SUBJECT: APPROVAL FOR COMMUNITY CIVIC EVENT - FILIPINO-AMERICAN

ASSOCIATION OF CALIFORNIA - FILIPINO-AMERICAN WEEK,

SEPTEMBER 28 - 29, 2013

SOURCE: Finance Department

COMMENT: The Filipino-American Association of California is requesting approval to hold their annual Filipino-American Weekend at Veteran's Park, on Saturday and Sunday, September 28 and 29, 2013, from 8:00 a.m. to 9:00 p.m. The event is being held as a weekend of cultural celebration of the Filipino-American heritage with displays of folk dances, songs and cuisine, along with a car show.

A motorcade with no street closures is requested for a procession using one lane around the park on Saturday, September 28, 2013. In order not to impede or interfere with the normal flow of traffic, participants will abide by all traffic laws and rules of the road.

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 Filipino-American Association of California, subject to the stated

requirements contained in Exhibit A.

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

Exhibit B, Outside Amplifier Permit and Certificate of Liability

Insurance.

DD MB Appropriated/Funded MB C.M

Item No. 6

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

	COMMUN	NITY CIVIC	EVENT OR OT	HER ACT	IVITY TO BE	HELD ON	PUBLIC PRO	PERTY	
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			Field Svcs. Mgr.						
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			Parks Dir.					· · · · · · · · · · · · · · · · · · ·	
			Police Chief						
			Admin. Svcs. Di						

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.

<u>All City Code requirements</u> 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.

<u>Liability insurance</u>: 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 559-733-6932; 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.

Fil-Ame Ath, of CA The. Mane of Organization) 8/23/13
(Name of Organization) (Date)

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. ()

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.

Event date:

Sponsoring organization:

separate licensing pursuant to this subsection E16.

city, and one copy retained by the CCE sponsor for a period of three (3) years for audit purposes.

	rofit organizations per *City of Porter be completed at the time of applicatio T.		
Vendor name MELYS Bobalicions	Address/Telephone 968 W CLEO AVE	Business License required?	Type of Activity 5 mao fh 1
	Porterville, CA9325	7 Tunposony	Prinks
		Vandor Par	mif Ford
Melanies Find	(539) 781 - 1523	Temperary	Gerving
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Applicant regu	rests sprinkled a Hudau 9/28/1=	lo not con	ne on at
night on So	HULDOU 9/28/13	3	
Municipal Code 15-20(E) Comp	nunity Civic Events (16): Business License Fees:	Any individual company firm	concessionaire fair operator carnival

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

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

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,

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:			
Sponsoring organization	ר:		/
Event date:		Hours:/	 .
ATTACH MAP MARKIN	NG AREAS TO BE CLOSED OR	USED:	
	Closed		
Street Name	<u>From</u>	<u>/ To</u>	<u>Activity</u>
	·		
	1		
	/ 19		
<u>Sidewalks</u>	<u>From</u>	<u>To</u>	Activity
Parking lots and spaces	Locat	ion	Activity
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REQUIREMENTS FOR COMMUNITY CIVIC EVENT

FILIPINO-AMERICAN ASSOCIATION OF CALIFORNIA

FILIPINO-AMERICAN WEEKEND

SEPTEMBER 28 - 29, 2013

Finance Director:

M. Bemis

Public Works Director:

B. Rodriguez

Community Development Director:

B. Dunlap

Field Services Manager:

B. Styles

No comment.

Fire Chief:

G. Irish

Approved without comment.

Parks and Leisure Services Director:

D. Moore

Park closes at 10 p.m. Applicant assumes responsibility of all equipment left in the Park

overnight.

Police Captain:

D. Haynes

See attached conditions/requirements on

Exhibit B.

Administrative Services Director:

P. Hildreth

See Exhibit A, Page 2

REQUIREMENTS FOR COMMUNITY CIVIC EVENT

Sponsor:

Filipino-American Association of California

Event:

Filipino-American Weekend

Event Chairman:

Marilou A. Agpaoa

Location:

Veterans' Park

Date of Event:

September 28 - 29, 2013

RISK MANAGEMENT: Conditions of Approval

That the Filipino-American Association of California 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 <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.

APPLICATION FOR COMMUNITY CIVIC EVENT

Proposed Event:

Filipino-American Week - Veteran's Park - September 28 & 29, 2013

Staff Comments: Conditions/Requirements by Police Department

- No street closures have been mentioned, but all street closures require City Council approval.
- Participants in any procession on city roadways must comply with all traffic laws and rules of the road. Additionally, they shall not impede traffic or generally interfere with the normal flow of vehicle or pedestrian traffic.
- There shall be no sales, possession or consumption of alcoholic beverages in the park during the event.
- Amplified music or sound shall not continue beyond 8:00 p.m., which is later than the time requested and approved on an outside amplifier permit.
- Event organizers shall contact Porterville Police Sergeant Rick Carrillo at 559-782-7418 or 559-782-7400 well in advance of the event in order to determine additional policing concerns/requirements.

Dan Haynes / Captain
Porterville Police Department

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.

11 1 1 aco tol acom
1 Name and home address of the applicant: Marilon A. Agpava, 968 W CLEO AVE
Porterville, CA 93257.
2 Address where amplification equipment is to be used: Porfyring Versions Park
3 Names and addresses of all persons who will use or operate the amplification equipment: Ely C. Agrava 968 W CLED EVE, Perserville CH 93257
4 Type of event for which amplification equipment will be used: Fullpina Culfural Celebrah
5 Dates and hours of operation of amplification equipment: $\frac{544.78,7013}{544.79,7013}$ Sunpty 8:00 = 2:0
6 A general description of the sound amplifying equipment to be used: Sound System, 2 Speakers, 1 Mceiver, KARAVIKE SINGING MACHINES
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 primal 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 operated, or connected any 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, 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 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 by the council be deemed 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 Co
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 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.

City of Porterville, Chief of Police/Designee

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 08/19/2013

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).

PRODUCE	₽.					CONTA NAME:	ACT				
Walter Mortensen Insurance						PHONE					
P.O. B	ox 1960					E-MAIL ADDRESS:					
Porterville, CA 93258							INSURER(S) AFFORDING COVERAGE NAIC #				
559-781-5200 Daren Griswold									surance Company		21873
INSURED								101 0110	aranco company		21075
Fil - An	ner Association Of	Calfornia,				INSURER B:					
20441	Ave 164					INSURER C:					
						INSURER D:					1
Porterv	ille, CA 93257					INSURER E:					
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	HIRED AUTOS	AUTOS			•				(Per accident)	\$	
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DED RETENTION\$ WORKERS COMPENSATION									WC STATU- OTH-	\$	<u> </u>
AND EMPLOYERS' LIABILITY Y/N									I TORY LIMITS I ER		
ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?			N/A						E.L. EACH ACCIDENT	\$	•
(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below									E.L. DISEASE - EA EMPLOYEE	\$	
DÉS	CRIPTION OF OPERATIO	NS below							E.L. DISEASE - POLICY LIMIT	\$	
							·				
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) Additional Insured: City Of Porterville - Vetran's Park											
CERTIFICATE HOLDER						CANC	CELLATION				
City Of Porterville - Vetran's Park 1501 W Henderson						SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN					
Porterville, CA 93257							ACCORDANCE WITH THE POLICY PROVISIONS.				
						Robert V. Nuccio Cobert V. fusio					
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Policy Number: NAEP054868

Additional Insured - Person, Organization or other Entity - Sole Negligence - 600002STEP 09 12

Policy Amendment(s) Commercial General Liability

This endorsement modifies insurance provided under the following:

Commercial General Liability Coverage Part

Schedule

Name of Additional Insured Person(s) or Organization(s) or other Entity(ies)

City Of Porterville - Vetran's Park

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 insured the person, organization or other entity shown in the Schedule above but only to the extent that bodily injury, property damage or personal and advertising injury is caused by the sole negligence of the Memorandum of Insurance holder.

Any Additional Insured Person(s) or Organization(s) or other Entity(ies) covered under this policy is subject to the policy forms, terms, conditions, exclusions, limitations and provisions.

This Endorsement is otherwise subject to all the terms, conditions, exclusions, limitations, and provisions of the policy to which it is attached.

D. Frické

This Form must be attached to Change Endorsement when issued after the policy is written. One of the Fireman's Fund Insurance Companies as named in the policy

Secretary

President

600002STEP9-12

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