



## Legislation Details (With Text)

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<b>On agenda:</b>	9/7/2021	<b>Final action:</b>	9/7/2021	
<b>Title:</b>	Consideration of Options Regarding the Pier Plaza Art A-Faire Events at Pier Plaza			
<b>Attachments:</b>	1. Att 1 CUP and CDP Farmer's Market-Crafts Faire at Pier Plaza, 2. Att 2 Promotional Agreement dtd 2/21/2006, 3. Att 3 Amendment No 1 Extension dtd 6/7/2011, 4. Sup Com 9-7-21 PP			
Date	Ver.	Action By	Action	Result
9/7/2021	1	City Council/Public Financing Authority	approved	Pass

### REQUEST FOR CITY COUNCIL ACTION

**SUBMITTED TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Oliver Chi, City Manager

**PREPARED BY:** Chris Slama, Director of Community & Library Services

**Subject:**

**Consideration of Options Regarding the Pier Plaza Art A-Faire Events at Pier Plaza**

**Statement of Issue:**

There is an ongoing need to offer quality programmed events and activities at Huntington Beach Pier Plaza (Pier Plaza) and the downtown area throughout the year. Since the 1990s, the City has facilitated a regularly scheduled craft fair in the City's downtown core as a way of providing increased activation. More recently, in February 2009, the City approved an agreement with the City's existing program operator, Pam Free (dba Pier Plaza Art A-Faire), to facilitate a downtown craft fair in Pier Plaza. That agreement expired in 2012, and at this time, the City will need to either execute a new promotional agreement with Pier Plaza Art A-Faire and / or conduct a competitive process through a Request for Qualifications (RFQ) to identify a new operator.

**Financial Impact:**

Not applicable.

**Recommended Action:**

A) Direct staff to continue working with Pier Plaza Art A-Faire and execute a new promotional agreement for City Council's consideration; or,

B) Direct staff to issue an RFQ to identify the most qualified arts and craft fair operators and return to City Council with a proposed operator and promotional agreement for consideration.

**Alternative Action(s):**

Do not approve the recommended actions and direct staff accordingly.

**Analysis:**

In addition to many major annual and seasonal events that are held in Pier Plaza, the City has hosted a craft fair in the downtown area since the 1990's. The operator of the downtown craft fair has been Pam Free, DBA Pier Plaza Art A-Faire (Art A-Fair).

In July 2000, the City obtained a Conditional Use Permit (CUP) and Coastal Development Permit (CDP) to officially move the arts and craft fair to Pier Plaza from its former location in the downtown area (Attachment 1). The CUP and CDP outlined general conditions for the fair, including its weekly reoccurrence. In February 2006, the City entered into a Promotional Agreement with Art A-Faire (Attachment 2). In summary, the scope of services in the agreement permitted Art A-Faire to operate an arts and crafts fair in accordance with the original CUP, including some key obligations in which the Art A-Faire shall:

- Conduct outreach to identify artists who make hand made products who will diligently display and sell their wares
- Provide on-site supervision, coordinate logistics including setup and take down, and clean the event area
- Operate events on Fridays year-round, and Saturdays and/or Sundays at the request of the City to compliment other City-sponsored activities
- Pay a user fee established by the City of \$100 per Friday and \$200 per day for per Saturday or per Sunday

In February 2009, City Council approved an extension of the agreement through February 2012 (Attachment 3), which included increasing the Friday user fee from \$100 to \$125 per day. Per the City's Master Fee and Charges Schedule in 2009, day use charges for commercial type Specific Events were \$1,100 daily. The Promotional Agreement expired in 2012, while the City's CUP to conduct arts and crafts fairs remains in place.

For the past nine (9) years, the terms, conditions, and fees for Art A-Faire have been honored by the City in accordance with the agreement approved in 2009. Per the City's current Master Fee and Charges Schedule, day use charges for commercial type Specific Events are \$1,350 daily.

Art A-Faire programming has certainly benefitted the City by activating Pier Plaza when there would typically be gaps in community friendly event scheduling. The fairs continue to provide a variety of local artists a premier venue to display and sell their work, while appealing to local residents and visitors alike. However, specific event fees have increased, and our events team has received requests from several organizations to conduct similar events at Pier Plaza.

That said, there is a need to formalize once again an agreement with one or more craft fair operators in order to continue to offer our residents and visitors with the value that this long standing event brings to our residents, visitors, and businesses in the downtown area. Staff is recommending that City Council consider two options to provide direction moving forward:

- a) Direct staff to continue working with Art A-Faire and draft a new promotional agreement for approval by the City Council. Potential deal points within a new agreement may include new flat user fees, a profit sharing model, or both; or,
- b) Direct staff to issue an RFQ to identify the most qualified, responsive and responsible arts and crafts fair operator(s), and return to City Council with a proposed operator and agreement. City will seek proposals from qualified firms that are interested in operating an open-air arts and crafts fair. The City invites any current operators, along with other qualified firms to submit their qualifications. The City reserves the right to enter into an agreement with one or more operators, based on City's needs and the qualifications of the responding firms.

Should the City Council approve either of these options, staff will move forward accordingly and bring back for approval an updated agreement to facilitate the operation and management of arts and crafts fairs at Huntington Beach Pier Plaza. In the meantime, unless otherwise directed, staff will continue working with Art A-Faire to schedule ongoing arts and crafts fair events to ensure continuity.

**Environmental Status:**

Not applicable.

**Strategic Plan Goal:**

Community Engagement

**Attachment(s):**

- 1) Conditional Use Permit No. 00-28/ Coastal Development Permit No. 00-07 (Farmer's Market/ Crafts Faire at Pier Plaza)
- 2) Promotional Agreement between the City of Huntington Beach and Pam Free and Toni Groat, DBA Pier Plaza Art A-Faire
- 3) Amendment No. 1 to Promotional Agreement between the City of Huntington Beach and Pam Free and Toni Groat, DBA Pier Plaza Art A-Faire