonable opportunity to cure before revoking participation or removing a person or entity from a City-controlled official Festival program element.

(b) A denial, suspension, revocation, removal, or conditioning of participation under this ordinance shall be communicated in writing and shall briefly identify the conduct or material forming the basis for the decision.

(c) A person or entity affected by a decision under this ordinance may submit a written administrative appeal within five business days after notice of the decision, or within a shorter period stated in written Festival procedures if necessary to accommodate Festival scheduling.

(d) The appeal shall be decided promptly by the City Administrator or designee, in consultation with the City Attorney, and the City shall provide a brief written decision.

Section 16.05.011. No vested right.

The official Festival program and City-controlled official Festival program elements are City-curated and City-authorized program elements made available for limited Festival purposes. Approval to participate in the Festival does not create a vested right, continuing entitlement, or expectation of approval for any future Festival year.

Section 16.05.012. Construction.

(a) This ordinance shall be construed narrowly to regulate only the use of City-conferred official and registered participant roles and City-controlled official Festival program elements.

(b) This ordinance shall not be construed to prohibit lawful private speech by members of the public in areas open to the public, nor to authorize viewpoint discrimination in the administration of otherwise applicable Festival rules.