



# Agenda Report

March 7, 2019

TO: Rose Bowl Operating Company (RBOC)  
FROM: Darryl Dunn, General Manager  
SUBJECT: License Agreement with Live Nation for the presentation of a concert on Thursday, May 2<sup>nd</sup>

## **RECOMMENDATION:**

It is recommended that the RBOC approve and find:

1. Find that the license agreement proposed herein is categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323 (Normal Operations of Facilities for Public Gatherings);
2. Authorize the General Manager to finalize negotiations and enter into license agreement with Live Nation for the presentation of a concert at the Rose Bowl to occur on May 2<sup>nd</sup>, 2019;
3. Acknowledge that the General Manager will issue permits to Live Nation for the purposes of sound check on the day prior to the show between the hours of noon – 10:00 p.m. (intermittent) and on event days between the hours of 10:00 a.m. – 11:00 p.m.

## **BACKGROUND:**

The RBOC has an opportunity to host a major concert on May 2<sup>nd</sup>, 2019 with Live Nation as the promoter.

The framework for the key deal points with Live Nation are consistent with other concerts in recent history.

They are as follows:

- Flat License Fee
- Admission tax
  - o \$1.69 per ticket

Both the license fee and admission tax are RBOC revenue streams.

Developing revenue shares of ancillary income has proven to be very effective with the promoters in certain categories:

- Net concession income
- Net parking income (and traffic)
- Novelty income
- Ticketmaster rebate
- Pavilion seating
- Picnic in the Park (a pre-event in area H or on the golf course that is designed to get fans to the stadium sooner in the day in order to help mitigate traffic closer to show time).

In addition, the below are expenses for which the promoter would assume full cost responsibility:

- Facility damages, including Field Damage
- VIP special requests related expenses
- Stagehands expenses
- Permit expenses
- Pre-coverage, move-in, move out & production expenses

The event(s) will have a stage that is expected to be located in the south end of the stadium, similar to past concerts at the stadium. This configuration will provide a capacity of approximately 60,000 spectators. The event is anticipated to begin at approximately 4:00 p.m. and end no later than 11:00 p.m. (specific times have not been defined as of yet, but will be within this timeframe). As traditionally occurs for a major concert at the Rose Bowl, amplified noise will exceed non-event day sound levels originating from the stadium. A sound permit exempting each event from the general standards of the noise ordinance and allowing noise levels up to the limits specified in the Noise Element of the City's General Plan will be issued pursuant to Section 9.36.170 of the Pasadena Municipal Code. This will permit amplified noise to occur to the following levels: not exceeding an average (Leq) of 85 decibels (dBa) over 15 minutes at the outer limits of the property line, and not exceeding an average (Leq) of 75 dBa over 15 minutes at selected points in residential areas around the Arroyo, consistent with past practice. It is not a violation of these permits, however, for instantaneous or short term noise to intermittently spike above those average levels, as the Noise Element of the City's General Plan indicates is the historical norm for this permitted activity. The RBOC shall have its sound consultant work with the promoter in the weeks leading up to the show, and during the show, as it relates to speaker placement, sound levels, and direction of sound. The Rose Bowl shall also place noise monitors at various locations throughout the area during the sound amplification.

At this time, the promoter has requested the artists not be named, which is customary, as the tour has nationwide marketing strategies and the timing of the announcement of the show is very important to the promoter and artists.

A pre-event will be planned in order to attract fans to come to the stadium early, and other traffic mitigation measures will be put into place. Communication between stadium, police and neighborhood associations will occur regularly leading up to the concerts.

The current schedule of displacement events for 2019 are as follows:

Rose Bowl Game	1
UCLA Season	6
Music & Arts Festival	2
BTS – May 4 <sup>th</sup> & 5 <sup>th</sup>	2
Rolling Stones – May 11 <sup>th</sup>	1
June 15 <sup>th</sup> Gold Cup Soccer Match	1

This event would be the 14<sup>th</sup> displacement event for the year. As a reminder, the Arroyo Seco Ordinance permits up to 15 displacement events before the City Council would need to make findings in order to permit more than 15 displacement events. It should be recognized that the July 4<sup>th</sup> Americafest event is not within the current approved displacement events, although it is likely that it will occur provided the appropriate governing bodies' approvals occur.

### **ENVIRONMENTAL:**

State CEQA Guidelines Section 15323 exempts from CEQA review the “normal operations of facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose.” Stadiums are specifically enumerated as one of the types of activities covered by this exemption. The Rose Bowl Stadium has hosted numerous concerts over its history, and particularly within the past two years. There is no indication that this concert will be any different in terms of noise than any other concert hosted in the Bowl in the past, and

any noise generated from this concert is expected to be within the parameters allowed by the Noise Element of the General Plan.

**FISCAL IMPACT:**

It is anticipated that the RBOC will generate in excess of \$300,000 from this event. This will enable the RBOC to help meet its operating budget for fy19, and generate additional revenue to help fund the RBOC operating budget and unfunded capital projects.

Respectfully submitted,



Darryl Dunn  
General Manager