



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 02/18/2025

ITEM NO: 9

DATE: February 11, 2025
TO: Mayor and Town Council
FROM: Chris Constantin, Town Manager
SUBJECT: Authorize The Town Manager to Execute an Agreement with Sustainable Waze to Continue to Produce, Manage, and Promote Los Gatos Music in The Park Summer Concert Series through 2027 for \$20,000 Annually, for a Total Amount Not to Exceed \$60,000

RECOMMENDATION:

Authorize the Town Manager to execute an agreement with Sustainable Waze to continue to produce, manage, and promote Los Gatos Music in the Park summer concert series through 2027 for \$20,000 annually, for a total amount not to exceed \$60,000.

BACKGROUND:

Since 1988, Music in the Park (MIP) has been a free public summer concert series held on Sunday evenings on the Los Gatos Civic Center lawn. Over the years, MIP has been managed by multiple parties including the Town's Arts and Culture Commission, Los Gatos Music and Arts (2009-2015), Los Gatos Music in the Park (2016 and 2017), Town staff (2018 and 2019), and most recently, Sustainable Waze (2022 to the present).

During December 2017, Town staff issued a Request for Proposals (RFP) for the production and management of the 2018 Music in the Park Summer Concert series when the prior entity opted to no longer produce the series. At the conclusion of the RFP deadline, no proposals were received.

Given that no external parties stepped forward to manage MIP, the Town Council directed staff to produce the 2018 summer concert series. At the conclusion of the 2018 MIP season, Council directed staff to produce the 2019 MIP season with the understanding that the Town would

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seek outside production of the series going forward as continuing to internally produce, manage, and promote the summer concert series was not feasible. During both years the Town implemented the event, the workload on staff was extensive and the Town realized a net loss on the event budget.

On January 31, 2020, the Town issued an RFP for a third-party vendor to coordinate and execute the 2020 MIP season. On March 3, 2020, the Town Council considered the results of the RFP, and approved staff's recommendation to work with Sustainable Waze, the Town's current MIP organizer. As a part of the approval, the Town Council also approved the organizer's request for \$20,000 in sponsorship dollars, along with several in-kind staff services and subsidized permit fees to support the concert series.

Due to the COVID-19 Pandemic and the community health and safety provisions in place at the time, both the 2020 and 2021 MIP Concert Series were postponed. In the FY 2022/23 budget, the Town Council again allocated the \$20,000 sponsorship, and in-kind services and permit fees to support MIP, thus the series returned in the summer of 2022 with Sustainable Waze working as the event Organizer.

On February 7, 2023, staff returned to reconfirm the Town Councils desire to continue to contract with Sustainable Waze as the organizer of Los Gatos Music in the Park, with options to extend the services through 2025 (Attachment 1).

DISCUSSION:

Sustainable Waze continues to successfully partner with the Town on the event, thus staff recommends that the Town execute a three-year agreement with this organizer to continue to produce, manage, and promote this beloved annual community event. The longevity of this agreement, versus an annual agreement, allows for the organizer to plan further in advance for each summer concert series and create synergistic connections between each summer. While the current agreement allowed for the services to extend into 2025 if mutually agreed upon between the Town and Sustainable Waze, the termination of the agreement was September 30, 2024, thus has to return for Town Council approval for the extension.

Attachment 2 provides a draft of an updated agreement between the Town and Sustainable Waze. The language of the agreement has been refreshed to reflect a contract for services through 2027, that includes the production, management, and promotion of Los Gatos Music in the Park, rather than a payment as sponsorship. In addition, language has been added to protect the use of the name and logo affiliated Los Gatos Music in the Park, such that it may only be used under the terms of this agreement. This has not been a concern with the current organizer, although was with a past organizer.

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Following the completion of the terms of the proposed draft agreement in the fall of 2027, staff will return to the Town Council for a discussion on next steps for options to continue MIP, should that be the desire of the Town Council.

CONCLUSION:

Authorize the Town Manager to execute an agreement with Sustainable Waze to continue to produce, manage, and promote the Town's Music in the Park (MIP) summer concert series through 2027.

ALTERNATIVES:

Alternatively, the Town Council may choose to execute an agreement with Sustainable Waze through 2025 and direct staff to issue an RFP for subsequent years, or direct staff to return to the Town Council for a discussion to evaluate the continuation of the Summer Concert Series beyond 2025.

FISCAL IMPACT:

The first payment of \$10,000 for the 2025 Summer Concert Series has been previously allocated in the FY 2024/25 Town Budget. An additional \$20,000 will need to be allocated annually. The cost of the agreement totals \$60,000 through FY 2027/28.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Previously Executed Agreement with Sustainable Waze for the Production of MIP
2. Draft Agreement with Sustainable Waze for the Production, Management, and Promotion of MIP through 2027.