



SPECIAL EVENT CONDITIONS OF APPROVAL

April 27, 2024

Don Brennan
Sun and Sea Festival
923 Seacoast Dr
Imperial Beach, CA 91932

Re: Sun and Sea Festival Special Event – Conditional Approval

Dear Sun and Sea Festival,

Pursuant to Imperial Beach Municipal Code 12.33 this request for a special event permit on Saturday, August 17, 2024, including the use of the public right-of-way has been conditionally approved by the City Council on April 3, 2024. This conditional approval authorizes the Sun & Sea Festival Committee to begin planning the event in order to meet special event deadlines required for the City to provide City in-kind services and costs as requested by the applicant.

Applicant City in-kind requests

City in-kind services and costs requested by applicant are specifically limited to:

- In-kind staffing and City fee waivers
 - Setup and cleanup
 - Utility connections
 - Sand preparation with loader (one day requested; additional costs if multiple days of sand preparation is needed)
 - Restroom opening/supplies
 - Trash pick-up
 - Road closure staffing
 - No parking signs
 - Traffic control
 - Bollard placement
 - Barricade placement
 - Set-up, take-down, man intersections
 - Close Elkwood parking lot for event coordinators
 - Reserve parking for bands within the first 100' on the north and south sides of Elder Avenue east of Seacoast Drive
 - Coordinate MTS bus route modifications
 - Coordinate EDCO trash and recycle bins
 - City Fee and Inspection Waivers
 - Application processing fee
 - Safety inspection fee (Fire and Building inspections)
 - Sound amplification fee

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Imperialbeachca.gov



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- Cleaning fee
- Reserved parking fee
- Closed road fee
- Insurance
- Safety
 - Sheriff
 - Fire
 - Rangers
- Security for Mega Castle; August 13-16 from 8 PM – 7 AM
- Fencing
- Supply water for the sandcastle

General Conditions

- The event is conditionally authorized for Saturday, August 17, 2024 from 10:00 am to 5:00 pm as stated in the application.

Authorized Location(s):

- Pier Plaza
- Beach areas near Imperial Beach Pier
- Seacoast from Elder Avenue to south side of Elm Avenue (per new draft map provided on April 24, 2024 by Don Brennan)

Street Closure Request and Requirements:

- Seacoast from Elder to Southside of Elm (draft map provided on 4/24/24)
- Condition: Seven to ten vendors and sponsors must be secured no later than Friday, May 31, 2024 by 5:00 p.m. Vendor names, and type of vendors must be provided to the Parks, Recreation and Community Services Department no later than Friday, May 31, 2024 by 5:00 p.m. in order for the event to move forward with the City in-kind services and costs as requested by the applicant, see Applicant City in-kind requests above.
- The applicant may still conduct the event without City in-kind services and costs if they elect to host the event.
- Condition: Fifteen to twenty vendors must be secured with names, type of vendors, and vendor forms must be provided to the Parks, Recreation and Community Services Department no later than Thursday, July 4, 2024 by 5:00 p.m. for street closure approval with the City in-kind services and costs as requested by the applicant.
- The applicant may still conduct the event without City in-kind services and costs if they elect to host the event.
- Provide a finalized detailed map of the event layout for review no later than Friday, May 31, 2024 by 5:00 p.m. to include road closures vendor booths, food trucks, sand sculpture, music and etc. for entire event footprint.



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- No event canopies, equipment and/or vehicles will be allowed in the area south of the picnic tables (past the palm trees at the end of Elder Avenue) at any time.
- Applicant must comply with all storm water pollution prevention Best Management Practices. Disposal of any liquid wastes into the street, curb and gutter is a storm water violation of the Clean Water Act, Porter Cologne Act, and the Imperial Beach Municipal Code. Violation of these acts/regulations can result in substantial fines or penalties. Applicant is responsible for educating attendees on the liquid and other waste containment and recovery obligation.
- The applicant shall provide a letter of non-profit status to the Parks, Recreation and Community Services Department no later than Friday, May 31, 2024 by 5:00 p.m.
- The applicant shall provide a detailed timeline for event, including deliveries, security needs (days and hours needed), when sandcastle work will commence and end, vendor arrival, breakdown, and removal of all items including rental items and etc. no later than Friday, May 31, 2024 by 5:00 p.m.
- The applicant shall provide a security plan, storm water document, and any additional paperwork required per the special event policy and procedures by Friday, July 5, 2024 by 5:00 p.m.
- Prior to being issued a special event permit the applicant shall meet with the Parks, Recreation and Community Services Department to finalize all documents no later than Thursday, July 11, 2024.

Music/Band

Amplified sound is approved for this event from 10:00 a.m. to 5:00 p.m. on 8/17/2024. All speakers must be pointed NW/W toward the ocean away from residents, businesses, and the Dempsey Holder Safety Center to not interfere with emergency service operations. The use of any amplification, equipment or musical instrument for sound shall not begin until after 9 a.m. as a courtesy to the surrounding residents.

If at any time City officials, Lifeguards, Sheriff, or Fire-Rescue personnel requests the cessation of sound, the applicant must comply.

Any damage to buildings, structures, turf, or landscape areas as the result of this event will encumber full cost recovery. Any vehicles being driven on Pier Plaza must first have permission from City staff. Any stage being placed on turf or vehicles being driven on turf must first place down plywood to not damage the grass, turf and landscaped areas. Any damage will be charged full cost for material replacement as well as staff time.

Any stage will be inspected and approved by the Building Division prior to use.



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Nondisparagement

Applicant agrees that they shall not, orally or in writing, publicly or privately, post, publish, make, or express any comment, view, or opinion that criticizes, is adverse to, brings into disrepute in the eyes of the public, defames, derogates, or disparages the City of Imperial Beach, its employees, elected officials, or agents, nor shall they authorize any agent or representative to make or express any such comment, view, or opinion. In the event, however, that Applicant is legally required to provide testimony or make disclosures that might otherwise violate this nondisparagement provision, then there shall be an express carve-out from, and exception to, this non-disparagement provision which will allow Applicant to protect its interests by disclosing facts, evidence, and circumstances as it may deem necessary to protect its interests in the face of the City's testimony or disclosures.

Waiver & Release

Applicant agrees to require all vendors, sandcastle builders, etc to sign hold harmless, waiver, and release agreements in favor of the City of Imperial Beach in a format acceptable to the City of Imperial Beach prior to participation in the Event.

Promotional Material

If the City provides in-kind services and costs, Applicant is required to place the City Logo, provided by City staff, on all promotional material prepared, advertised, and distributed by Applicant. Applicant agrees to provide the City with samples of the promotional materials produced within the framework of the event where City's logo/name appears.

Miscellaneous

- Applicant must provide a formal presentation to the City Council at one of its regular meetings no more than 60 days following the events. The presentation shall include discussion of number of attendees, benefit to the community, beneficiary of funds raised by the event, overview of event budget and financial outlook for future years, positive economic impact as a result of the event, etc.
- Applicant should contact City staff with any questions regarding the above conditions.

If you have any questions, please email at sbullock@imperialbeachca.gov.

Sincerely,

Shannon Bullock
Parks, Recreation and Community Services Director