



User: sjanabardi

Contract #: 19422  
Date: 29-Oct-08

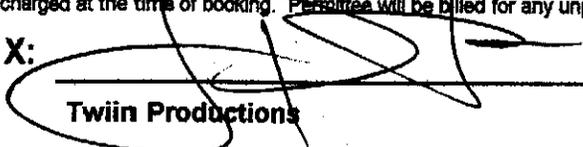
User: Icondon  
Status: Firm

vii) Additional Notes  
Beach Area - West Beach

Permittee agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, expense (including attorney's fees) and causes of action of any character, including ordinary and gross negligence and dangerous conditions claims, that the City, its officers, employees and agents may incur, sustain or be subjected to on account of any loss or damage to property or the loss of use thereof or for bodily injury to or death of any person arising out of or in any way connected to the occupancy, enjoyment or use of any City premises under this Facility Use Permit to the extent permitted by law.

Permittee hereby acknowledges that Permittee has read, understands and agrees to comply with the terms and conditions of this Permit and the City's rules, regulations and policies concerning the use of City park facilities; understands and accepts the City's refund policy; acknowledges that the City of Santa Barbara adjusts its fees annually on September 1 and agrees to pay the facility use fee applicable on the date of the event, regardless of the fee charged at the time of booking. Permittee will be billed for any unpaid balance, which shall be due and payable upon receipt.

X:

  
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Twiin Productions

X:

  
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Parks & Recreation Department



## ADDENDUM TO FACILITY USE PERMIT

Permit #: 19422

Permittee: Twin Productions

Event Name: West Beach Music and Arts Festival

Location of Event: West Beach

Event Dates / Times: Set-up: Monday – Thursday, 9/14/09 – 9/17/09, 7 am – 10 pm; Friday, 9/18/09, 7 am – 3 pm;  
Saturday and Sunday, 9/19/09 – 9/20/09, 7 am – 12:30 pm

Event: Friday, 9/18/09, 3 – 10 pm; Saturday, 9/19/09, 12:30 – 10pm; Sunday, 9/20/09, 12:30 – 10 pm

Breakdown: Friday and Saturday, 9/18/09 – 9/19/09, 10 pm – 12 midnight (day of breakdown);

Sunday, 9/20/09, 8 pm – 12 midnight (day of breakdown); Monday – Wednesday, 9/21/09 – 9/23/09, 7 am – 10 pm

The following are conditions of this Permit:

### Required Submissions

- All checked items on the Permit & Compliance Item Checklist must be received no later than 9/1/08. The only exception is the certificate of insurance, which must be received no later than 8/14/09 (1 month prior to your first rental day). Note that the certificate of insurance should cover set-up and breakdown days in addition to event days and that the City of Santa Barbara, its officers, employees and agents must be listed as additional insured.

### Rental Area

- The rental area includes West Beach. The entire setup, including the perimeter fencing, backstage and equipment staging areas, must start 15 feet away from the bike path (aka beachway) and 20 feet away from the eastern fence of the dredge yard.
- Perimeter fencing, backstage or staging areas cannot enclose the outriggers parked on the sand by Sea Landing or the Seashell boats and their green "condo" storage units. These boats must have an accessible corridor to the water.
- Permittee has agreed to decrease the size of the event footprint in 2009 to lessen the impact of the event.
- A preliminary site map, showing the total dimensions of the event footprint being used and areas designated for backstage and vehicle staging, must be submitted at the 8/18/09 pre-event meeting so City staff may review it and make any necessary adjustments. The final site map must be submitted at the 9/2/09 on-site meeting for final review. Once the final site map is signed off and approved, changes cannot be made unless permission is received from City staff.
- Permittee has requested for Parks and Recreation to remove the nets and lines from the 6 permanent volleyball courts by 9/14/09. There is a \$50 per court charge for these removal and re-installation. Note that the poles will not be removed.

### Rules and Regulations

- Permittee has been sent the Special Event Guide. Permittee is responsible for knowing the information within the guide.
- Permittee is responsible for making sure that all vendors and event participants know and comply with all park rules.
- Permittee must obtain a "Parking Restriction Waiver Permit" from Public Works in order to post "no parking" signs on Cabrillo Boulevard to create a loading zone on the street and to park the dumpsters. There is a cost for this permit and Public Works will only allow you to have spaces from Ambassador Park to Chapala due to the construction project occurring on Cabrillo Boulevard.
- A Coastal Development Exclusion Permit must be obtained through the Community Development/Planning Department since your event charges admission and has impacts on coastal resources.
- Permittee must deliver a notification letter to the West Beach neighborhood within 3 blocks of the beach, outlining the times of the event, the schedule and the type of music being played and give the Twin Productions contact number in case someone wants further information.
- Permittee is not allowed to attached any perimeter fencing to the dredge yard fence and the entrance to the yard must not be blocked or have any type of vehicles or setup in front of it.
- This event must comply with the Municipal Code. Complaints of possible violations may be registered by contacting the Santa Barbara Police Department at (805) 897-2410.

### Set-up, Breakdown and Hours of Operation

- Permittee's application request to start setting up at 6:00 am each day has been denied out of consideration for the motels across the street. The start time for each day has been revised to 7:00 am.
- Set-up/breakdown shall not occur outside the hours specified on this permit or a set-up and/or breakdown fee will be charged.
- Nothing may be tied, nailed, thumb-tacked, stapled or duct-taped to trees. This includes tents, canopies and signage.
- During setup and breakdown, event staff and vendors driving ATVs, mules or any other vehicles within the event area must not exceed 10 mph and must use their flashers and/or headlights while in operation. If an ATV, mule or other vehicles is driven within the event area while the general public is present, the same speed limit and flashers/headlights requirements must be adhered to, plus a event staff must walk in front of the vehicle to ensure everyone's safety. If this condition is not met, permittee will be fined and permission to use ATVs, mules or any other vehicle on the beach will be rescinded.
- Automated Teller Machines (ATMs) are allowed subject to the conditions specified in the *Policy for Use of Portable or Mobile ATM Machines at Public Events Held on City Property*.
- Permittee must arrange for water and electricity since these utilities are not available at this site.
- Permittee must comply with California State Law's *Emergency Exit Announcement* since your event will charge admission, your estimated attendance is between 50 – 1,000 people and your stage is over 50' high. Public announcements regarding the location of the emergency exits must be made prior to the beginning of the live entertainment.
- Breakdown for your event must be completed by the ending date and time listed above. All equipment, discarded materials, trailers and dumpsters must be out of the beach in time for inspection. Failure to work within this timeframe may result in money held from your security deposit.

### Launch Ramp, Harbor Parking Lot and Private Motel Parking

- Permittee shall not block off spaces in the Harbor parking lot unless permittee has reserved and paid for spaces through Waterfront Parking.
- Permittee is required to better manage all vehicles driving in and out of the event, backstage and staging areas to minimize blocking of the launch ramp, western entrance to West Beach and the dredge yard by executive, staff, vendors and music artists. Permittee is encouraged to obtain parking spaces in the Harbor parking lot to use as a "holding" area and have a staggered load-in and load-out schedule.
- If permittee intends to use City College parking lots for the event, please contact Administrative Services at City College to request permission at (805) 965-0581 x2265. It is recommended that you contact SBCC as soon as possible to make such arrangements.
- Permittee has been encouraged to work with the nearby motels to ensure that the event does not impact their private parking lots or deposit trash on their properties.
- Permittee is required to sweep up sand that gets tracked from the beach into the Launch Ramp and Harbor parking lot areas during the setup, event and breakdown periods.

### Food, Beverages and Vendors

- Permittee must ensure that each vendor selling or giving away food or beverages obtains a County Health permit from County Environmental Health.
- Generators, BBQs & grills must have plywood under them whether they're on sand, turf or asphalt.
- Grease is not to be dumped on sidewalk, asphalt or turf areas.
- Your event is required to have a "Type 2 beer garden" (excluding cabanas) with the following requirements: 1) Only wine and beer are allowed at this event. Hard liquor is not permitted in city parks and beaches, including the backstage area. 2) Alcohol can only be served inside the beer garden. The entire perimeter of the beer garden must be enclosed with 1 interior fence and 1 exterior fence. Both fences must be at least 4' high and the exterior fence must be 4' apart from the interior fence, creating a "moat area" so alcohol can't be passed outside the garden. You can also have a single fence instead of the double fencing, but the single fence must be 6' high. 3) The entrance into the beer garden must be staffed during all hours of operation to ensure that no one under the age of 21 enters the event. This includes event vendors, event staff, alcohol servers and bartenders. 4) Glass beverage bottles are not permitted on city beaches, so alcohol must only be in plastic cups or containers. 5) The cup size for beer and wine cannot exceed 12 ounces. 6) Alcohol service at the event must stop 30 minutes prior to the closing time of the event.
- For the cabana area, you are approved to have a "Type 1 beer garden" where alcohol can be served within the cabana area with no restrictions on age within this area as long as security guards check everyone's IDs prior to entrance to the cabana area, guests over 21 years of age wear wristbands and the entire cabana area is fenced with the exterior fence 4' apart from the interior fence and signage indicates that alcohol is not allowed beyond this area's fencing.
- Placement of refrigeration or beer trucks that stay overnight must be located in a way to minimize the sound impacts to the motels across the street.
- Permittee must ensure that each vendor selling food, beverages, crafts or services obtains a vending permit from the City Finance Department.

**Amplified Music, Sound and Lighting**

- Amplified speakers at each of the stages must face towards the ocean and music/sound must be kept low. Complaints are subject to compliance with law enforcement.
- You will be required to obtain the services of a sound monitor and submit a sound agreement.
- All music must stop by 10 pm on Friday, Saturday and Sunday. Permittee is responsible for informing all event staff and music artists, agents and promoters of this requirement. If this condition is not met, permittee will be charge \$100.00 per minute for any time the music extends beyond the curfew.
- The City will allow the music to go until 10 pm on Sunday since the permittee has received written approval by over two-thirds of the 5 motels located on Cabrillo Boulevard between Castillo to State Streets.
- Since there is no electricity at West Beach, permittee must bring in a "movie quiet" generator. No other type of generator will be allowed at this site out of consideration to the nearby neighborhood.
- Permittee is required to have more lighting within the event area. Lighting shall be focused on the event area only. Care should be taken to prevent light from spilling over to neighboring motels and businesses.
- Permittee is required to notify SBPD if a searchlight will be used at your event.

**Personnel Required**

- The City will assign a monitor, at the expense of Twiin Productions, to periodically check the site during the setup, event and breakdown days. The monitor will ensure all conditions of this permit are followed and impacts caused by activities during these periods are kept to a minimum.
- If any equipment load-in and load-out needs to cross the bike path/beachway, permittee must have flag people positioned on either side 20 feet before the blocked area to alert the public when the path is blocked. "Beachway path temporarily closed" signs at both ends of the beachway path at West Beach may also be placed as additional notification to the public.
- Overnight security by a professional company is required from Monday, 9/14/09 through Tuesday, 9/22/09. In addition, security guards are required during event hours on Friday, Saturday and Sunday.
- As a supplement to your event security on Friday, Saturday and Sunday, permittee will be required to hire SBPD officers. SBPD has determined that they will have 6 officers and 1 parking officer present on Friday and Saturday and 8 officers and 1 parking officer on Sunday based on the estimated attendance, number of beer gardens and the musical acts performing each day.
- Permittee shall hire a professional cleaning service to handle the following: 1) Pick up trash and recycling within the event area during event days. 2) Empty the trash and recycling boxes into the dumpsters as necessary during event days. 3) Pick up trash and recycling outside of the event area during event and breakdown days, i.e. along the perimeter fencing, on the beach beyond the entrance into the festival, etc. 4) Pick up metal stakes, hooks, plywood, zip ties, wooden blocks, etc. left on the beach once the site breakdown has been completed.

**Trash, Recycling and Restroom Requirements**

- Permittee shall supply a minimum of 18 regular & 2 handicap accessible portable toilets. Drop-off shall occur no earlier than Monday, 9/14/09 and pick-up shall occur no later than 5:00 pm Wednesday, 9/23. Permittee shall have the toilets serviced prior to each day's concert.
- Permittee shall supply 2 roll-off dumpsters, one for trash and one for recycling. Drop-off shall occur as close to 9/18/09 as possible and pick-up shall occur no later than Wednesday, 9/23/09. Regular servicing of these dumpsters is required and placement will be in designated spaces in the Launch Ramp parking lot since construction is occurring on Cabrillo Boulevard.
- Permittee shall supply a minimum of 70 trash boxes and 70 recycling boxes with lids placed side-by-side throughout the event site. These boxes shall be emptied into the appropriate dumpster throughout the day. All trash and recycling, including what's dumped into the permanent containers on-site, must be emptied into the appropriate dumpster throughout the 3-day event.

**Temporary Sign Standards**

- Permittee shall follow the Temporary Sign Standards for special events in the parks and beaches. A copy of the Temporary Sign Standards has been attached to the end of this document.

Failure to comply with these conditions may result in termination of the event or loss of all or a portion of your security deposit.

**City Emergency Contact Numbers**

Park Monitors	(805) 450-9140	Police Dispatch	(805) 897-2410
Park Rangers	(805) 897-1941	Emergency Services	(805) 963-4286