



## CITY OF MARTINEZ

## CITY COUNCIL AGENDA January 13, 2015

**TO:** Mayor and City Council

**FROM:** Anna Gwyn Simpson, Deputy Director of Strategic Planning and Community Development

**SUBJECT:** Waterfront Amphitheater Concert Proposal and Funding

**DATE:** January 5, 2015

### **RECOMMENDATION:**

Adopt a resolution allocating \$24,605 from the General Fund Unassigned Fund Balance to Main Street Martinez for the production of two events at the Martinez Waterfront Amphitheater.

Direct staff to work with the City Attorney to negotiate an agreement with Main Street Martinez for said production.

### **BACKGROUND:**

On August 8, 2013, the City Council approved the allocation of \$49,750 from the General Fund Unassigned Fund Balance to fund a concert at the Martinez Waterfront Amphitheater and directed staff to attempt to recoup 100% of the funding. On May 10, 2014, the City hosted the "Blues by the Bay Festival" at the Martinez Waterfront Amphitheater. The revenue from the Festival resulted in recovering 100% of the City-provided funding plus an additional \$14,605 in net proceeds.

On June 18, 2014, City Council directed staff to issue a Request for Proposals (RFP) to procure a promoter/producer of a concert/festival event or concert series for 2015. On October 17, 2014, the City released this RFP with a deadline for submission of November 14, 2014. One proposal was received by the City from Prime Time Entertainment. The Ad Hoc Concert Committee met on December 17, 2014 to review the proposal. At the meeting, Prime Time Entertainment indicated its desire to work through Main Street Martinez as the lead organization. As the lead organization, Main Street Martinez will enter into an agreement with Prime Time Entertainment to procure the music acts as well as other items required for the events, e.g. the performance stage. In addition, having Main Street Martinez take the lead in organizing the event has several benefits including allowing donations from sponsors to be tax deductible, access to a database of volunteers, and relieves City staff of the time consuming nature of planning an event of this type. The City would still be involved in planning and assisting with the event but only to the extent of what is already provided through the City's Special Events review process, which involves event review and approval by police, public works, and risk management functions, among others. City staff would also perform oversight of the contract with Main Street Martinez.

Main Street Martinez and Prime Time Entertainment are proposing to organize and produce at least two concert events at the Martinez Waterfront Amphitheater in May 2015. The first two events would take place on one weekend with another "Blues by the Bay Festival" on a Saturday

and a Latino heritage event on a Sunday. The “Blues By the Bay Festival” would have more limited hours than the last festival with doors tentatively opening at 3:00 pm and music from 4:00 pm – 9:00 pm. featuring no more than four acts. The Latino heritage event would take place during the day and be more of a family friendly event targeted at a different audience than the blues festival.

If this proposal is approved and staff is directed to do so, the City will negotiate and enter into a separate contract with Main Street Martinez for these events. The key components of the contract will include the following:

- Main Street Martinez will provide all organizational planning and subcontracting as necessary
- Requirements for insurance from all participants naming the City and Main Street Martinez as additionally insured
- Indemnification of the City
- Requirement to submit an accounting of costs
- A proceed sharing arrangement outlining the use and distribution of any proceeds from the events
- Provisions for City in-kind support from the Corp Yard and Police

**FISCAL IMPACT:**

As stated earlier, the net proceeds from the 2014 “Blues By the Bay Festival” were \$14,605. The Ad Hoc Committee recommended that the net proceeds be put towards the next events at the Martinez Waterfront Amphitheater. Thus, the recommendation would be that the \$14,605 be given to Main Street Martinez under the aforementioned contract to use towards the two events specified. Additionally, Main Street Martinez is requesting \$10,000 in seed money for the production that would be reimbursed from the net proceeds. Finally, if there are any proceeds remaining after the money is reimbursed to the City, those proceeds would be shared with Main Street Martinez receiving 35%, Prime Time Entertainment receiving 25% and the City receiving 40%, which would be dedicated to future events.

The total amount requested from the General Fund Unassigned Fund Balance is \$24,605, of which, \$10,000 will be reimbursed from the net proceeds of the events.

**ACTION:**

Motion to adopt a resolution allocating \$24,605 from the General Fund Unassigned Fund Balance to Main Street Martinez for the production of two events at the Martinez Waterfront Amphitheater; and direct staff to work with the City Attorney to negotiate an agreement with Main Street Martinez for said production.

Attachment:  
Resolution & Budget for concert event

**APPROVED BY:**

  
Interim City Manager

RESOLUTION NO. -15

**ALLOCATE \$24,605 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO MAIN STREET MARTINEZ FOR THE PRODUCTION OF TWO EVENTS AT THE MARTINEZ WATERFRONT AMPHITHEATER**

**WHEREAS**, the increased utilization of the Martinez Waterfront Amphitheater was identified as a goal by the City Council; and

**WHEREAS**, on May 10, 2014 the City hosted the Blues By the Bay Festival which produced net proceeds of \$14,605; and

**WHEREAS**, the Ad Hoc Concert Committee recommended that the net proceeds from the Blues By the Bay Festival be allocated to future events at the Martinez Waterfront Amphitheater; and

**WHEREAS**, on June 18, 2014 the City Council directed staff to issue a Request for Proposal (RFP) to select a promoter/producer of a concert/festival event or concert series in 2015; and

**WHEREAS**, the City received one proposal in response to the RFP from Prime Time Entertainment; and

**WHEREAS**, the Ad Hoc Concert Committee met on December 17, 2014 to review the proposal and Prime Time Entertainment expressed their desire to have Main Street Martinez act as the lead organization in producing an event; and

**WHEREAS**, staff has been directed to work with the City Attorney to negotiate a contract with Main Street Martinez to produce at least two events at the Martinez Waterfront Amphitheater that will include a provision for sharing of net proceeds to be used for future events; and

**WHEREAS**, the City Council wishes to provide additional seed money in the amount of \$10,000 that will be reimbursable from the net proceeds of the events in 2015.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Martinez, to allocate \$24,605 from General Fund Unassigned Fund Balance for the production of two events at the Martinez Waterfront Amphitheater.

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**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Special Meeting of said Council held on the 13th day of January, 2015, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK  
CITY OF MARTINEZ

