

# Woodstock '99: Effective Advance Planning To Protect Municipal Interests

by Andrew Brick, NYCOM Counsel



Not only does Woodstock '99 stand out as an excellent example of how a city plays gracious host to an enormous amount of people, it also illustrates some of the important issues that a municipality should consider and resolve in advance of such event. Mayor Griffo and his staff worked hard to resolve a number of integral issues long before the first band ever took the stage. Other municipalities hosting a large scale event can learn from Rome's example. Mayor Griffo and his legal team made sure that the interests of Rome were protected in a variety of creative ways.

## Insurance

The City of Rome required that the concert promoter undertake insurance which named as beneficiaries the city as well as all property owners whose property abutted the concert site. Such policy provided comprehensive coverage with no aggregate limit on claims.

## Reimbursement for Additional Municipal Services

Rome also required that the concert promoter reimburse the city for all additional costs incurred for providing extra municipal services as a result of the concert. The city developed a comprehensive inventory of necessary additional equipment and services required. The list ran the gamut from added wastewater treatment to purchasing addi-

## Personnel Costs

Rome also placed the financial burden of covering additional labor and overtime costs of city personnel upon the concert promoter and not the city. The city again developed an estimated cost and required the promoter to place an amount equal to the estimate in escrow thereby guaranteeing it would be available subsequent to the event when actual costs could be tabulated.

## Contingency Account

To further protect the city financially, Rome required an additional escrow account to cover any costs incurred by the city above and beyond the estimated labor and service costs. This extra account ensured that even the costs of unforeseen contingencies would be covered by the concert promoter and not the residents of Rome.

## Infrastructure Restoration Account

Recognizing that a quarter of a million people might add substantial wear and tear to municipal streets, the city of Rome required that the promoter agree to pay the costs of returning certain streets to their pre-event specifications once the concert was over if necessary. Funds to cover such restoration efforts were again required to be placed in escrow to guarantee availability as needed.



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## Reimbursement for Additional Municipal Services

Rome also required that the concert promoter reimburse the city for all additional costs incurred for providing extra municipal services as a result of the concert. The city developed a comprehensive inventory of necessary additional equipment and services required. The list ran the gamut from added wastewater treatment to purchasing additional public safety equipment. An estimated cost of needed extra equipment and services was computed, and the promoter was required to cover such costs by placing an amount equal to the estimate in an escrow account prior to the concert. By mandating that the monies be placed in escrow, the city shrewdly ensured that its costs would be covered despite the financial success or failure of the concert.

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No matter how you look at it, Woodstock '99 was an enormous success for the city of Rome. One unheralded reason for such success was comprehensive advance planning designed to protect the interests of the city of Rome and its residents.