

ORDINANCE NO. 24-012

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR SPECIAL EVENT PRODUCER FOR THE TOTAL ECLIPSE OF SUNDUSKY FESTIVAL TO BE HELD APRIL 5TH THROUGH 8TH, 2024; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Sandusky is located in the path of totality for the solar eclipse, which will travel across North America on April 8th, 2024, where viewers will experience the rare total solar eclipse, starting at 3:12 p.m. with total darkness lasting 3 minutes and 45 seconds; and

WHEREAS, the City is hosting the Total Eclipse of Sundusky Festival to be held Friday, April 5th through Monday, April 8th, 2024, at the Jackson Street Pier and will include musical entertainment, headlining acts, a specialty vendor market, science and more; and

WHEREAS, a Request for Qualifications (RFQ) was issued for an Event Producer & Operator for the 2024 Total Eclipse of Sundusky Festival at the Jackson Street Pier in which one (1) submittal was received and evaluated by a selection committee and based upon the company's strength for producing and proposed subcontracted personnel, vision, availability, and past experience with the Thursday Night Summer Concert series, it was determined Advantage Entertainment, LLC, of Sandusky, Ohio, was the most qualified; and

WHEREAS, Advantage Entertainment, LLC, will be providing services to manage event planning, producing and operation for the musical entertainment at the Jackson Street Pier during the event on Saturday, April 6th through Monday, April 8th, 2024, as more fully described in the proposal, which is attached to this Ordinance and marked Exhibit "A" and specifically incorporated herein; and

WHEREAS, the cost for the services is not to exceed \$50,000.00 and will be paid with programming funds from the Capital Projects Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow Advantage Entertainment, LLC, to immediately begin procuring talent for the Total Eclipse of Sundusky Festival event from Saturday during the event on April 6th through 8th, 2024; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Recreation Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into an

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Agreement for Special Event Producer with Advantage Entertainment, LLC, of Sandusky, Ohio, for the Total Eclipse of Sandusky Festival during the period of Saturday, April 6th through Monday, April 8th, 2024, at an amount **not to exceed** Fifty Thousand and 00/100 Dollars (\$50,000.00) consistent with the proposal submitted by Advantage Entertainment, LLC, a copy of which is marked Exhibit "A" and attached to this Ordinance.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: January 8, 2024

ADVANTAGE ENTERTAINMENT, LLC

1402 Columbus Ave.

Sandusky, Ohio 44870

440.346.3055

December 18, 2023

Re: Advantage Entertainment / City of Sandusky Special Event / 2024 Total Eclipse of Sandusky Festival

To whom it may concern:

Advantage Entertainment proposes to manage event planning, producing and operation, to undertake the 2024 Total Eclipse of Sandusky Festival.

Scope of Services

- Research, Book, contract and rider agreements and pay for talent
- Contract with, oversee, install, tear down sound, lighting and production related items
- Execute and pay for all artist contract requirements
- Create mutually agreed to rain plan
- Coordinate and pay all mutually agreed to sub-contracted labor
- Obtain and pay for General Liability Insurance coverage (\$1mm) and name city as additionally insured
- Provide Worker's compensation Certificate
- Site Set-up
- Site Clean-up daily.
- Crowd Control barricade set-up, rental and storage
- Alcohol sales are NOT part of the scope of work

Term: This contract term is for one (1) 2024 Total Eclipse of Sandusky Festival. The Contract shall be terminable by the City upon sixty (60) days written notice.

Sound and Lighting: Jackson Street Pier will be equipped with an SL 100 stage and access to power. Advantage shall provide all labor, materials, and sound and lighting equipment sufficient for each musical act.

Advantage shall utilize a sound system that is capable of producing professional sound quality for open-air live music throughout the entire venue without creating excess noise pollution.

Advantage shall provide a supplemental lighting system capable of illuminating the performers sufficient for the attendees to view the performers in light or dark environments from a distance of 150 feet.

All sound and lighting equipment shall be state of the art or a reasonable equivalent, in good condition, and well maintained.

2.2.4 All equipment must be compatible or capable of modification to use the City's existing electrical system onsite. No additional electrical will be added for sound and lighting services.

On each festival day, all equipment will be set-up, ready and able to function no later than 10:30 a.m.

Entertainment

Advantage shall scout, book, manage, and compensate talent to perform at each festival day. Talent must consist of at least one and up to three live musical act(s) and be approved by the City prior to booking.

Advantage shall ensure that all performers are ready, willing, and able to perform on each festival day or shall provide alternate talent of similar quality.

Advantage shall ensure that any hospitality riders are met.

Provider shall compensate each performer in advance and shall provide receipt to the City upon payment.

Event Management.

Advantage shall contract directly with any necessary personnel to produce the event.

Advantage shall coordinate and oversee all aspects of the festival and personnel including any load-in, load-out, crowd management, equipment operation, and other necessary production and staff.

The City shall have staff working in the morning hours on Saturday and Sunday's to check, stock and clean restrooms, as well as, the City has a contract with Republic Services who provides trash pick-up Monday thru Saturday to all park cans and services two dumpsters at the Pier on Monday & Friday. Additional trash service shall be the responsibility of Advantage, as well as, any litter clean-up and placing trash receptacles by road edge to be serviced.

Advantage must clean festival area and Mylander Pavilion of the park at the end of every festival night.

Advantage shall come up with an inclement weather plan to be signed off on by the city that minimizes loss with bands and adequately notifies the public of any cancellations.

Vendors / Alcohols sales.

There are to be no alcohol sales during the festival by Advantage Entertainment llc. Any party used to sell alcohol during the festival must name Advantage Entertainment llc as additionally insured and provide certificate confirming. Any food vendors must name Advantage Entertainment llc as additionally insured.

Cost Overruns.

The proposal accepted by the City of Sandusky will be the maximum amount to be charged paid by the City of Sandusky for the 2024 Eclipse Festival. The City of Sandusky shall not be liable for cost overruns.

Sponsorship.

Advantage Entertainment can sell sponsorship for the festival with a 25% commission.

Payment.

Advantage will receive payment of 50% of project budget at signing and will submit an invoice to include receipts to be within 15 days after the festival.

Medical and Security.

The city is responsible at its discretion to provide police and EMS personnel.

Schedule.

There are to be 7 live performances from April 6, 2024 to April 8, 2024

Projected Budget (Total not to exceed \$50,000)

Compensation.

Advantage will complete these services for a total of \$50,000.

Advantage appreciates the opportunity to assist the City with this exciting project. If you have any comments, questions or concerns feel free to contact me at 440.346.3055

Respectfully submitted,

Stephen Ernst

Advantage Entertainment, llc