



Legislation Details (With Text)

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**Title:** Approve License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno

**Sponsors:** Parks, After School, Recreation and Community Serv, Office of Mayor & City Manager

**Indexes:**

**Code sections:**

**Attachments:** 1. IAN Group City Fresno Wood Park License FINAL w New Option 2-1-18 CLEAN.pdf, 2. Woodward - Exhibit A.PDF, 3. Supplement - Woodward Park Event.pdf, 4. Supplement - Signed License Agreement.pdf

Date	Ver.	Action By	Action	Result
2/8/2018	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**February 8, 2018**

**THROUGH:** BRUCE RUDD, Interim Assistant City Manager  
City Manager’s Office

**FROM:** PARVIN J. NELOMS, JR., Director  
Parks, After School Recreation and Community Services Department

**SUBJECT**

Approve License Agreement Special Event - Woodward Park between IAN Group, LLC and the City of Fresno

**RECOMMENDATION**

Staff recommends that Council approve the License Agreement Special Event between the City of Fresno and the IAN Group, LLC who will coordinate the Annual Grizzly Fest at Woodward Park and expand it to two days, May 18 - 19, 2018. The Agreement has been modified to ensure that amplified sound will cease no later than 11:30 p.m. and to address neighborhood traffic and parking concerns. (Council District 6)

**EXECUTIVE SUMMARY**

Since 2015, the Grizzly Fest music festival had been a one-day event held annually in the spring at

Chukchansi Park and features various artists representing different genres of music. The IAN Group, LLC proposes to move the event from Chukchansi Park to Woodward Park (to the west of the Audubon Drive entry booth) and expand it to two days in May 2018. Concert organizers are promoting the Fest as “entertainment for the family - all ages welcome.” The 2018 Grizzly Fest promises a Ferris wheel, arts and crafts booths, dance troupes, carnival games, a wide variety of local food trucks and will feature two live entertainment stages featuring musical entertainers including, but not limited to, hip-hop, reggae, electronica, rap, indie rock and R&B artists.

The IAN Group, LLC, wants to expand the annual Grizzly Fest and put it on par with other notable concert events such as in Coachella. By moving the Grizzly Fest to Woodward Park, there is opportunity to grow. The expansion of the event will provide job opportunities for various local vendors, contractors and businesses and provide additional sales revenue to the City of Fresno from the anticipated thousands of attendees over a two-day period in addition to the \$100,000 that will be paid to the City for the use of Woodward Park.

While the this item was originally scheduled to be considered by the Council on January 25, 2017, the Council voted to table the item until February 8, 2018, so that staff could work with the promoter and a Council Subcommittee on developing additional mitigation measures that could be used to address concerns related to traffic/circulation and sound impacts. Staff is pleased to report that as a result of this effort the promoter has agreed to fund additional mitigation measures, including but not limited to, paying a \$1,000 per minute penalty for the first 10 minutes that amplified music/sound is allowed beyond 11:30 p.m. and \$10,000 per minute for any violation that occurs beyond that time (e.g., 11:40 p.m.)

## **BACKGROUND**

For the past twelve years, the IAN Group, LLC has specialized in concert promotions and outdoor music and art festivals. The IAN Group, LLC has promoted the annual Grizzly Fest in Fresno since its inauguration in 2015 at Chukchansi Park.

The annual Grizzly Fest is held in the spring coinciding with the start of the Fresno Grizzly baseball season. The event draws thousands of attendees and has had no reported incidents or concerns from a public safety standpoint. It would not be feasible at Chukchansi Park to increase the number of days, improve the entertainment, expand the number of stages and offer a family carnival midway resulting in more paid attendees during baseball season. Currently, the concert promoters find that the impact of thousands of attendees (and entertainment stages) on the ball field is considerable and it is expensive to return the park to a baseball ready state within a matter of a few days.

As such, the IAN Group, LLC approached the City with a request to move the Grizzly Fest to an area within Woodward Park. As a result of this request, a meeting was held between the IAN Group, LLC and various City departments, including Police, Fire, and Public Works/Traffic. The purpose of these meetings was to determine if such an event was feasible; and if so, what steps would have to be taken to ensure the safety of attendees as well as mitigate the impacts to the surrounding neighborhoods. As a result of these meetings, the following terms and conditions were incorporated into the recommended agreement:

Per the Agreement, the IAN Group, LLC will:

1. Act as an independent contractor to manage and operate Woodward Park for the purpose of holding a two day music and cultural festival on May 18 - 19, 2018;

2. Abide by time restrictions as set forth in the Agreement; including a \$1,000 per minute penalty for the first ten minutes if amplified sound/music occurs beyond 11:30 p.m. and \$10,000 per minute for anything that occurs thereafter
3. Provide additional traffic mitigation measures needed to prevent event goers from parking in adjacent neighborhoods
4. Return the Park to the condition it was in prior to the event;
5. Fund contracted law enforcement, supply all required security officers and implement all security/safety protocols deemed necessary by the Fresno Police Department;
6. Comply with all terms of any applicable Conditional Use Permit ("CUP"), laws, liquor licenses, City Ordinances, and written City policies in effect at the time of the event;
7. Shall indemnify and hold harmless the City of Fresno and insure the event in the amounts as prescribed by the City of Fresno's Risk Management;
8. Shall pay the City of Fresno a reservation fee of \$100,000 for the two day event no later than 30 days before the event; and will pay a \$1,000 cleaning/security deposit fee no later than 50 days before the event.
9. The IAN Group, LLC will be responsible for operating the Park entrance off of Friant Road and the east Park entrance booth off of Audubon Drive and may charge entry fees for the event only. There will be no vendor fees charged by the City for event vendors.
10. There is an option for second event in 2018 or 2019 contingent on a post event review by the City Manager and applicable City staff, including but not limited to, the Police and Fire Chiefs as well as Directors from PARCS and Public Works.

The City of Fresno PARCS staff will:

1. Provide a staff liaison to represent the City at pre and post meetings and walk-throughs;
2. Grant access to the Park beginning May 14, 2018, at 8:00 AM and continuing thereafter until May 21, 2018, at 5:00 PM.
3. Department Director or designee will do a final walk-through inspection immediately after the IAN Group, LLC has completed its breakdown and clean-up. Should the Park not be returned to a condition meeting the City's reasonable satisfaction, the City shall use its resources to restore the Park to its prior condition and will bill IAN Group, LLC for labor and material related costs.

## **ENVIRONMENTAL FINDINGS**

The IAN Group LLC shall be granted a permit for exception from the City's standard noise ordinance (Fresno Municipal Code 10-110) to allow the event to operate until 12:00 AM each day rather than 10:00 PM. The City shall support the issuance of such permit provided that the Fresno Police Department approves in its reasonable discretion. The Agreement ensures that amplified sound will cease at 11:30 p.m. by providing significant and escalating penalties for failure to comply--\$1,000.00 per minute from 11:30 p.m. to 11:40 p.m., \$10,000.00 per minute from 11:40 p.m. to 12:00 p.m., and \$100,000.00 per minute after midnight.

## **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 IAN Group, LLC will pay the City a reservation fee of \$100,000 for the two-day event plus a

\$1,000 security/cleaning deposit to be returned to the IAN Group, LLC upon the reasonable satisfaction of City staff that the Park was returned to the condition it was in prior to the event.

Attachments:

License Agreement Special Event - Woodward Park  
Woodward - Exhibit A