



## AGENDA REPORT

**Meeting Date:** August 3, 2010  
**Item No.** G-4  
**To:** Honorable Mayor & City Council  
**From:** Cheryl Friedling, Deputy City Manager for Public Affairs

**Subject:** RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR THE 9.02.10 DAY AND RATIFYING AN AGREEMENT FOR THE PROCUREMENT OF MUSICAL TALENT

**Attachments:** 1. Resolution

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### **RECOMMENDATION**

Staff recommends that the City Council adopt the resolution entitled: "RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR THE 9.02.10 DAY AND RATIFYING AN AGREEMENT FOR THE PROCUREMENT OF MUSICAL TALENT."

### **INTRODUCTION**

The City's 9.02.10 event will occur on September 2, 2010, and will feature a variety of entertainment and activities commemorating the Beverly Hills community on the date that matches our unique zip code. As the event is less than one month away, City Staff is working on securing musical talent and production services necessary to support not only the musical talent but also the event. Given the constraints of time and the uniqueness of the event, Staff is requesting that the City Manager be authorized to enter into agreements and purchase orders to secure the necessary services and goods and that the City Council waive the purchasing procedures for those instances where it is applicable. In addition, Staff is requesting ratification and approval of an agreement with Creative Artists Agency that was required to secure the musical talent of award winning artist Natasha Bedingfield.

## **DISCUSSION**

The Resolution for the City Council's approval authorizes various actions in conjunction with the 9.02.10 event.

First, in order to ensure that Staff can timely enter into agreements and/or purchase orders for services, supplies and equipment, the Resolution: (i) waives any applicable purchasing procedures regarding the procurement of goods and services; and (ii) authorizes the City Manager to negotiate and enter into agreements and purchases for such services and goods.

Second, the Resolution appropriates and authorizes the expenditure of \$75,000 towards the 9.02.10 event. This was previously discussed and approved at an earlier study session by the City Council. The City has partnered with Best Events who will provide the venue and event infrastructure as well as food, beverages and event staff for 9.02.10 day. The City committed to an investment of \$75,000 towards this partnership and its investment will be returned to it from the 9.02.10 ticket proceeds. Tickets are currently on sale at [www.thetasteofbeverlyhills.com](http://www.thetasteofbeverlyhills.com).

Third, the Resolution also appropriates and authorizes the expenditure of monies in an amount that is commensurate with the amount of monies deposited with the City from event sponsorships. Mayor Delshad has raised approximately \$230,000 of sponsorships for the event and the City has \$80,000 deposited. Staff is diligently following up on the remaining commitments. These monies will be used to secure the musical talent, the production services and equipment for the musical talent, fabrication of banners and other items necessary for the 9.02.10 event. Staff desires that is be given authority to expend the monies raised for the event. This ensures that the event is cost neutral and no City funds will be used.

Fourth, at the July 22, 2010 City Council meeting, the City Council authorized the City Manager to enter into an agreement with either William Morris Endeavor or David Martin Management to secure the musical talent for the event in an amount not to exceed \$125,000. The City is happy to announce that award winning Natasha Bedingfield will be performing at the 9.02.10 event. Ms. Bedingfield is represented by Creative Artists Agency and although the City's agent, David Martin Management, assisted us with securing the talent, the agreement is with Natasha Bedingfield and her corporate company as presented by Creative Artists Agency. While we have not exceeded the amount of \$125,000 as discussed at the July 22, 2010 meeting, there will be additional costs to secure the production and equipment necessary for the musical talent. Staff is working on receiving proposals for these items and the sponsorships monies will be used to cover those costs.

In order to secure the musical talent, a deposit of \$50,000 was required. The Acting City Manager pursuant to the purchasing resolution (Resolution 06-R-12198) has authority to authorize the issuance of a purchase order in the amount required and did so to secure the musical talent. The City, however, was authorized to execute the agreement. While the City Council authorized the City Manager to take this action at the July 22, 2010 meeting, Ms. Bedingfield nor her agent, Creative Artists Agency, was listed as one of the possible parties with whom he was authorized to enter into an agreement with. Accordingly, the Resolution ratifies the action taken by the Acting City Manager and approves the agreement with Natasha Bedingfield.

**FISCAL IMPACT**

Due to the fundraising and sponsorships, the impact to the City will be cost neutral. In addition the Resolution limits the expenditure of funds only to those funds raised by and deposited into the special fund created by Administrative Services.

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Cheryl Friedling   
Approved By

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# **Attachment 1**

Resolution

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR THE 9.02.10 DAY AND RATIFYING AN AGREEMENT FOR THE PROCUREMENT OF MUSICAL TALENT

The City Council of the City of Beverly Hills does resolve as follows:

Section 1. The "Taste of Beverly Hills" is an event celebrating all things epicurean in the City of Beverly Hills to be held on September 2 through September 5, 2010. As part of the Taste of Beverly Hills, the City will produce "9.02.10 Day" an exclusive event celebrating the City's famed zip code as well as the kick-off to the Taste of Beverly Hills event.

Section 2. 9.02.10 Day will include among other items, a picnic under the stars with food and wine tastings from renowned restaurants from the City of Beverly Hills and beyond as well as award winning musical performances. In order to ensure that 9.02.10 Day is cost-neutral, the City has secured sponsorships from Beverly Hills businesses and restaurants. In addition, the City will be working with Best Events, who will provide the location in addition to food, wine, event infrastructure and personnel among other items.

Section 3. In order to produce the event, the City will require the services of not only musical talent but also production services necessary to support the musical talent. There may be other services necessary to ensure the success of the event such as banners. Because of the short time-frame in which the event is to occur and the uniqueness of the event, this presents City Staff with constraints on implementation and compliance with the purchasing procedures (in those instances where applicable) that could only be overcome by the waiver of the purchasing procedures and the delegation of authority to the City Manager to negotiate and enter into agreements. Accordingly, the City Council hereby waives compliance with the purchasing procedures set forth in Article 2 of Chapter 3 of Title 3 for the services, supplies and equipment for 9.02.10 Day as compliance would not be in the best interests of the City and would be impracticable for the reasons set forth in this Resolution.

Section 4. The City Council hereby approves the appropriation of \$75,000 for 9.02.10 Day. In addition, the City Council approves the appropriation of funds for 9.02.10 Day in an amount that is commensurate with the amount of monies deposited with the City from event sponsorships.

Section 5. The City Council hereby authorizes the City Manager to execute agreements and authorize and execute purchase orders for services, supplies and equipment necessary for 9.02.10 Day, which includes but is not limited to, talent for the event, production consulting services and equipment to support the talent and event, and for the fabrication of banners. The City Manager is authorized to expend for such services, supplies and equipment \$75,000 as appropriated herein. In addition the City

Manager is authorized to expend additional monies in the amount required for such services, supplies and equipment in an amount that is commensurate with the amount of monies deposited with the City from event sponsorships.

Section 6. On July 22, 2010, the City Council approved a motion and authorized the City Manager to enter into an agreement to procure marquee musical talent for the event in an amount not to exceed \$125,000 with one of two named parties. Since that meeting, the City has procured the musical talent through Creative Artists Agency (“CAA”) for their client Natasha Bedingfield and not one of the parties recited in the motion. In order to secure the talent, the City was required to provide the musical artist through her agent a deposit of \$50,000, which it did so under the City Manager’s purchasing authority set forth in Resolution 06-R-12198. In addition, the Acting City Manager executed the agreement. The City Council hereby ratifies the actions of the Acting City Manager as described herein and hereby approves the agreement with Natasha Bedingfield, The Rest if Mystery, Inc., presented by Creative Artists Agency as agent for Natasha Bedingfield and as executed by the Acting City Manager.

Section 7. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

EXECUTED the \_\_\_\_\_ day of \_\_\_\_\_ 2010, at Beverly Hills, California.

CITY OF BEVERLY HILLS  
A Municipal Corporation

\_\_\_\_\_  
JIMMY DELSHAD  
Mayor of the City of Beverly Hills,  
California

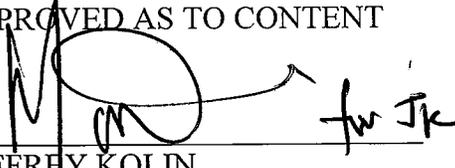
ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

APPROVED AS TO FORM

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT

  
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JEFFREY KOLIN  
City Manager