

Legislation Details (With Text)

File #: 20-439 **Version:** 1 **Name:**

Type: Resolution / Consent Agenda **Status:** Passed

File created: 6/25/2020 **In control:** City Commission

On agenda: 7/28/2020 **Final action:** 7/28/2020

Title: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING CITY OF POMPANO BEACH RESOLUTION NO. 2019-224 RELATING TO THE BEACHFEST ENTERTAINMENT LICENSE AGREEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Parks and Recreation Memo 20-A076.pdf, 2. City Attorney Memo 2020-729.pdf, 3. Letter to Beachfest Entertainment LLC 7-6-2020.pdf, 4. Reso 2020-214 Revised.pdf, 5. Resolution No. 2019-224 - Beachfest Entertainment LLC.pdf

Date	Ver.	Action By	Action	Result
7/28/2020	1	City Commission	ADOPTED	Pass

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING CITY OF POMPANO BEACH RESOLUTION NO. 2019-224 RELATING TO THE BEACHFEST ENTERTAINMENT LICENSE AGREEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau/Earl Bosworth)

Summary Explanation/Background:

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viable options for the City and therefore are not being considered and the license agreement is hereby effectively rescinded.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 effectivity 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.

Origin of request for this action: Parks and Recreation Department Staff

Fiscal impact and source of funding: N/A

