

## COUNCIL REPORT

M&C No.	2019-117
Report Date	May 14, 2019
Meeting Date	May 21, 2019
Service Area	Finance and Administrative Services

His Worship Mayor Don Darling and Members of Common Council

***SUBJECT: Licence Agreement for Area 506 Festival on former Coast Guard Property***

### ***OPEN OR CLOSED SESSION***

This matter is to be discussed in open session of Common Council.

### ***AUTHORIZATION***

Primary Author	Commissioner/Dept. Head	City Manager
<b><i>Curtis Langille</i></b>	<b><i>Kevin Fudge/Ian Fogan</i></b>	<b><i>John Collin</i></b>

### ***RECOMMENDATION***

1. That the City enter into a Licence agreement with 687975 NB Inc. hereby called the "Organizer" for \$1.00 to grant its agents, employees, partners and contractors access to and use the City owned property, identified as PID No. 55235113 for the Area 506 Festival, and further removal of same, subject to the following terms and conditions:
  - a. the Licence shall commence on July 27, 2019 and conclude at 11:59 pm (local time) on August 11, 2019;
  - b. that 687975 NB Inc. shall, at no expense to the Licensor, obtain and maintain in full force and effect during the entire term of this Licence, a Commercial General Liability Insurance policy with policy limits of not less than five million dollars (\$5,000,000.00) inclusive per occurrence for bodily injury and property damage; which policy shall name the City as an additional insured and shall contain a cross-liability clause and host liquor liability coverage;
  - c. proof of insurance stated in (b) above is due on or before close of business July 26, 2019;
  - d. all damages, cost, claims, demands, actions, suits or other proceedings by whomsoever claimed, made, brought or prosecuted in any manner and whether in respect of property owned by others or in the Licensee does hereby indemnify and save harmless the Licensor from respect of

damage sustained by others based upon or arising out of or in connection with the use of the Licensed Area;

- e. the Organizer is responsible for security of the area and their property;
  - f. that the organizing committee has made satisfactory arrangements with the Saint John Parking Commission for the temporary relocation of the necessary parking spaces for the users of the parking lot for the length of time as noted above in (a);
  - g. the provision of washroom facilities will be the responsibility of the Organizer;
  - h. the site is to be thoroughly cleaned to the satisfaction of the City of Saint John representatives when the event has concluded;
  - i. that 687975 NB Inc. or its representatives be authorized to make application for any permit that is required in conjunction with the Area 506 Festival; and
  - j. that the City is recognized as a Marquee Sponsor for the event.
2. That the Mayor and Common Clerk be authorized to execute the Licence Agreement.

#### ***EXECUTIVE SUMMARY***

The organizing committee of the Area 506 Festival, being 687975 NB Inc. is requesting from the City to grant access to and use the former Coast Guard property for its festival this year. The festival would occur on the first weekend in August with the organizers requiring access and use of the site one week before and one week after the event for setting up and tearing down. Attached is the proposed site layout for this event.

The terms and condition contained in the recommendation of this report will be included in a Licence agreement that will provide 687975 NB Inc. and their agents the access they requested and also protect the City against any unforeseen circumstances.

#### ***PREVIOUS RESOLUTION***

N/A

### ***STRATEGIC ALIGNMENT***

Providing for entrepreneur opportunities and special events in the City's Uptown Core aid in creating a livable community that is vibrant and diverse, while providing an integrated approach to economic development.

### ***REPORT***

Further to the comments contained in the Executive Summary.

The Area 506 Festival has been a huge success for the past three (3) years it has operated from the Saint John Port Authority property at Long Wharf. Unfortunately, the Port authority has notified the organizers for this festival that Long Wharf is not available this year due to planned usage during the time of the festival. As a result, the committee has approached the City to use the former Coast Guard property for this year's event.

Various City departments and agencies have been advised and are supportive of the Area 506 Festival being held on the City's property this year. The terms and conditions as set out in the recommendation contained in this report will facilitate the proposal/event and protect the interests of the City of Saint John.

### ***SERVICE AND FINANCIAL OUTCOMES***

The various City Departments involved with this proposal are supportive of this project and will coordinate their respective responsibilities for the use of this site to ensure this event is a success.

As part of its commitment to the success of this festival, the City will request that the City is recognized a major sponsor.

There are no financial costs to the City associated with this project other than providing the site, while the tourism benefits and Uptown added vibrancy to the City highlighting this event is significant.

### ***INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS***

Facility Management, Risk Management, Saint John Parking Commission and Develop Saint John were all advised of this proposal and their input has been provided into this report where applicable. The City Solicitor's office has reviewed this report and is satisfied with the recommendation to Council.

### ***ATTACHMENT***

Site Map