SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT - AMERICAN CANCER

SOCIETY, INC - RELAY FOR LIFE OF PORTERVILLE KICKOFF -

MARCH 21, 2015

SOURCE: Finance Department

COMMENT: The American Cancer Society, Inc. is requesting approval to hold a community event and fundraiser for the Relay for Life teams on March 21, 2015, at Veteran's Park, from 10 a.m. to 4:00 p.m. There is no request for street closures.

This request is made under the Community Civic Events Ordinance No. 1326, as amended. The application has been routed according to the ordinance regulations and reviewed by all departments involved. The requirements are listed on the attached copy of the application, agreement Exhibit A and Exhibit B.

RECOMMENDATION: That the Council approve the attached Community Civic

Event Application and Agreement submitted by the Tulare County Mental Health Services, subject to the stated requirements contained in the Application, Agreement and

Exhibit A and Exhibit B.

ATTACHMENT: Community Civic Event Application, Agreement, Exhibit A,

Exhibit B, Map, Outside Amplifier Permit and Certificate of

Liability Insurance.

DD Mb Appropriated/Funded MB C.M

Item No. 14

## CITY OF PORTERVILLE

291 N. Main Street, Porterville, CA 93257 559-782-7461 Fax: 784-4569 www.ci.porterville.ca.us

(Incomplete applications can delay permit process)

## APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY Website? DO YOU HAVE? Event Flyer? E-mail address? Event date: March 21,2015 Application date: Name of Event: Sponsoring organization: Address: Jessica Chamberlain Phone # 3559-451-0163 Authorized representative: Address: 2222 W Shaw Ave #201 FRESINA, CA 93711 Phone # 559 - 308 - 3402 Event chairperson: Location of event Veteran's Park (Location map must be attached) team 1 community Type of event: Non-profit organization status: (IRS Determination) (fees associated with these services will be billed separately): City services requested MA Street sweeping Barricades (quantity): Refuse pickup Police protection No V Other: No Attached Parks facility application required: Ņο Attached Assembly permit required: STAFF COMMENTS (list special requirements or conditions for event): Bus. Lic. Spvr. Pub. Works Dir Comm. Dev. Dir. Field Svcs. Mgr. Fire Chief Parks Dir. Police Chief Admin. Svcs. Dir. -

## CITY OF PORTERVILLE

APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

## What constitutes a Community Civic Event?

A <u>non-profit organization</u> wishes to sponsor an event that is <u>open to the community at large</u> and will <u>utilize public property</u>. Most of the time, Community Civic Events require street or sidewalk closures. This application must be submitted NO LESS THAN 30 DAYS PRIOR to the date of the event in order to obtain City Council approval.

All City Code requirements are described in ordinance 15-20 (e) 1-23 and as amended in ordinance 1613. For a full description please visit our City of Porterville website at <a href="https://www.ci.porterville.ca.us/govt/CityClerk/">www.ci.porterville.ca.us/govt/CityClerk/</a>, Porterville Municipal Codes. For questions or concerns please call 559-782-7451 or 559-782-7457. Any person who violates the provisions in this code, shall be deemed guilty of either a misdemeanor or an infraction, with penalties of one hundred (\$100) for the first violation.

Liability insurance: The sponsoring organization/applicant agrees to provide and keep in force during the term of this permit a policy of liability and property damage insurance against liability for personal injury, including accidental death, as well as liability for property damage which may arise in any way during the term of this permit. The City of Porterville and Successor Agency to the Porterville Redevelopment Agency shall be named as additional insured. A Certificate of Liability Insurance and Additional Insured Endorsement sample forms are enclosed for your convenience. This original certificate and endorsement shall be submitted to the Finance Department prior to the City of Porterville Council's approval. The council shall condition the granting of a CCE permit upon the sponsoring entity's filing with the council a policy of public liability insurance in which the city has been named as insured or coinsured with the permittee. The policy of insurance shall insure the city, its officers, and its employees against all claims arising out of, or in connection with, the issuance of the CCE permit or the operation of the permittee or its agents or representatives, pursuant to the permit. The policy of insurance shall provide coverage of no less than one million dollars (\$1,000,000.00) per occurrence of bodily injury and property damage, combined single limit. (Ordinance 15-20(e) 18)

6 0 Authorized Representative Initials

Alcohol liability insurance: Organization/Applicant will obtain an alcohol permit if any alcoholic beverages are to be served. The insurance policy shall be endorsed to include **full liquor liability** in an amount not less than one million dollars (\$1\_000,000) per occurrence. The City of Porterville shall be named as additional insured against all claims arising out of or in connection with the issuance of this permit or the operation of the permitted, his/her agents or representatives pursuant the permit. **Claims-made policies are not acceptable.**Authorized Representative Initials

Health permit: Organization/Applicant will obtain or ensure that all participants obtain a 'Temporary Food Facilities' permit(s) from the Tulare County Public Health Department, if any food is to be served in connection with this Community Civic Event. To contact the Tulare County Environmental Health Department located at 5957 S. Mooney Blvd., Visalia, CA, 93277, call 559-733-6441, or fax information to 559-733-6932; or visit their website: www.tularehhsa.org.

First aid station: Organization/Applicant will establish a first aid station, with clearly posted signs, to provide basic emergency care, such as ice/hot packs, bandages, and compresses.

Authorized Representative Initials

Agreement: The sponsoring organization/applicant agrees to comply with all provisions of the Community Civic Event Ordinance 15-20(e), as amended, and the terms and conditions set forth by City Council and stated in Exhibit 'A.' The sponsoring organization/applicant agrees, during the term of this permit, to secure and hold the City free and harmless from all loss, liability, and claims for damages, costs and charges of any kind or character arising out of, relating to, or in any way connected with his/her performance of this permit. Said agreement to hold harmless shall include and extend to any injury to any person or persons, or property of any kind whatsoever and to whomever belonging, including, but not limited to, said organization/applicant, and shall not be liable to the City for any injury to persons or property which may result solely or primarily from the action or non-action of the City or its directors, officers, or employees.

And Can Cancer Society (Signature) (Date)

## CITY OF PORTERVILLE

VENDOR/PARTICIPANT LIST IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY

Name of event: Relay FOR Life of Porter	eville kick off
Sponsoring organization! American Cancel	
·	Event date: 50-4 Event time: 10-4
200ddor.	

All vendors are required to complete the business license permit form. List all firms, individuals, organizations, etc., that will engage in selling at or participate in the above-named event. NO PERMIT WILL BE ISSUED WITHOUT THIS INFORMATION. Vendors with no valid City of Porterville business license are required to pay \$1 per day to the City, with the exceptions of non-profit organizations per \*City of Porterville Municipal Code 15-20(E) Community Civic Events (16). This form should be completed at the time of application, but must be submitted NO LESS THAN ONE WEEK PRIOR TO THE EVENT.

Vander name	Address/Telephone	Business	Type of Activity
<u>Vendor name</u>	Address/ Felebriorie	License required?	T Y DO OF FLORIVILY
\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	133 N.J St. Tulare, CA 93774		Rlling food to 2 donution
ATW	1	• • • •	
Panda Express	PORTERVILLE (A1325)		Samples 165 Oct MILEA
Panda Express Jamba Juice	460West Vadelia Ave Porterville, (A93257 1397 W. Handerson Ave Porterville, (A93257		Sellingfood tox donation Selling Smoothies for agnation
100			·
			·
	<del></del>	<del>                                     </del>	

<sup>\*</sup>Municipal Code 15-20(E) Community Civic Events (16): Business License Fees: Any individual, company, firm, concessionaire, fair operator, carnival operator, etc., who engages in, conducts, organizes, or promotes business for profit shall pay a business license fee of one dollar (\$1.00) per day per anusement, entertainment, exhibit, ride or per booth, space, stall, stand or other unenclosed location used for the purpose of advertising, promoting, or sale of, or taking orders for, goods or services; except that no individual, company, firm concessionaire, fair operator, carnival operator, etc., who possesses a valid city business license shall be subject to separate licensing pursuant to this subsection E16.

separate ucensing pursuant to this subsection £10. The nonprofit sponsor shall collect said fee and remit the fee to the city within five (5) working days following the CCE. Said remittance shall be accompanied by a complete list of participants and consecutively numbered receipts written in triplicate, containing the name, address and telephone number of the licensee, and the licensee's California seller's permit number. Said receipts shall be furnished by the city. One copy of the receipt shall be furnished to the licensee, one copy filed with the finance department of the city, and one copy retained by the CCE sponsor for a period of three (3) years for audit purposes.

NIA

## CITY OF PORTERVILLE

REQUEST FOR STREET CLOSURES AND PUBLIC PROPERTY USAGE IN CONNECTION WITH THE APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Name of event: Re ay for hefe of Porterville Kickoff

Sponsoring organization: American Cancer Society

Event date: 361/15

Hours: 10 Am - 4 Pm

# ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

## Closed

	Closed		
Street Name	<u>From</u>	<u>To</u>	<u>Activity</u>
		/.	
Sidewalks	. From	. <u>To</u>	<u>Activity</u>
	1.		
			·
	/.		,
Parking lots and spaces	Loca	ation	Activity
		•	

## REQUIREMENTS FOR COMMUNITY CIVIC EVENT

## AMERICAN CANCER SOCIETY, INC.

## RELAY FOR LIFE OF PORTERVILLE KICKOFF

MARCH 21, 2015

Finance Director:

M. Bemis

Deputy Public Works Director:

M. Reed

Community Development Manager:

J. Phillips

Deputy Public Works Director:

No comments.

B. Styles

Fire Chief:

No comment.

G. Irish

Parks and Leisure Services Director:

D. Moore

No vehicles allowed to park within the park. Unloading/loading permitted

only from the pathway.

Police Lieutenant:

J. Hall

Please see Proposed Conditions/ Requirements for Event in Exhibit B.

Administrative Services Director:

P. Hildreth

See Exhibit A, Page 2.

#### REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor:

American Cancer Society, Inc.

Event:

Relay for Life of Porterville Kickoff

Event Chairman:

Randy Phillips

Location:
Date of Event:

Veteran's Park March 21, 2015

**RISK MANAGEMENT:** 

Conditions of Approval

That the American Cancer Society, Inc., provide a Certificate of Commercial General Liability Insurance Coverage evidencing coverage of not less than \$1,000,000 per occurrence, and having the appropriate Endorsement naming the City of Porterville and Successor Agency to the Porterville Redevelopment Agency, its Officers, Employees, Agents and Volunteers as 'Additional Insured' against all claims arising from, or in connection with, the Permitted operation and sponsorship of the aforementioned Community Civic Event. If the event is located in the City of Porterville's Redevelopment Agency area, the same conditions apply.

- A. Said Certificate of Insurance shall be an original (fax and xerographic copies <u>not</u> acceptable), the Certificate shall be signed by an agent authorized to bind insurance coverage with the carrier, and the deductible, if any, shall not be greater than \$1,000.
- B. Said insurance shall be primary to the insurance held by the City of Porterville, be with a company having an A.M. Best Rating of no less that A: VII, and the insurance company must be an 'admitted' insurer in the State of California.

## PORTERVILLE POLICE DEPARTMENT

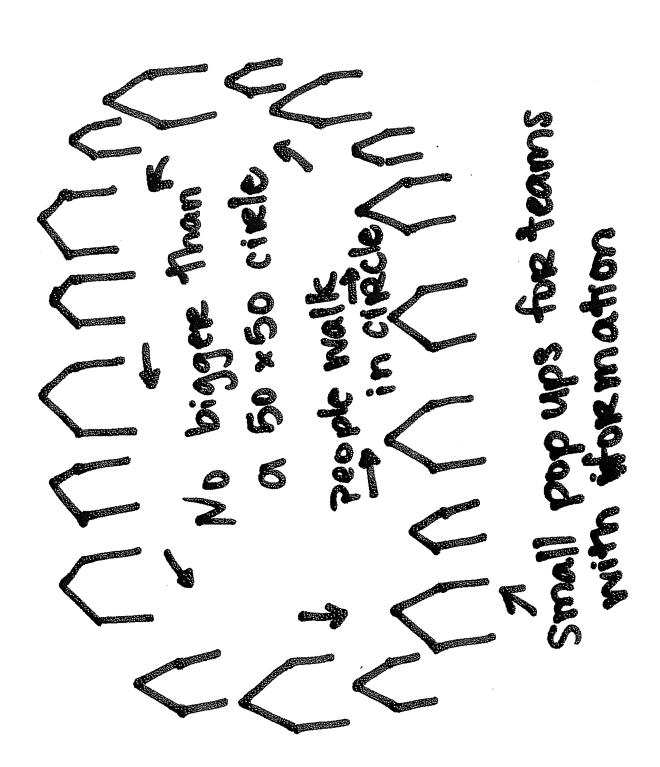
## Conditions/Requirements for Community Event "Relay for Life" March 21, 2015

Your application to conduct/hold a community event at Veterans Park has been received and approved pursuant to the following concerns and conditions:

- 1. Participants/Pedestrians must remain on the sidewalks and obey all traffic related laws.
- 2. Participants/Pedestrians must not interfere with or impede the normal flow of vehicle or pedestrian traffic.
- 3. Event organizers should consider "follow up" vehicles that have first aid supplies, water, etc., so as to treat or pick up and transport any participant who becomes ill or is otherwise unable to complete the course.
- 4. Participants must ensure young children stay close to parent or adult, to avoid children running into the roadway and ensuring their safety.

John Hall, Lieutenant Porterville Police Department

# · L'elicopter memorias.





## CITY OF PORTERVILLE OUTSIDE AMPLIFIER PERMIT (City Ordinances #18-9 & 18-14)



This application must be submitted ten (10) days prior to the date of the event. A copy of this permit must be at the operating premises of the amplifying equipment for which this registration is issued.

Name and home	address of the applicant:	
Address where a	mplification equipment is to be used:	/
Names and addre	esses of all persons who will use or operate the amplification equipment:	
Type of event for	which amplification equipment will be used:	
Dates and hours	of operation of amplification equipment:	
A general descrip	otion of the sound amplifying equipment to be used:	
or noise in a manner so as to unreasonably disturbanded feet (100') from (Ord. Code § 6311)  Section 18-14  any or sound amplifier in amplify sound for the proor exhibition is given, with therefore, but which peobjectionable, and any revocation of any such Penal Code Section than four hundred dollars.	It shall be unlawful for any person within the city to use or operate or cause to be operated or to ker, musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary person and interfere with the peace and comfort.  The operation of any such instrument, phonograph, jukebox, machine or device in such manner the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facle.  It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintain such a manner as to cause any sound to be projected outside of any building or out of doors in any part oper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the buthout having first procured a permit from the chief of police, which permit shall be granted at the will of the mint, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplification permit may be so revoked with or without notice, or with or without a format hearing, at the option of permit, the same shall not be renewed, except upon application as the first instance. (Ord. Code § 6312) any of the following persons shall be punished by imprisonment in the county jail for a period as (\$400), or both such imprisonment and fine:  (2) Any person who maliciously and willfully disturbs and that have read and answered all statements on this registration form and	ication of the human voice or any sound cons in nearby residences or so loud as to be plainly audible at a distance of one evidence of a violation of this section.  Inned, operated, or operated, or connected of the city, except as may be necessary to uilding or enclosure in which the show or chief of police upon application in writing fier shall by the council be deemed the council, and in the event of the of not more than 90 days, a fine of not more other person by loud and unreasonable noise.
	Signature of Applicant	Date
CONSIDERATE	AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YEOF THE GENERAL PEACE AND ORDER OF THE NEIGHBORS IN THE GULATIONS CAN RESULT IN REVOCATION OF THE PERMIT.	OU TO REMAIN E AREA. FAILURE TO ABIDE
	City of Porterville, Chief of Police/Designee	Date



## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 2/18/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s). CONTACT Alexander Mortimer PRODUCER FAX (A/C, No): 877-362-9069 PHONE (A/C, No, Ext): 404-923-3732 Commercial Lines - (404) 923-3700 Wells Fargo Insurance Services USA, Inc. alexander.mortimer@wellsfargo.com ADDRESS: 3475 Piedmont Road NE, Suite 800 INSURER(S) AFFORDING COVERAGE NAIC# 20281 Atlanta, GA 30305-2886 Federal Insurance Company INSURER A: INSURED INSURER B: American Cancer Society, Inc. INSURER C 250 Williams Street INSURER D INSURER E : Atlanta, GA 30303 INSURER F CERTIFICATE NUMBER: 8738044 REVISION NUMBER: See below COVERAGES THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. ADDL SUBR INSD WVD TYPE OF INSURANCE POLICY NUMBER X COMMERCIAL GENERAL LIABILITY 1,000,000 EACH OCCURRENCE 9/1/2015 35943463 9/1/2014 Α DAMAGE TO RENTED PREMISES (Ea occurrence) 300,000 CLAIMS-MADE X OCCUR s 2.500 MED EXP (Any one person) 1,000,000 PERSONAL & ADV INJURY 25,000,000 GENERAL AGGREGATE GEN'L AGGREGATE LIMIT APPLIES PER: 2.000,000 PRODUCTS - COMP/OP AGG | \$ X POLICY S OTHER: COMBINED SINGLE LIMIT (Ea accident) ŝ AUTOMOBILE LIABILITY BODILY INJURY (Fer person) \$ ANY AUTO SCHEDULED AUTOS NON-OWNED ALL OWNED AUTOS **BODILY INJURY (Per accident)** s PROPERTY DAMAGE (Per accident) \$ HIRED AUTOS \$ **UMBRELLA LIAB** OCCUR EACH OCCURRENCE \$ **EXCESS LIAB** AGGREGATE \$ CLAIMS-MADE DED RETENTIONS WORKERS COMPENSATION STATUTE AND EMPLOYERS' LIABILITY E.L. EACH ACCIDENT ANY PROPRIETOR/PARTNER/EXECUTIVE E.L. DISEASE - EA EMPLOYER (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below E.L. DISEASE - POLICY LIMIT DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Re: Relay For Life Kick Off on 03/21/2015; Certificate holder is included as an additional insured in accordance with the terms and conditions of the general liability policy.

City of Porterville

291 North Main Street
Porterville, CA 93257

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE
THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN
ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

CANCELLATION

CERTIFICATE HOLDER

## Liability Insurance

#### Endorsement

Policy Period

SEPTEMBER 1, 2014 TO SEPTEMBER 1, 2015

Effective Date

**FEBRUARY 18, 2015** 

Policy Number

3594-34-63 RMG

Insured

AMERICAN CANCER SOCIETY INC

Name of Company

FEDERAL INSURANCE COMPANY

Date Issued

FEBRUARY 18, 2015

This Endorsement applies to the following forms:

## GENERAL LIABILITY

Under Who Is An Insured, the following provision is added.

#### Who Is An Insured

Additional Insured -Scheduled Person Or Organization Persons or organizations shown in the Schedule are **insureds**; but they are **insureds** only if you are obligated pursuant to a contract or agreement to provide them with such insurance as is afforded by this policy.

However, the person or organization is an insured only:

- if and then only to the extent the person or organization is described in the Schedule;
- to the extent such contract or agreement requires the person or organization to be afforded status as an insured;
- for activities that did not occur, in whole or in part, before the execution of the contract or agreement; and
- with respect to damages, loss, cost or expense for injury or damage to which this insurance applies.

No person or organization is an insured under this provision:

- that is more specifically identified under any other provision of the Who Is An Insured section (regardless of any limitation applicable thereto).
- with respect to any assumption of liability (of another person or organization) by them in a contract or agreement. This limitation does not apply to the liability for damages, loss, cost or expense for injury or damage, to which this insurance applies, that the person or organization would have in the absence of such contract or agreement.

## Liability Endorsement

(continued)

Under Conditions, the following provision is added to the condition titled Other Insurance.

#### **Conditions**

Other Insurance – Primary, Noncontributory Insurance – Scheduled Person Or Organization If you are obligated, pursuant to a contract or agreement, to provide the person or organization shown in the Schedule with primary insurance such as is afforded by this policy, then in such case this insurance is primary and we will not seek contribution from insurance available to such person or organization.

#### Schedule

Persons or organizations that you are obligated, pursuant to a contract or agreement, to provide with such insurance as is afforded by this policy.

City of Porterville 291 North Main Street Porterville, CA 93257

Re: Relay For Life Kick Off on 03/21/2015

All other terms and conditions remain unchanged.

Authorized Representative

