

MEMORANDUM

Parks and Recreation Department

MEMORANDUM 20-A076

Date: July 8, 2020

TO: Greg Harrison, City Manager

FROM: Mark Beaudreau, Recreation Programs Administrator *MB*

SUBJECT: Agenda Item Rescind License Agreement Beachfest Entertainment LLC

Please place the attached resolution on the July 28, City Commission agenda as the City has elected to invoke its rights pursuant to Article 19 (Force Majeure) due to the ongoing crisis which is completely out of control of either party. The attached resolution is to rescind the agreement entered into via Resolution Number 2019-224 with Beachfest Entertainment LLC. The licensee was officially notified that the planned music festivals scheduled to take place on the City's main public beach are no longer viable options for the City and therefore are not being considered and the license agreement is hereby effectively rescinded. This decision was made due to a number of issues including the COVID-19 Virus Pandemic this year, multiple unknowns surrounding a large-scale event after the pandemic, and other contributing factors. Attached is a letter from the licensee acknowledging Beachfest Entertainment LLC concurrences with the decision to rescind Resolution Number 2019-224 effectively cancelling all music festivals and the license agreement in their entirety.

City staff is very much aware that the situation and conditions could change in subsequent years and welcome the opportunity to provide Beachfest Entertainment LLC the opportunity to the right of first refusal if for any reason the conditions avail themselves for future consideration.

If you have any questions or concerns regarding the agenda item please contact me at 954-786-4191 (office) or 954-913-4016 (cell).

cc: Earl Bosworth, Assistant City Manager