SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT – FAMILY CRISIS CENTER - MUD RUN – JUNE 1, 2013

SOURCE: Finance Department

COMMENT: The Family Crisis Center is requesting approval to hold a Mud Run event, from 7:00 a.m. until 2:00 p.m., on Saturday, June 1, 2013 at the Off Highway Vehicle Park at 2701 W. Scranton Avenue. This fundraising event will be a one mile course through many different types of obstacles for participants of all ages and skill levels. No street or sidewalk closures have been requested.

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 and Exhibit A.

RECOMMENDATION: That the Council approve the attached Community Civic Event Application and Agreement submitted by the Family Crisis Center, subject to the stated requirements contained in Exhibit A.

ATTACHMENT: Community Civic Event Application, Agreement, Exhibit A, Map, Outside Amplifier Permit and Insurance Certificate.

DD MB Appropriated/Funded MB JCM MB Item No. 9
CITY OF PORTERVILLE
APPLICATION AND AGREEMENT FOR A PERMIT TO HOLD A
COMMUNITY CIVIC EVENT OR OTHER ACTIVITY TO BE HELD ON PUBLIC PROPERTY

Application date: Dec 31st 2012  Event date: June 1st 2013
3/9/12 (Central California)  Event time: 7:00am - 2:00pm
Name of Event: Family Crisis Center Mud Run

Sponsoring organization: Family Crisis Center PHONE # 559-781-7462
Address: 770 N Main St Porterville CA 93257
Authorized representative: Krystle Contreras PHONE # 559-781-7462
Address: 770 N Main St Porterville CA 93257
Event chairperson: Krystle Contreras PHONE # 559-781-7462

Location of event (location map must be attached): 2701 W Scranton Ave
Porterville CA 93257 (OHV Park)
Type of event: Mud Run, Race on feet through muddy obstacles.

Nonprofit status determination: 501(c)(3) BL # 4815

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

Barricades (quantity): Yes ☒  No ☒
Police protection: Yes ☒  No ☒
Other:

Street sweeping: Yes ☒  No ☒
Refuse pickup: Yes ☒  No ☒

Parks facility application required: Yes ☒  No ☒  Attached
Assembly permit required: Yes ☒  No ☒  Attached

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

Approve  Deny

Bus Lic Spvr
Pub Works Dir
Comm Dev Dir
Field Svcs Mgr
Fire Chief
Parks Dir
Police Chief
Deputy City Mgr
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: Family Crisis Center Mid Run
Sponsoring organization: Family Crisis Center
Location: 2701 W Scranton Ave  Event date: June 19th 2023  Event time: 7:00am - 2:00pm

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. 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>
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<tr>
<td>list will be provided 2 weeks prior to event</td>
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Municipal Code 15-1: ITINERANT VENDOR OR ITINERANT MERCHANT: All persons, both principal and agent, who engage in a temporary or transient business in the city, selling or offering to sell goods, wares or merchandise or any other thing of value, with the intention of conducting such business for a period of less than ninety (90) days, and who for the purpose of such business hires, leases or occupies any room, doorway, vacant lot, building or other place, for the exhibition for sale of goods, wares, merchandise or other thing of value. If any such place, occupied or used for such business, is rented or leased for a period of less than ninety (90) days, such fact shall be presumptive evidence that the business carried on therein is a transient business; and any person so engaged shall not be relieved from the provisions of this section or from payment of the license taxes herein provided for such business, by reason of any temporary association with local dealer, trader, merchant or auctioneer.
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.

Authorization: This permit must be submitted NO LESS THAN 30 days PRIOR to the date of the event in order to obtain City Council approval.

City Code requirements:
At least 48" must remain clear on sidewalks for pedestrian traffic.
Do not block any entrance to or exit from buildings.
Area must be accessible to emergency and safety personnel and vehicles.
Electrical cords must be approved and installation checked by the Fire Department.

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 shall be named as additional insured. When the location of the event is in Downtown Porterville, the Porterville Redevelopment Agency must also be named as additional insured. The amounts of such insurance and any additional requirements are listed in Exhibit "A." A Certificate of Liability Insurance form sample is enclosed for your convenience. This original certificate shall be submitted to the Finance Department prior to the City of Porterville Council’s approval. ___KL_ 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. ___KL_ 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. ___KL_ 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. ___KL_ 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.

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<tr>
<th>Family Crisis Center</th>
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<tr>
<td>(Name of Organization)</td>
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<td>__<em>KL</em></td>
<td>Signature</td>
<td>Date</td>
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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: Family Crisis Center Mud Run

Sponsoring organization: Family Crisis Center

Event date: June 1st 2013

Hours: 7:00am - 2:00pm

ATTACH MAP MARKING AREAS TO BE CLOSED OR USED:

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<th>Street Name</th>
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<th>Sidewalks</th>
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<th>Parking lots and spaces</th>
<th>Location</th>
<th>Activity</th>
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REQUIREMENTS FOR COMMUNITY CIVIC EVENT

FAMILY CRISIS CENTER

MUD RUN

JUNE 1, 2013

Finance Director:
M. Bemis

Public Works Director:
B. Rodriguez

Community Development Director:
B. Dunlap

Field Services Manager:
B. Styles
No comments.

Fire Chief:
G. Irish
No comment.

Parks and Leisure Services Director:
D. Moore
All course prep must be coordinated with and approved by OHV staff. Vehicles to remain in designated parking areas at the Sports Complex and OHV Park.

Police Sergeant:
R. Standridge
No comment.

Administrative Services Director:
P. Hildreth
Risk Management requires all participants to sign a Liability Waiver form.
REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor: Family Crisis Center
Event: Mud Run
Event Chairman: Krystle Contreras
Location: OHV Park
Date of Event: June 1, 2013

RISK MANAGEMENT: Conditions of Approval

That the Family Crisis Center, 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.

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.
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.

1. Name and home address of the applicant:
   Kristie Jimenez, 770 N. Main St.
   Porterville CA 93257

2. Address where amplification equipment is to be used:
   2701 W. Scranton Ave.

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

4. Type of event for which amplification equipment will be used:
   Mud Run

5. Dates and hours of operation of amplification equipment:
   7:00am - 2:00pm

6. A general description of the sound amplifying equipment to be used:
   DJ equipment and PA system

Section 18-9
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, jukebox, record player, loudspeaker, 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.

The operation of any such instrument, phonograph, jukebox, machine or device in such manner as to be plainly audible at a distance of one hundred feet (100') from the building, structure, vehicle, or place in which, or on which it is situated or located shall be prima facie evidence of a violation of this section.

(Ord. Code § 6311)

Section 18-14
It shall be unlawful for any person to maintain, operate, connect, or suffer or permit to be maintained, operated, or connected any 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, except as may be necessary to amplify sound for the proper presentation of moving picture shows, or exhibiting for the convenient hearing of patrons within the building or enclosure in which the show or exhibition is given, without having first procured a permit from the chief of police, which permit shall be granted at the will of the chief of police upon application in writing therefore, but which permit, when granted, shall be revocable by the city council whenever any such loudspeaker or sound amplifier shall be the cause of objectionable, and any such permit may be so revoked with or without notice, or with or without a formal hearing, at the option of the council, and in the event of the revocation of any such permit, the same shall not be renewed, except upon application as the first instance.

(Ord. Code § 6312)

Penal Code Section 415 (2)
Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of not more than four hundred dollars ($400), or both such imprisonment and fine:
   (2) Any person who maliciously and willfully disturbs another person by loud and unreasonable noise.

I hereby certify that I have read and answered all statements on this registration form and that they are true and correct.

Signature of Applicant

Date

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 REVOCA.TION OF THE PERMIT.

City of Porterville, Chief of Police/Designee

Date
CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFRONS 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).

PRODUCER
DLL Insurance Agency II
1401 Fulton St Ste 200
Fresno, CA 93721
Greg Anderson

CONTACT
NAME: Rebecca Bejarano
PHONE: 559-451-3411
FAC No. Ext: 559-451-3411
E-MAIL ADDRESS: rbejarano@dllinsurance.com
FAX: 559-451-3411
INSURER(S) AFFORDING COVERAGE:
INSURER A: Nonprofits' Insurance Alliance
NAIC #:

INSURED
Central California Family
Crisis Center
770 Main Street
Porterville, CA 93257

COVERAGES
CERTIFICATE NUMBER:
REVISION NUMBER:

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.

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<th>LIMIT</th>
<th>TYPE OF INSURANCE</th>
<th>ADDED SUB W190</th>
<th>POLICY NUMBER</th>
<th>POLICY EFFECT</th>
<th>POLICY EXP</th>
<th>LIMITS</th>
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<td>$ 500,000</td>
<td>$ 20,000</td>
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<td>PRODUCTS - COMPOUND AGG</td>
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COVERAGE SUMMARY:

GENERAL LIABILITY

A X COMMERCIAL GENERAL LIABILITY
CLAIMS-MADE X OCCUR

AUTOMOBILE LIABILITY

ANY AUTO
ALL OWNED AUTOS
HIRED AUTOS
UMBRELLA LIABILITY
EXCESS LIABILITY

WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY

Y/N N/A

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Notice of Cancellation is 30 days except in the event of cancellation for non-payment or premium which is 10 days. RE: Mud Run Located at: Off HWY 2701 W. Scranton, Porterville, CA 93257 June 1st, 2013. Certificate Holder is named as Additional Insured.

CERTIFICATE HOLDER

The City of Porterville
291 N. Main Street
Porterville, CA 93257

CANCELLATION

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

© 1988-2010 ACORD CORPORATION. All rights reserved.
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

Name of Person or Organization:

Any person or organization that you are required to add as an additional insured on this policy, under a written contract or agreement currently in effect, or becoming effective during the term of this policy, in consideration of food contributions or client referrals you receive from them.

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule as an insured but only with respect to liability arising out of your operations or premises owned by or rented to you.