



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

*Thomas F. Cooke - Director of Administrative Services*

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of submission:** Waiver of July Approval of Septemberfest
  
2. **Date of submission:** February 20, 2013
  
3. **Date of Board Meeting:** February 25, 2013
  
4. **Individual or Entity making the submission:**  
  
Robert S. Hensley – Chair, Performing Arts Center Board
  
5. **Action requested of the Board of Selectmen (Acceptance of gift, creation of reserve, approval of contract, information only, etc. Be as specific as possible with respect to the desired action of the Board.):**  
*The Individual or Entity making the submission requests that the Board of Selectmen:*  
  
Waive the provision for Board of Selectmen review and approval of plans to present Septemberfest as set forth in Section C.1. of the Simsbury Performing Arts Center 2013 Season Management Contract with the proviso that Septemberfest will not lose money as determined by the Town of Simsbury's Director of Finance/Treasurer.
  
6. **Individual(s) responsible for submission (Please include complete contact information. The identified individual(s) should be prepared to present information to the Board of Selectmen at the Board Meeting.):**

Robert S. Hensley – Chair, Performing Arts Center Board  
(860) 678-1090  
Gerard Toner – Director, Culture, Parks & Recreation  
(860) 408-4682

Telephone (860) 658-3230  
Facsimile (860) 658-9467

[tcooke@simsbury-ct.gov](mailto:tcooke@simsbury-ct.gov)  
[www.simsbury-ct.gov](http://www.simsbury-ct.gov)

*An Equal Opportunity Employer*  
8:30 - 7:00 Monday  
8:30 - 4:30 Tuesday through Friday

7. **Summary of Submission** (Include in your summary (i) relevant dates and timelines; (ii) parties involved; (iii) a description of financial terms and conditions specifically identifying the financial exposure/commitment of the Town of Simsbury; (iv) whether or not contracts, licenses and other legal documents have been reviewed by the Town's counsel; and (v) other information that will inform the Board of Selectmen's consideration of your submission. Include any additional information in an attached memorandum.):

In order to ensure that plans for Septemberfest were on target for a budget-neutral or budget-positive event in 2012, language was introduced into the contract for the Performing Arts Center manager providing for Board of Selectmen review of plans for Septemberfest in July, 2012. This language was carried over into the 2013 contract.

In 2012 the Performing Arts Center Board worked closely with the PAC Manager to ensure that Septemberfest was a financially successful event. Sales to potential vendors and sponsors were hampered in 2012 by language indicating that plans for Septemberfest would not be considered "final" until July – the PAC Manager and the PAC Board are encountering a similar reluctance for the 2013 season as well.

The PAC Board is undertaking to ensure that Septemberfest will not lose money. It is working closely with the Performing Arts Center Manager. This oversight and regular review proved successful in 2012 and the Performing Arts Center Board accordingly seeks waiver of the provision in Section C.1. of the contract.

8. **Description of documents included with submission** (All documents must be in final form and signed by the appropriate party.):

*The following documents are included with this submission and attached hereto:*

Center Board of Directors (the "PAC Board"). This Agreement is a fee for service contract in which deliverable services will be tied to payments.

C. SCOPE OF SERVICES

The scope of the Consultant's services is described herein. The management tasks to be performed by the Consultant include marketing the facility, scheduling events and activities in accordance with PAC Board policies, overseeing the operation of the facility and supplying operational reports to the PAC Board during the term of the Agreement.

The PAC Board and the Simsbury Board of Selectmen have established the following duties and objectives for the Consultant:

1. Septemberfest

Consultant will book and successfully present Septemberfest in September, 2013. Consultant will present the PAC Board and the Board of Selectmen with a progress report in July, 2013 so that the Boards can determine whether Septemberfest 2013 is likely to be financially successful and should proceed.

2. Talcott Mountain Music Festival

Consultant shall work with the Hartford Symphony Orchestra to ensure the successful presentation of the Talcott Mountain Music Festival ("TMMF") during the entertainment season.

3. Additional Entertainment Events

For the 2013 Season, additional Entertainment Events, such as those that have occurred at the facility in past seasons (the Beach Boys, Kansas, Allison Krauss, etc.) will only be considered if the PAC Board, on the advice of the Director of Culture, Parks & Recreation can