SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT - PORTERVILLE BREAKFAST ROTARY CANCER RUN - MAY 4, 2013

SOURCE: Finance Department

COMMENT: Porterville Breakfast Rotary is requesting approval to hold their annual 5K Cancer Run on Saturday, May 4, 2013, from 6:00 a.m. to 11 a.m. The 5K run will start at Tulsa Street and Putnam Avenue, head south to Olive Avenue, turn west on Olive Avenue, turn north on Crestview Street, then east on Morton Avenue, turn south on Conner Street, and turn east on Putnam to finish at Tulsa Street. No street closures are requested. This application is submitted in accordance with the Community Civic Events Ordinance No. 1326, as amended.

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

RECOMMENDATION: That Council approve the Community Civic Event Application and Agreement from Porterville Breakfast Rotary, subject to the Restrictions and Requirements contained in application, agreement, Exhibit A and Exhibit B.

CITY OF PORTERVILLE
291 N. Main Street, Porterville, CA 93257
559-782-7451 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

DO YOU HAVE? Event Flyer? E-mail address? Website?
Application date: Mar. 11, 2013 Event date: May 4, 2013
Event time: 6a.m.- 11a.m.

Name of Event: Porterville Breakfast Rotary Cancer Run

Sponsoring organization: Porterville Breakfast Rotary Phone # 781-6617
Address: 122 E. Morton Ave., Porterville, CA 93257

Authorized representative: Jackie Witzel Phone # 781-4876
Address: 14043 Road 200, Porterville, CA 93257

Event chairperson: Marty Lalanne Phone # 781-6617

Location of event Granite Hills High School

(Location map must be attached)

Type of event: 5K Run/Walk


(IRS Determination)

City services requested (fees associated with these services will be billed separately):

<table>
<thead>
<tr>
<th>Service</th>
<th>Yes</th>
<th>No</th>
<th>X</th>
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<tbody>
<tr>
<td>Barricades (quantity)</td>
<td></td>
<td></td>
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<tr>
<td>Street sweeping</td>
<td>Yes</td>
<td>No</td>
<td></td>
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<td>Police protection</td>
<td>Yes</td>
<td>No</td>
<td></td>
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<tr>
<td>Refuse pickup</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Other</td>
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Parks facility application required: Yes No X Attached
Assembly permit required: Yes No X Attached

STAFF COMMENTS: (list special requirements or conditions for event):

<table>
<thead>
<tr>
<th>Appr.</th>
<th>Deny</th>
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1 of 4
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 non-profit organization wishes to sponsor an event that is open to the community at large and will utilize public property. 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 www.ci.porterville.ca.us/govt/CityClerk/, 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)

_________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 559-733-5938; or visit their website: www.tularehhsa.org.

_________Authorized Representative Initials

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.

[Signature]

(Name of Organization)

(Date)

2 of 4
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 TO BE HELD ON PUBLIC PROPERTY

Name of event: Porterville Breakfast Rotary Cancer Run

Sponsoring organization: Porterville Breakfast Rotary

Location: Granite Hills High School  Event date: May 4, 2013  Event time: 6am – 11am

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.

<table>
<thead>
<tr>
<th>Vendor name</th>
<th>Address/Telephone</th>
<th>Business License required?</th>
<th>Type of Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Porterville</td>
<td>122 E. Morton, Porterville</td>
<td></td>
<td>Running Event</td>
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<tr>
<td>Breakfast Rotary</td>
<td>781-6617</td>
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*Municipal Code 15-20(E) Community Civic Events (16): Business License Fee: 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 amusement, entertainment, exhibit, ride or per booth, space, stall, stand or other unanchored 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.

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 receipt slips 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.
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: Porterville Breakfast Rotary Cancer Run

Sponsoring organization: Porterville Breakfast Rotary

Event date: May 4, 2013

Hours: 6a.m. - 11a.m.

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

<table>
<thead>
<tr>
<th>Street Name</th>
<th>From</th>
<th>To</th>
<th>Activity</th>
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<tbody>
<tr>
<td>Putnam Ave.</td>
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<td>5K Run/Walk</td>
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<td>Olive Ave.</td>
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<td>Crestview Ave.</td>
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<td>Morton Ave.</td>
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<td>Conner St.</td>
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<tr>
<th>Street Name</th>
<th>From</th>
<th>To</th>
<th>Activity</th>
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<tbody>
<tr>
<td>Parking lots and</td>
<td></td>
<td></td>
<td>Participant</td>
</tr>
<tr>
<td>spaces</td>
<td></td>
<td></td>
<td>Parking</td>
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Granite Hills High School
REQUIREMENTS FOR COMMUNITY CIVIC EVENT
PORTERVILLE BREAKFAST ROTARY
CANCER RUN
MAY 4, 2013

Finance Director:
*M. Bemis*

Public Works Director:
*B. Rodriguez*

Community Development Director:
*B. Dunlap*

Field Services Manager:
*B. Styles*

Fire Chief:
*G. Irish*

Parks and Leisure Services Director:
*D. Moore*

Police Captain:
*D. Haynes*

Administrative Services Director:
*P. Hildreth*

No comments.

See Conditions/Requirements for Special Event in Exhibit B.

See attached Exhibit A, page 2.
REQUIRED FOR COMMUNITY CIVIC EVENT

Sponsor: Porterville Breakfast Rotary
Event: 5 K Cancer Run
Event Chairman: Marty Lalanne
Location: Granite Hills High School
Date of Event: May 4, 2013
Time of Event: 6:00 a.m. to 11:00 a.m.

RISK MANAGEMENT: Conditions of Approval

That the Porterville Breakfast Rotary 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, its Officers, Employees, Agents and Volunteers as ‘Additional Insured’ against all claims arising from, or in connection with, the Permittee’s operation and sponsorship of the aforementioned Community Civic Event.

a. Said Certificate of Insurance shall be an original (fax and xerographic copies not 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.

a. 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.

Approval of the Community Civic Events Permit by the Porterville City Council pertains only to authorized activities conducted at designated locations within the incorporated area of the City of Porterville, and such approval shall not be construed or interpreted to authorize sponsor utilization of public right-of-ways outside of the jurisdiction of the City of Porterville.
PORTERVILLE POLICE DEPARTMENT

Conditions/Requirements for Special Event

Porterville Breakfast Rotary Cancer Run
May 4, 2013

► Aid stations and check points must be out of the roadway and not in a position to interfere with traffic.

► Staff at aid stations and check points should have a means of communication by which they may summon assistance in the event of an emergency.

► Event staff on the race route should wear highly visible attire.

► Participants should be directed to stay to the side of the roadway and not disrupt the normal flow of traffic.

► Event organizers should contact the Police Dept. (Special Events Coordinator) to obtain police support and/or assistance, with the goal of ensuring a safe event. Please contact Sergeant Rick Carrillo at 782-7408 if you have any questions or require further assistance.

Dan Haynes, Captain
Porterville Police Department

Exhibit B
This application must be submitted 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.

1. Name and home address of the applicant:
   Marty Lalanne
   1345 N. Lotas Way, Porterville, CA 93257
   Phone # 781-6617

2. Address where amplification equipment is to be used:
   Granite Hills High School
   Phone # 359-9815

3. Names and addresses of all persons who will use or operate the amplification equipment:
   John Lollis

4. Type of event for which amplification equipment will be used:
   5K Run/Walk

5. Dates and hours of operation of amplification equipment:
   May 4, 2013  6am-11am

6. A general description of the sound amplifying equipment to be used:
   Announcement of run - 8am-11am
I hereby certify that all statements and answers on this registration form are true and correct.

[Signature]
Applicant

1-17-2013
Date

[Signature]
Chief of Police

2-27-13
Date

Section 18-14 City Ordinance Outside Amplifiers; permit required.
It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or connected any loud-speaker or sound amplifier in such a manner as to cause any sound to be projected outside of any building or out of doors in any part of the city, without having first procured a permit from the Chief of Police.

Section 18-9 City Ordinance, Radios, record players, etc.
It shall be unlawful for any person within the city to use or operate or cause to be operated or to play any radio, phonograph, juke box, record player, loud-speaker musical instrument, mechanical device, machine, apparatus, or instrument for intensification or amplification of the human voice or any sound or noise in a manner so loud as to be calculated to disturb the peace and good order of the neighborhood or sleep of ordinary persons in nearby residences or so loud as to unreasonably disturb and interfere with the peace and comfort of the occupants of nearby residences.

California Penal Code Section 415
Any person who maliciously and willfully disturbs another person by loud and unreasonable noise, is guilty of a misdemeanor.

THIS OUTSIDE AMPLIFIER PERMIT HAS BEEN APPROVED. HOWEVER, WE URGE YOU TO REMAIN CONSIDERATE OF THE GENERAL PEACE AND ORDER OF THE NEIGHBORS IN THE AREA. FAILURE TO ABIDE BY THESE REGULATIONS CAN RESULT IN REVOCATION OF THE PERMIT.

cc: ____________________________

______________________________

______________________________

3/27/01
The Certificate Holder is included as Additional Insured where required by written and signed contract or permit subject to the terms and conditions of the General Liability policy, but only to the extent bodily injury or property damage is caused in whole or in part by the acts or omissions of the insured.
THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

<table>
<thead>
<tr>
<th>Name Of Additional Insured Person(s) Or Organization(s)</th>
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<tbody>
<tr>
<td>City of Porterville, its Officers, Employees, Agents and Volunteers</td>
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<tr>
<td>c/o City of Porterville</td>
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<tr>
<td>Successor Agency to the Porterville Redevelopment Agency</td>
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<tr>
<td>291 N. Main St.</td>
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<tr>
<td>Porterville, CA 93257</td>
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RE: Porterville Breakfast Rotary 5K Cancer Run at Granite Hills High School on May 4, 2013

The additional insured status is only provided if required in a written contract or permit subject to the terms and conditions of the General Liability policy

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for “bodily injury”, “property damage” or “personal and advertising injury” caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

A. In the performance of your ongoing operations; or
B. In connection with your premises owned by or rented to you.