



## Legislation Details (With Text)

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|----------------------|--|----------------------|---------------------------------------|
| <b>File #:</b>       | 16-0666R   | <b>Name:</b>         |                                       |
| <b>Type:</b>         | Resolution   | <b>Status:</b>       | Passed                                |
| <b>File created:</b> | 9/7/2016   | <b>In control:</b>   | Recreation, Libraries and Authorities |
| <b>On agenda:</b>    | 9/12/2016  | <b>Final action:</b> | 9/12/2016                             |
| <b>Title:</b>        | RESOLUTION AUTHORIZING AN EXCLUSIVE USE PERMIT AGREEMENT WITH BENTLEYVILLE TOUR OF LIGHTS, INC., FOR THE PRODUCTION, PROMOTION, AND MANAGEMENT OF THE BENTLEYVILLE TOUR OF LIGHTS IN BAYFRONT FESTIVAL PARK FOR THE 2016 HOLIDAY SEASON. (REPLACEMENT) |                      |                                       |

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 9/12/2016 | 1    | City Council | adopted  |        |
| 9/12/2016 | 1    | Mayor        | approved |        |

RESOLUTION AUTHORIZING AN EXCLUSIVE USE PERMIT AGREEMENT WITH BENTLEYVILLE TOUR OF LIGHTS, INC., FOR THE PRODUCTION, PROMOTION, AND MANAGEMENT OF THE BENTLEYVILLE TOUR OF LIGHTS IN BAYFRONT FESTIVAL PARK FOR THE 2016 HOLIDAY SEASON. (REPLACEMENT)

**CITY PROPOSAL:**

RESOLVED, that the proper city officials are hereby authorized to execute an exclusive use permit agreement, substantially the same as the agreement attached as Exhibit 1, with Bentleyville Tour of Lights, Inc., a Minnesota non-profit corporation, for the exclusive use of Bayfront Festival Park for the production, promotion, and management of the Bentleyville Tour of Lights for the 2016 holiday season.

FURTHER RESOLVED, that any electricity costs incurred by the city pursuant to the exclusive use permit agreement with Bentleyville Tour of Lights, Inc., will be reimbursed by tourism tax collections from fund 258-030-5436-11 (tourism tax fund, finance, tourism tax allocation advertising and publicity).

STATEMENT OF PURPOSE: This resolution authorizes an exclusive use permit agreement with Bentleyville Tour of Lights, Inc. that provides for the presentation of a holiday lighting display, more commonly known as the Bentleyville Tour of Lights, at Bayfront Festival Park during the 2016 holiday season. The term of the agreement commences on September 17, 2016, and terminates on January 31, 2017.

Bentleyville Tour of Lights is a free event, open to the public, that draws roughly 265,000 visitors per year during a time period when visitor numbers would otherwise be low.

Bentleyville Tour of Lights, Inc. is not required to pay a permit fee for use of the park, but is

responsible to make a restoration deposit of \$2,000.00. The City is responsible for the first \$10,000 in damages to Bayfront Festival Park, and Bentleyville Tour of Lights, Inc. is responsible for all expenses over \$10,000 to fully restore the park.

The City shall pay all electricity costs billed by Minnesota Power during the term of the agreement and such costs will be reimbursed by tourism tax collections. Bentleyville Tour of Lights, Inc. will pay for all other fees and costs associated with the holiday lighting display, including restroom facilities, police services, trash collection receptacles, snow removal, traffic control, and fireworks display.