

November 9, 2005

Honorable Mayor and Members of
the Hermosa Beach City Council

Regular Meeting of
November 22, 2005

ANNUAL REVIEW OF FIESTAS

Recommendation:

That the City Council receive the attached information concerning both Memorial Day and Labor Day and approve the events for 2006 with any specific changes.

Background:

The City Council and the Chamber of Commerce entered into a 5 year agreement following the March 9, 2004 meeting. A copy of the agreement is attached for your information. The agreement provides an opportunity for making any changes for the 2006 Fiestas. There is a letter from the Chamber of Commerce Executive Director and the After Action meeting minutes that included representatives from the Chamber of Commerce and several City departments.

Staff and the Chamber and its new event coordinator will continue to work on any the details set forth in the after action reports. Memorial Day event runs from May 27 thru May 29, 2006 and the Labor Day event runs from September 2 thru September 4, 2006.

Respectfully submitted,



Stephen R. Burrell
City Manager

November 10, 2005

Steve Burrell
City Manager
1315 Valley Drive
Hermosa Beach, CA 90254

Dear Steve:

It is with great pride that I write this letter regarding the 33rd Annual Fiestas Hermosa, which *Sunshine Artist* magazine described as "the largest arts and crafts fair in Southern California".

The following information outlines the benefits to business that the Fiesta Hermosa provides, and highlights the demographics of the visitors we attract. Although the city sales tax figures cannot be broken out "per weekend", the facts listed below prove how the event helps the general fund.

I'd like to share with you some of the independent research that has been conducted about Fiesta Hermosa. It is a report that illustrates just how effective this event has been for attracting new customers to Hermosa Beach businesses.

Conducted by Strategic Alliance Marketing of Scottsdale, Arizona, 730 surveys were collected over the three-day weekend event. The analysis of the surveys highlighted some very interesting facts –

84% of the attendees visited our shops and restaurants while they attended Fiesta

24% spent between \$50 and \$100, and another 21% spent around \$50

Over half - 52% of the respondents stated that they returned to Hermosa 5 times or more during the year

18% said they return 4 times, and 16% on two occasions other than Fiesta

63% had attended Fiesta on previous weekends and 94% said they would return in the future

72% classified themselves as Diners and Travelers and 58% as Shoppers

86% have a major credit card

Interestingly, 43% of attendees were not from the South Bay area. 16% were from Redondo Beach, 12% from Hermosa Beach, 8% from Torrance, and 6% from Manhattan

Beach. As the largest arts and crafts show in Southern California, it is not surprising that 43% of attendees were from out of the area but within a three hour drive radius

Many of our attendees and vendors choose to stay at our hotels, causing "sell-out" occupancy and a boost to the TOT tax.

This research proves how effective the event has been for attracting new customers to Hermosa Beach businesses. By increasing the sales tax and hotel tax, we hope that you will agree that Fiesta is good promotion for the economic well being of our town.

I look forward to addressing the City Council on November 22 to obtain a renewal of our five-year permit for the 2006 Fiestas Hermosa. The Hermosa Beach Chamber of Commerce & Visitors Bureau is proud to host this "family event" and introduce thousands of visitors to our charming city by the sea.

Sincerely,

Carla Merriman
Executive Director

FIESTA 2005 AFTER ACTION MEETING MINUTES
OCTOBER 19, 2005
COMMUNITY CENTER, ROOM 4
HERMOSA BEACH, CALIFORNIA
10:00 A.M.

Lisa Lynn called the meeting to order at 10:00AM

In Attendance:

Lisa Lynn	Community Resources Director
Katie Crevda	Administrative Assistant
Mike Flaherty	Public Works Superintendent
Lance Jaakola	Hermosa Beach Police Dept., Operations
Carla Merriman	Hermosa Beach Chamber
Mike Bell	Bell Event Services
Guy Godbile	Bell Event Services
Jim Sprinkles	Southern California Barricades

Event set-up took longer than expected. This was due to the underestimation of the time it would take to fill-up and situate 40 water barricades. It took from 3:30am to 8:30am to set-up the perimeter and barricades. This went better than expected as the as even the partial placement of barricades stopped the flow of traffic. Upper Monterey/Pier and 10th/13th, cars were lined up for one block in each direction on Hermosa and for 2 – 3 blocks on Pier. This was at 5:00am and 6:00am and indicates the number of people arriving at this time. The barricades made this area a 'safe zone' for everyone. Removal was also handled the best he has seen so far. Overall, a clean site and no traffic issues.

There was no event person on duty handling maintenance of barricades. Barricades were disrupted every hour of the event and were not replaced properly. This is a major problem. This created an increased liability. 90% of this problem resulted from barricades being moved and improperly replaced by taxi drivers. Recommendation is that taxi drivers be handled as a separate entity. Invite them to park in other areas, possibly where bus turns around versus Hermosa Avenue, etc. This won't resolve the problem 100%, but will reduce it substantially. He other part of the solution is to make sure the event coordinator has someone handling maintenance of the barricades.

Question: What time did the removals occur? At 8:00pm, 9:00pm, and 10:00pm on both Friday and Saturday. Did you call the police to remove the taxi drivers? Yes. Did the police respond right away? Yes.

From a traffic control standpoint the cones create a merging lane – tapering two lanes into one. When the cones are moved and not placed back in the proper, tapering position it creates confusion and traffic jams. It was stated that this is a constant problem at 14th.

Merriman asked Bell if a staff person should be monitoring this area or should security monitor as they are patrolling the area, maybe giving them a map of the cone placement at the street closures to take care of repositioning. Sprinkles answered and stated that what he and Flaherty observed was a security person stationed in that area, but they did not know what was required of them as far as the cones and repositioning. Merriman confirmed that security should be used for the task. Bell added that it would be easy to reposition, as the placement is already pre-determined.

Flaherty explained that even if the taxis maneuver in this area without disturbing cones, they back-up so far onto Hermosa that the back of the cars protrude beyond the cones. He witnessed many cars coming very close to the taxis before realizing the cars were parked. This is a difficult situation that he is not sure can be completely remedied as you can deal with the taxis during the day as opposed to at night. Taxis are allowed to enter up until 3:00am to 4:00am, there must be

an opening for them and there is no one stationed at this location 24 hours. Flaherty suggested that the taxi companies be brought into the meetings. It was stated that if the goal is to establish a 'cab starter', it couldn't be done. This was tried just for the downtown area – too expensive and it did not work. Flaherty believes that involving the taxis will help resolve the problem. Some taxis were stopping in front of the barricades to let people out.

Bell Event Services believes that briefing security well enough will help resolve the problem. Merriman suggested that notes be written and distributed to each shift to address the issue of making sure each security officer is properly briefed on their responsibilities. It was suggested that a picture be given to the security guards showing the cones proper placement.

Question: Would it be possible to extend the tapered lane to the north side of 14th to give the taxis a lane? This may not be feasible. Taxis cannot be parked in front of the barricades as this reduces visibility of the reflective signage. On Saturday night, Flaherty moved the arrow board to 14th, but there are certain guidelines for tapering. Does not want to go past 14th to 15th to begin tapering since this will only extend the queue for taxis to park.

Suggested that taxis be made to go around to 13th, near compound and structure, which is a wider street, and queue there. Flaherty stated that he likes this idea. This was once going to be the location of the permanent taxi stand – eastbound on 13th heading eastbound from the corner of Beach Drive, next to the fence. This will also allow the taxis to queue and load fares in the proper order and give them the visibility they need. The security guard at the 13th Street barricade can send the taxis to this location. If the taxi company is informed ahead of time there should be no problems. Public Works will make temporary signs stating taxi parking.

On Saturday and Sunday night cars towed were on 16th Street. Area needs more signage.

There was a reduction in the time needed to set-up/tear down by hours and this was positive. Lot A was very clean compared to previous fiestas.

The clean-up crew needs to have reflective vests for nighttime cleaning. The vests should be distinctive.

Merriman asked about the vendors arriving earlier. Aztec was let in at 5:30am and was setting up tents but was not allowed to exit on Hermosa. Other vendors were let in at approximately 6:00am. The final 'hard' closures were completed at approximately 8:30am. Because Aztec needs to get in earlier, an exception will be made in the future.

Lot A was positioned to be cleaned better, 11th Street was positioned better for the clean-up on Tuesday.

Carla stated that everything went smoothly this year. Everyone was pleased. Vendors complimented the Chamber on the new Event Producer, Bell Event Services.

Next year trash bins will be placed on 13th Place for Consolidated to pick-up. The fencing of Lot B will be arranged to accommodate for this placement.

Reduction of Type II barricades and I may be achieved by applying some of the detour signs to the existing poles. It would be beneficial to replace these barricades in some locations with parade barricades, which are reflective and easier to put up and still meet all the codes. Flaherty asked for Sprinkles input, as the city will pay for the new traffic control plan, costing approximately \$2,000.00. These will also prevent trip and fall liability. Sprinkles was in agreement with this plan. Change the tapers and get rid of the Type I barricades. He will have a guy who is already stationed in this area, he can zip-tie the detour signs.

Merriman asked about the resolution of the signs that were in constant need of reposting due to be torn down. It was stated that Bell did not mind going out and replacing the signs each day as this was the more cost-effective way. The best location would be a pre-bracketed area below the meters. Complaint received that the painted numbers on the meters was removed during the

replacing of the signs. Merriman thinks that replacement is very labor intensive. Permanent signs with event parking on the back can't be used because of parking code restrictions. Bell is conscientious about not covering the permanent signs on the meters. The signs on the meters still cause confusion. The other option is not putting the signs on the meters, but put a cone next to it. It was decided that the current method of posting the signs, using zip-ties, will remain. This is currently the best method. Lynn stated that her staff posts signs on both sides of the pole and then uses red duct to tape to bind sides together. Merriman liked the idea - tape will not be used on the meter poles, just the signs. Missing signs and flags were discussed. Some were not recovered and others were moved.

Carla received some calls from businesses that could not get into 6th and Valley. It was stated that people were redirected and there should have been no problem.

Flaherty gave the overall event, for his areas, a B+/-.

Merriman stated that her office, for the first time, did not receive a trip and fall incident report.

The information booth received a complaint from an angry person who was with someone in a wheelchair and they stated there were other types of cable ramps with insets that would allow a wheelchair or stroller to go over them easier. The group conceded this type of cable ramp does not exist. The shuttle is having problems picking up handicap visitors. Merriman stated that there is a need for two handicap spaces for Sundays and Mondays for both shows. She will give them a handicap spot at the Chamber and at Citibank. They will contact the Chamber with their license plate number for specialized signage. It was noted that the main problem is a lack of communication. Carla needs a place provided close to the venue for handicap parking far enough in advance that she can advertise it. Thelma Greenwald has a building with some parking on Hermosa near 8th that can be used if a patron is willing to pay.

Flaherty and Lynn stated that the 13th Street Lot could be used. There are 7-8 spaces right at the entrance of the lot that is coned off for VIP parking. That can be converted for handicap parking. Signs on cones can be posted. How long can it be designated. Currently, drop off for handicap is at 14th and 11th Streets. The problem is they drop off, go to Mira Costa, wait for the shuttle and then walk back to the location, which can take approximately one (1) hour. Lynn's solution: once they drop off, if there is no parking available, they will designate parking at the Community Center which is only five (5) blocks away. Parking Concepts will also be notified of this.

Merriman discussed the interactions between the Fire Department and vendors. A request was made for Fire personnel involved with inspection also attend the preplan and after action meetings.

Lynn stated she was pleased with the responsiveness of the event coordinators. All identified problems were quickly addressed.

Lynn spoke to an issue raised by Public Works that some food vendors did not use the required floor mat. The Health Department did not arrive until noon for inspection. Merriman stated that normally vendors place mats down last so that they can drag boxes in/out.

Carla stated that power was on at 10:00am. She was very pleased with the coordination of this event.

Lynn and Merriman discussed the billing for city services.

The meeting adjourned at 11:35 AM.

FIESTA 2005 AFTER ACTION MEETING MINUTES
JUNE 30, 2005
THE BEACH HOUSE HOTEL
HERMOSA BEACH, CALIFORNIA
10:00AM

The meeting was called to order by Lisa Lynn at 10:10AM.

In Attendance:

Lisa Lynn	Director, Community Resources Department
Katie Crevda	Administrative Assistant, Community Resources Department
Mike Flaherty	Public Works Superintendent
Lance Jaakola	Hermosa Beach Police Dept., Operations
Aaron Marks	Hermosa Beach Fire Dept.
Carla Merriman	Hermosa Beach Chamber of Commerce
Thelma Greenwald	Hermosa Beach Chamber Board Member
Kevin McCartney	Hermosa Beach Chamber Board Member
Susan Blaco	Hermosa Beach Chamber Board Member
Travers Devine	Hermosa Beach Chamber Board Member
Cedric	Security

Lisa Lynn distributed copies of the minutes from last year's meeting to all attendees to be used as a comparison to this year's event in making sure past issues were addressed and resolved. Lynn stated the meetings are now taped and transcribed to alleviate any miscommunication.

Security concerns largely impacted this year's event. Flaherty planned to place barricades around the city in the early morning hours. He arrived on location at 3:00 a.m. and expected there would be a separate maintenance crew to place the barricades, but as it turned out part of the crew was security. Instead of security manning the barricades, stopping people from entering and verifying identification, they assisted maintenance in the placement of barricades, etc. Flaherty stated this was not the best use of the required personnel. During two other critical time periods - from 5:00 - 7:00 a.m., when vendors arrive to set-up and from 5:00 - 8:00 a.m., when residents become aware of the blocked off perimeter and begin moving barricades to drive through the venue, security was not available to man these areas. Residents were moving all of the barricades to drive through the area. Mr. Flaherty stated that he felt a more appropriate use of security would be to have security in place to man the barricades from the time they are placed. He suggested that two men should man the barricades at the main location with the flexibility for one to roam to other barricaded areas, but one should remain at the barricades at all times.

During another critical time, Flaherty noted that from 3:00 a.m. to 9:00 a.m. and during the tear down where he interacted with Conte Productions and Fiesta through Mark Conte or another representative, where he experienced similar situations where there was a lack of security personnel at the designated places. Especially at 9:00 p.m. when vendors are leaving and there are other people trying to move through the venue to get to businesses in the area. Believed that Pier and Monterey were well-manned but the other areas were lacking, such as 10th. Also, noted that people were allowed to park outside of the barricades to load/unload. Felt that this posed a safety issue. Lance Jaakola stated concern that the water-filled barricades were not useable as water-filled barricades. Flaherty confirmed this. The group conceded that this is a safety issue. Carla Merriman explained that delivery was accepted for sub-standard/damaged barricades and she was not notified of the problem until later. Also, there were barricades that had unseen cracks and once they were filled they began to leak and had to be drained to prevent flooding the area. Flaherty explained that he would be talking to the vendor. Plastic barricades were chosen for their flexibility and ease of use for the venue. The k-rails were not chosen, although more stable, they would require a forklift to load/unload and no flexibility in moving them around should the need arise. The company that was used to provide barricades was not preferred. Other sources will be researched. Overall consensus was that there was a breakdown in communication and a lapse of 10 days where the problem could have been resolved before the barricades were on-site. Conte did not notify the Chamber that equipment was faulty. Flaherty also explained that using the plastic barricades

significantly reduced the number of barricades used for traffic diversion approximately from 200 down to 30.

Volunteers have not been used for the last four (4) years and even though Conte cited the volunteer shortage as the reason for staff deficit, appropriate staffing should have been in place to compensate for this. It appears that Mark is still under the misconception that volunteers would be provided. It was stated that this was the reason security was increased and Cedric's personnel should have been in place. Cedric explained that he has the proper staffing in place to provide security, but he lost some of the staff to perform maintenance and other various duties. He was unable to provide the proper security for the barricaded areas with his staff being utilized elsewhere. He could have provided additional staff to compensate, but it was not accepted. Cedric explained that he was at the site continually trying to compensate for the shortage of his security personnel, even assisting with other event-related duties as well. Unfortunately with the event sponsors providing less than adequate personnel, it left other key barricaded areas unattended. Adding to the problem at some barricaded areas was a lack of signage. Mr. Flaherty stated that this issue was being addressed.

Cedric also discussed the additional overtime that was required by his staff during this event. It was clarified that it was not Conte that asked for help, but his not being there that required the assistance given by Cedric and his staff. Conte was absent during many, many critical times of decision-making. It was again stated that Conte was understaffed and others were utilized to provide services at this event. It was voiced that safety is the overall concern and primarily security was to be used for security purposes only, except in the event they saw something additional that needed to be done, they would do it, but the primary focus was to be security, not pulling fencing wire, filling the barricades with water, etc.

It was discussed whether additional security staff should be added. Cedric was asked what he would need to be able to get the job done. Cedric stated that last year he offered placing 12 – 15 staff in place and adding an additional 8 – 9 staff from 1:00 a.m. until the start of the event. Ideally, once a barricade is placed, it should be manned. Mr. Flaherty stated that there are currently 11 entrances/exits and the move to Monterey increased it by four (4). The barricades are not placed until 3:00 a.m. as the bars close at 2:00 a.m. Flaherty stated that this year the barricades were not placed until 4:30 a.m., which may be the more appropriate time. It was stated that the goal will be to have the event producers provide event staff and security be provided separately. The security would handle vendors arriving early and stage them according to standard operating procedure. In certain areas, it would be safer to allow some vendors to load/unload inside the barricaded areas. These vendors would be identified prior to the event. Also, it was suggested that if vendors arrive late, they be prevented from loading/unloading until it is safe to do so, i.e., other vendors are out of the way. As cars were parked in some of the barricaded areas, police needed to be called to assist in safely moving vendors out of the barricaded areas.

Discussion ensued about maybe increasing the unloading time for vendors. Areas to be identified for off-loading and handle appropriately next year. Specific instructions will need to be given to vendors. The timing for staging vendors is still in place, but the vendors do not follow it, which is why security personnel being in place is critical. Cedric asked to be included in the planning of the staging of the barricades. It was stated that this would be done at the pre-planning meeting.

Flaherty that Conte is not available during the staging of the event and relayed the inconveniences this causes. Lisa stated that Mark set the timing of the meetings and his schedule was accommodated; yet he still failed to show.

Flaherty stated that the overall traffic plan has evolved over the years including transitioning to the different types of barricades and re-routing traffic once the venue was expanded to Manhattan. This was a reflection of desiring a safer entrance/exit for this event. Unfortunately the problem with the barricades and the problems with the signage did not allow further development of the existing traffic plan being developed.

Again, the signage at the entrances/exits did not meet any standards, most were in disrepair, paper taped over words, etc. This is a serious safety issue. Signage must be up to standard.

Generally, clean-up was successfully maintained. Some upgrade of equipment is needed due to the large areas to be cleaned.

Set-up on Thursdays and Fridays needs to be re-evaluated – very confusing with the influx of equipment. It was thought that Lot B would be the solution – saw some people parking outside of the fenced areas. 11th Street was a disaster from beginning to end. There needs to be a 'dead zone' to allow the trucks to move in and turn-around. Parking in this area should not be allowed – no parking signs will be posted to ensure all vendors follow the same guidelines for off-loading. Business owner (Teriyaki Place) may not be pleased with a No Parking sign for four (4) days, but this is a critical area for ingress and egress of all necessary vehicles. It was stated that this might be better for the business in this area.

Encourage attendees to walk down Beach Drive between Pier Avenue and 10th Street – the smell is extremely bad. Contributing to this is the event and the businesses in Lot A and their disposal of garbage. Increased cardboard boxes – did receive some complaints – for trash. Suggests that Chamber works with some of the businesses regarding this issue. Group suggestion: a committee organized between all relevant establishments. Business on the north and south side of Pier must become a part of the solution. This issue has been an on-going problem as far back as 1995 and has not yet been resolved.

Lynn stated concerns relating to event load-out. She cited the incident with the fencing not being picked up and taking up metered parking at Lot B. Police officers removed the fencing so that it only took up two spaces. Port-a-potties were also left behind. The event coordinator did not come back to the site for an after event inspection. The company was called to remove them, but it did not happen in a timely manner and took repeated follow-up action.

The question arose asking if it was policy to have City personnel do an after event walkthrough. Lynn responded that this is standard procedure with all event groups. She and Mike met at the designated inspection time, but the event was not cleaned up. They subsequently returned at 10:00 a.m., then at 12N, then at 3:00 p.m. and so on. It was then left to the event coordinator to handle. It was suggested that maybe some sort of punitive damage be implemented. There is a penalty in place and it is applied across the board with all event producers. Some of the penalties assessed were discussed: \$800.00 for Lot A clean up and the other was storm drain. Flaherty also indicated that Lot A was closed for an additional four (4) hours due to equipment, etc. left in this area and precluded clean up. Flaherty suggested that event producers be required to walk through the event Wednesday before and the Wednesday after, this will give them an idea of the impact of unfinished items on the City.

It was noted that a Wednesday unloading is needed. Generally, only electrical is needed to be there early to set-up, but not until Saturday early morning.

Lynn stated that the cables were not covered and there was a fall this year due to this issue. Marks stated that Fire was not advised right away and first became aware when he read the report. Aaron stated that they would like to be notified sooner, as it is important to go down to the area and take a visual inspection. The area was identified. It was agreed that this year cabling was handled very poorly. Noticed more cabling than last year. It appeared that most of the trips happened at Pier and Hermosa. Some cabling was taped and some were not. Some people are not able to see the taping and sometimes cardboard boxes were placed over the cabling. Spider boxes are a requirement for any place where multiple cables are coming in – this is a code. It is a violation of code to have them in open areas and it appears that if someone was able to trip over them, they were in an open area. It was clarified that they did not trip over the spider box but over the cables. It was stated that the issue with cabling moved from place to place – not sure of why, but each day it was in a different area. The Petting Zoo's cabling was a large problem this year. Generators were out on Palm and were not grounded properly. Cables were not covered. It was clarified that electrical cabling was needed at the petting zoo. It was stated that there appeared to be a chemical wash being used and there was concern. Also discussed was an incident with a bite by a camel.

Electrical set-up in the Kiddy Carnival area was bad this year – in the past it has been good. It appeared to have been inadequately rigged to make it work. The problem has increased and access in this area is very poor. There have been incidents in this area and emergency vehicles have been unable to get

through. The kiddie rides do account for a large portion of revenues for the Chamber, approximately \$11,000.00. In an effort to maximize these profits, it was requested that a game be brought in, the request was denied by Mark. All the rides were crammed in one area and cars were also parked on the street.

It was suggested that the dimensions for each street be mapped out to allot for the safe distribution of the rides. Flaherty suggested that a map can be overlaid using the traffic plans and denote restricted areas for parking, etc. Also, feels the carnival should be farther east. This suggestion was well received and the various areas where this would be helpful were discussed. It is believed that this should alleviate much of the problem with cabling. The map will be given to event production and they will have to comply with the placement of all cables, etc.

The contractor that was used for cabling will need to have a meeting to discuss the updated electrical needs for events before Labor Day as he last worked with the City four (4) years ago. This is one area where the overlay will be very useful. Lynn stated that this person, Mike Bell, is also producing the Movie in the Park for Friends of the Parks. During the site event, he was very amenable to requirements for placement. It was stated that it would be better to start from scratch with training to ensure that all areas are covered with no misconceptions on what was done in the past. It was stated that the event production has been given too much leeway to decide on where to place equipment. It was suggested that hard and fast guidelines be in place and given to event production delineating the proper set up and placement of items with no deviations allowed.

Buses and pedestrians disembarking and the buses proceeding to turn around is a pedestrian safety issue. This needs to be restructured so that pedestrians are kept in one area and walk down to the event and make sure that this area will accommodate the buses turn around. Lynn stated that shuttle buses must stick to the main streets, i.e., no short cuts through residential areas.

It was stated that Mark, and his second in command John, were mostly responsive during the event with Sunday being the least responsive day. It was stated that staff being tired was a reflection of the event production being understaffed.

The number of booths in certain areas must be addressed. Flaherty stated that at 11th and 13th Streets two booths must be removed at the NE corner of 11th and the SE corner. Remove or relocate.

Company built to build the stage this area, a subcontractor of Anza, did not appear to be very knowledgeable of codes. When asked to build braces at the base, they asked if this was in the code. They were responsive and fixed the problem right away, but there is concern that they do not know codes for building stages for these events.

Food Courts: Vendors did not comply with the rules as expected this year. Surprised that Health Department did not cite for lack of tarps.

Amusement Rides; A concern since they are regulated by the State and not the City. There is no jurisdiction for the City to enforce codes. Inspection tags are required on each ride.

Emergency vehicle access was pretty good. Flying the wires/cables was discussed and may be looked at for the next event. Not recommended due to cost.

Shutting Down of a Vendor: It needs to be included in the contract giving the City the authority to shut down a vendor. It was assumed that Fire has the authority to shut down a vendor. A vendor was cited where Marks had to go back to a vendor five (5) times.

Mark Conte failed to attend the meeting.

The meeting adjourned at 11:50AM.

AGREEMENT BETWEEN THE CITY OF HERMOSA BEACH
AND THE HERMOSA BEACH CHAMBER OF COMMERCE TO
PROVIDE FIESTAS HERMOSA

THIS AGREEMENT is made this 9th day of MARCH, 2004, by and between the City of Hermosa Beach (hereinafter called "CITY"), and the Hermosa Beach Chamber of Commerce (hereinafter called "CHAMBER").

RECITALS

- A. CITY desires to have CHAMBER organize, coordinate, produce and oversee a twice annual Fiesta Hermosa ("Fiestas") in CITY on a regular basis.
- B. CHAMBER represents that it is qualified and able to do so and that it desires a commitment from CITY to fix the event schedule for the next five years.

NOW, THEREFORE, the parties agree as follows:

Section 1. CHAMBER's Duties:

- a. Fiestas. CHAMBER shall organize, coordinate, produce and oversee the Fiestas, open to the public, during the Saturday, Sunday and Monday of each Memorial Day and Labor Day Weekend in 2005, 2006, 2007, 2008, and 2009. Unless otherwise directed by CITY, the Fiestas shall be held on Hermosa Avenues between 10th and 13th Streets, Pier Avenue between Manhattan Avenue and the Strand, 11th Street west of Hermosa Avenue, and Lot "A" (food pavilion).
- b. Event Permits and Agreements. CHAMBER shall obtain permits from CITY for each Fiesta and shall enter into and comply with all agreements for such permits as required by CITY, including but not limited to the provision of adequate insurance and indemnification of CITY, its officers, agents, volunteers, employees, and attorneys.
- c. Fees. CHAMBER shall pay CITY an event fee within 30 days after each Fiesta of \$25 per vendor participating in the Fiesta, but in no event to exceed \$10,000 per Fiesta. CHAMBER shall collect the fee from each vendor but shall not be required to collect the fee from any vendor who provides CHAMBER written proof of its non-profit status or that the vendor holds a valid City business license. In addition, CHAMBER shall pay CITY all direct and indirect costs associated with each Fiesta in accordance with the event permit and event agreement as may be required by CITY. Such costs shall include but not be limited to sidewalk cleaning, and provision of police and public works services. City may review and adjust the per vendor fee from time to time.

d. Annual Review. Within 90 days after the Labor Day Fiesta in each year of this Agreement, CHAMBER shall provide CITY with a complete Annual Report to the City Council. This report shall contain all records of both Fiestas, including proposed changes or enhancements to the events. This report will be reviewed by the City Council as part of a regular meeting and the City Council may direct staff to issue permits for the next year's events.

Section 2. CITY's Duties.

a. Event Permits. CITY shall provide event permits to CHAMBER for each Fiesta unless CITY determines in its sole discretion that it would not be in the public interest or that it would be adverse to the public health, safety, or welfare.

b. Waiver of Business License Fees and Taxes. For each Fiesta provided in accordance with this Agreement, the fees required by Section 1(c) of this Agreement shall be in lieu of that portion of CITY business license fees and CITY business license taxes attributable to the Fiesta and owed by CHAMBER pursuant to the Hermosa Beach Municipal Code. This Section shall not constitute a waiver of any other type of fees or taxes or of that portion of CITY business license fees or City business license taxes owed by CHAMBER attributable to activities other than the provision of the Fiestas. Nor shall it constitute a waiver of any fees or taxes owed by any person or entity other than CHAMBER, including but not limited to those owed by vendors participating in the Fiestas.

c. Cooperation with CHAMBER. CITY shall provide CHAMBER the results of CITY's annual review and may make suggestions for the improvement of the Fiestas. CITY shall not unreasonably withhold consent to CHAMBER's requests for flexibility in the location of the Fiestas in the event minor relocation is necessary due to construction activities nearby or an act of God.

Section 3. Assignment. This agreement may not be assigned in whole or in part by either party, without the prior written consent of the other party.

Section 4. Independent Contractor. CHAMBER will act hereunder as an independent contractor. This Agreement shall not and is not intended to constitute CHAMBER as an agent, servant, or employee of CITY and shall not and is not intended to create the relationship of partnership, joint venture or association between CITY and CHAMBER.

Section 5. Personnel. CHAMBER represents that it has, or shall secure at its own expense, all personnel required to perform CHAMBER's duties under this Agreement. CHAMBER may associate with or employ associates or subconsultants in the performance of its duties under this Agreement, but at all times shall be responsible for their performance.

Section 6. Termination. CITY may terminate this Agreement upon 30 days written notice to CHAMBER if CITY determines in its sole discretion that continuation of this Agreement would not be in the public interest or that it would be adverse to the public health, safety, or welfare.

Section 7. Notice. Any notice required to be given shall be deemed duly and properly given upon delivery, if sent postage prepaid or if personally delivered as follows:

For CHAMBER: Hermosa Beach Chamber of Commerce
1007 Hermosa Avenue
Hermosa Beach, California 90254
(310) 376-0951
Attention: Carla Merriman, Executive Director

For CITY: City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, California 90254
(310) 318-0216
Attention: Stephen Burrell, City Manager

Section 8. Entire Agreement. This Agreement represents the entire integrated agreement between CITY and CHAMBER, and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by a written instrument signed by both parties. The parties anticipate that, in addition to this Agreement, they will enter into an event agreement for each Fiesta setting forth precise terms and conditions applicable to that Fiesta.

EXECUTED the day and year first above stated.

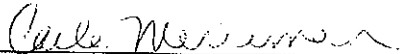
CITY OF HERMOSA BEACH

By: 
Michael Keegan, Mayor

ATTEST:


Elaine Doerfling, City Clerk

HERMOSA BEACH CHAMBER OF COMMERCE

By: 
Carla Merriman, Executive Director

**AMENDMENT TO
AGREEMENT BETWEEN THE CITY OF HERMOSA BEACH
AND THE HERMOSA BEACH CHAMBER OF COMMERCE
TO PROVIDE FIESTAS HERMOSA**

THIS AMENDMENT to the agreement between the City of Hermosa Beach and the Hermosa Beach Chamber of Commerce to provide Fiestas Hermosa is made this Sept 29 day of September, 2005, by and between the City of Hermosa Beach (hereinafter called "CITY"), and the Hermosa Beach Chamber of Commerce (hereinafter called "CHAMBER") and adds the following:

Section 2. CITY's Duties

d. Allocate Proposition A funds for the shuttle bus program as set forth in the City's annual operating budget.

EXECUTED the day and year first above stated.

CITY OF HERMOSA BEACH

By: JR Reviczky
J.R. Reviczky, Mayor

ATTEST:

Elaine Doerfling
Elaine Doerfling, City Clerk

HERMOSA BEACH CHAMBER OF COMMERCE

By: Carla Merriman
Carla Merriman, Executive Director