



Legislation Details (With Text)

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**File created:** 3/13/2019    **In control:** City Council  
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**Title:** Actions pertaining to a License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno:  
1. Adopt Environmental Assessment No. P19-00964, a Mitigated Negative Declaration dated March 1, 2019.  
2. Approve License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno.

**Sponsors:** Office of Mayor & City Manager

**Indexes:**

**Code sections:**

**Attachments:** 1. 2019 License Agreement Special Event- Woodward Park.pdf, 2. Environmental Assessment.pdf

Date	Ver.	Action By	Action	Result
4/4/2019	1	City Council	approved	
4/4/2019	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**April 4, 2019**

**FROM:** WILMA QUAN, City Manager  
Office of the Mayor & City Manager

**BY:** LAURA MERRILL, Deputy City Manager  
Office of the Mayor & City Manager

**SUBJECT**

Actions pertaining to a License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno:

1. Adopt Environmental Assessment No. P19-00964, a Mitigated Negative Declaration dated March 1, 2019.
2. Approve License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno.

**RECOMMENDATION**

Staff recommends that Council adopt Environmental Assessment No. P19-00964, a Mitigated

Negative Declaration dated March 1, 2019, and approve the License Agreement Special Event (Agreement) between the City of Fresno and the IAN Group, LLC (Promoter) who will coordinate Grizzly Fest at Woodward Park on May 4th and 5th, 2019 (Event).

## **EXECUTIVE SUMMARY**

In February of 2018, the City Council approved a License Agreement with the Promoter for a two-day festival at Woodward Park in 2018, and gave the City Manager the authority to enter into a 2019 agreement based on substantially similar terms. The Promoter has elected to make some changes to the 2019 Event that requires subsequent City Council approval as they are not substantially similar to the 2018 terms. The revisions to the 2019 Event include amplified sound ceasing at 10:00PM, Saturday and Sunday Event, and \$60,000 License Fee. All other terms and conditions are consistent with the past year's event, including Promoter's responsibility to pay all applicable fees according to the Master Fee Schedule, control traffic in the adjacent neighborhoods, contract police and security, and pay liquidated damages in the case the amplified sound does not cease at the 10:00PM cut-off time.

## **BACKGROUND**

For the past twelve years, the Promoter has specialized in concert promotions and outdoor music and art festivals, including Grizzly Fest since its inauguration in 2015. Grizzly Fest is held in the spring coinciding with the start of the Fresno Grizzlies baseball season, drawing thousands of attendees. In February of 2018, the City Council approved a license agreement for the use of Woodward Park for the event in 2018 with an option to administratively enter into a 2019 agreement based on substantially similar terms. The Promoter has elected to make some changes to the 2019 Event that are not substantially similar to the 2018 terms, including amplified sound ceasing at 10:00PM, Saturday and Sunday Event, and \$60,000 License Fee; conversely, the 2018 Event ceased amplified sound at 11:30PM, operated on Friday and Saturday and procured an \$100,000 license fee. All other terms and conditions are consistent with the past year's event, including the Promoter's responsibility to pay all applicable fees according to the Master Fee Schedule, control traffic in the adjacent neighborhoods, contract police and security, and pay liquidated damages in the case the amplified sound does not cease at the 10:00PM cut-off time.

## **ENVIRONMENTAL FINDINGS**

An environmental assessment was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines.

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the area, including the Fresno General Plan MEIR SCH No. 2012111015 (MEIR).

The City of Fresno has conducted an initial study of the above-described project, and it has been determined to be a subsequent project that is not fully within the scope of the MEIR prepared for the Fresno General Plan as provided by CEQA, as codified in the Public Resources Code (PRC) Section 21157.1(d) and the CEQA Guidelines Section 15177(c). Therefore, DARM proposes to adopt a Mitigated Negative Declaration for this project.

It has been further determined that all applicable mitigation measures identified within the Fresno

General Plan MEIR have been applied to the project, in addition to project specific mitigation, to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by the MEIR as provided by CEQA Section 15178(a). In addition, pursuant to PRC Section 21157.6(b)(1), staff has determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Therefore, it has been determined based upon the evidence in the record that the project will not have significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2). A public notice of the attached mitigated negative declaration finding for Environmental Assessment No. P19-00964 was published on March 1, 2019 for review and comment. No comments have been received to date.

### **LOCAL PREFERENCE**

Local preference is not applicable to this item because this item does not include the award of a construction or consultant contract.

### **FISCAL IMPACT**

The Promoter will pay the City a license fee of \$60,000 for the two-day event plus a \$1,000 security/cleaning deposit to be returned to the Promoter upon the reasonable satisfaction of City staff that the Park was returned to the condition it was in prior to the event.

#### Attachments:

2019 License Agreement Special Event - Woodward Park  
Environmental Assessment