

# *City of Brisbane*

## *Agenda Report*

To: City Council via City Manager

From: Stuart Schillinger, Deputy City Manager

Subject: Approval of Park Use Permit

Date: March 18, 2013

### **Purpose:**

Provide a venue for a special event which could become an annual event in Brisbane.

### **Recommendation:**

Approve the applications for the use of the Community Park for both the Excelsior Club (Attachment 1) and the Mothers of Brisbane (Attachment 2). Approve Co-sponsoring the race with the Excelsior Club.

### **Background:**

The Excelsior Running Club puts the Zippy 5K race on every year. In the past it has been held in Golden Gate Park. Last year there were 413 runners who came from throughout the Bay Area and the Sacramento region to run.

### **Discussion:**

The Excelsior Club has requested to run the race in Crocker Industrial Park this year on April 21, 2013. The race begins at 8:30 and is anticipated to be over by 9:30. The Public Works Director has provided the club with a traffic control plan to be used for the race course. The cost of setting up and taking down the plan elements is about \$1,000 including staff time. In addition to the route the organizers would like to use the Basketball Courts as the registration area and the Community Park as an area for the participants and clubs to gather before and after the race. Although the race itself will be run from 8:30 to 8:30 am with set-up and take down it is anticipated the park would be used from 7:00 am to 1:00pm. This timeframe would not interfere with the City's ability to rent out the picnic areas for that day. If approved we would inform the Tai-Chi group which uses the park on Sunday Mornings about the use. He Tai-Chi group is not an officially sponsored City class and just uses the park on a first-come first use basis.

The Excelsior Club will be donating a portion of its proceeds to the Mother's of Brisbane in the quest to raise funds for refurbishing the skateboard park.

The Economic Development Subcommittee has discussed the use of City facilities and businesses within the City to sponsor or host special events. By having larger special events which reach outside our local community we will be able to expose Brisbane businesses to people who may never ventured into Brisbane, thereby increasing the number of people who are aware of our local businesses and could use them in the future.

The Mothers of Brisbane is also requesting a park permit for April 21, 2013 to use the Gazebo. As the permit application shows it will be set-up a beer garden as a fundraiser. It is anticipated that this fundraiser will also raise funds for the refurbished skateboard park. The hours of operation will be from 11-2 but will need

additional set-up and take down time. The Mothers of Brisbane anticipate having music in this area as well. The area will be separated from the rest of the park with some type of rope or ribbon. The beer will only be consumed within the segregated area and will not be available throughout the park.

**Fiscal Impact:**

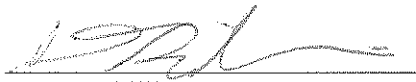
Both the Excelsior Running Club and the Mothers of Brisbane are seeking co-sponsorship of these events. The co-sponsorship for the Excelsior Running Club would be to cover the cost of the traffic control plan (\$1,000), Police Overtime (\$200), waiving the per person traffic encroachment fee (\$400), and waiving the fee for the use of the park (\$138).

The co-sponsorship for the Mothers of Brisbane would be waiving the cost of renting the gazebo area for which is \$60 an hour or \$300.

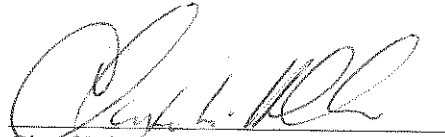
The outlay of funds the City will need to do for this event is overtime for Public Works employees to set-up and take down the traffic control in Crocker Industrial Park, rental of some traffic control devices, and potentially some overtime for a police officer to monitor the traffic. The City has already expended the \$20,000 set aside for co-sponsorships so this additional cost would need to be approved as a supplemental budget request. Since the exact amount of time needed for overtime is unknown City Council could approve a not exceed amount of \$1,100.

**Measure of Success:**

A successful event that promotes awareness of the City and raises funds for the Skateboard Park.



Stuart Schillinger  
Deputy City Manager



Clay Holstine  
City Manager

# COMMUNITY PARK DAY USE PERMIT APPLICATION

Recycling Encouraged — Use Designated Containers in the Park

BRISBANE PARKS & RECREATION DEPARTMENT  
 50 PARK PLACE, BRISBANE, CA 94005  
 FOR RESERVATIONS 415 / 508-2140  
 NON-EMERGENCY CITY ASSISTANCE 415 / 467-1212

1. **RESERVATION REQUEST**  
 Contact Person/Organization: Cliff Lentz / Excelsior Running Club Today's Date: 2/8/13  
 Primary Phone: 650-219-0293 Secondary Phone: 415-467-7041  
(please circle: cell / home / work) (please circle: cell / home / work)  
 Address: 611 Humboldt Rd City: Brisbane State: CA Zip: 94005  
 E-Mail: cliff.lentz@sbcglobal.net CDL#: C1562170


2. **EVENT** (circle all that applies)  
 Picnic Area(s): 1 2 3 4 Tables: A B C D Grassy Area(s): East West Gazebo  
 Date: 4/21/13 Day of Week: Sunday  
 Starting Time: (include time for set-up) 7AM Ending Time: (include time for clean up) 1 PM  
 Number attending under 18 years old: 20 18 - 20 years: 20 21+ years: 360

3. **Describe your event** Include nature of event and specific description of use of park.  
running race - post event congregation - team and sponsor booths

Please check boxes that apply to your event:

- Jump House\*    Alcohol    Amplified Music/Sound\*\*    Volleyball/Badminton Net    Piñatas    Barbeque  
 \*generator needed for jump house, power not provided   \*\*signature on noise ordinance may be required

4. **NOTICE:** This is a legal document which limits our liability, please read carefully! By Signing this document you state that (1) you assume all risk of injuries from participation in this activity, (2) you release the City of Brisbane, its officers, employees, agents, and servants from all liability arising out of your participation in this activity. I, ASSUMPTION OF RISK, I voluntarily participate in the activity described in the Brisbane Community Park Use Permit, fully aware of the dangers and risks involved and knowing that the City of Brisbane does not guarantee the construction, condition, or safety of the facilities or the equipment, not the supervision of the activity by its officers, employees, agents, and servants. I expressly assume the risk of all loss, damage or injury from my participation in or presence at the said activity. II. RELEASE OF LIABILITY: In consideration for the opportunity to participate in this activity and the services provided by the City of Brisbane, I (on behalf of myself, my heirs, assigns, and legal representatives) release the City of Brisbane, its officers, employees, agents, and servants from any liability arising out of my participation in or presence at the described activity in the Brisbane Community Park Day Use Permit. I expressly absolve the City of Brisbane, its officers, employees, agents, and servants of liability for their negligence.

Applicant's Signature: 

**OFFICE USE ONLY**

<p><b>Application Received:</b>                  Date: <u>2-8-13</u> By: <u>N Carpenter</u></p> <p><b>Application Approved:</b>                  Date: _____ By: _____</p> <p><b>Jump House Approved:</b>                  Date: _____ By: _____</p>	<p><b>Fees:</b>                  Tables: \$ _____ Grass Area: \$ _____                  Gazebo: \$ _____ Gazebo Dep: \$ _____                  Total Fees: \$ _____                  Cr Card / Cash / Ck# _____                  Issued: Police: _____ Attendant: _____</p>
--	---

# Brisbane Parks & Recreation Department Community Park Use Guidelines

## A. RESERVATION PROCEDURE

1. Reservations may be made by contacting the Brisbane Parks & Recreation Department, during normal business hours. Persons/groups wishing to reserve a designated Park area should have alternatives in case their first choice of date and/or time have already been reserved.
2. The application must be completed and filed in person or by mail by an adult representative of the group applying, and for youth groups, by an adult supervisor or representative. No permit will be issued to a minor.

The applicant or group representative agrees to be present during the entire time reserved by their group.

Permit applications must be fully completed and submitted with payment for permit to be issued. This process must be completed no less than three (3) working days prior to the desired date for groups of less than one hundred (100) persons. Payment may be made using credit card, check or cash. Reservations are not valid until fees are paid in full.

Phone reservations will be held for five (5) working days and will not be secured until the application process is complete and the fee is paid within the timeframe prescribed above.

## B. OTHER CONSIDERATIONS

1. Any person, group or organization which has damaged or destroyed any City property or has failed to follow established policy in the past may be denied a permit.

Initial *PL*

2. Users of the Park are responsible for any damages or extraordinary cleanup resulting from their use. Permit holders are prohibited from using nails, staples or other items that could damage the park or any of its facilities. Trees are a precious resource – please respect them.

Initial *PL*

3. The permit holder shall be required to perform all site preparation and all clean up following the completion of the event.

4. No person shall use or permit the use of any sound amplification device in any portion of the Park without specific permission of the City of Brisbane. All noise being emitted from said gathering must comply with the City of Brisbane Noise Ordinance.

5. Ball games, practices, tournaments or similar activities by any organized group shall be prohibited.

Initial *PL*

6. Permit holders shall not engage in any activity or set-up any equipment or decorations which infringes on other park users ability to use the Park or any of its other facilities.

Initial

7. Permit holders are prohibited from using bar-b-ques or other flammable devices in or within fifteen 15 feet of the Gazebo.
8. On any given date, a maximum of two (2) jump house permits will be issued.
9. **Permit holders who have been approved for use of a jump house MUST provide a secondary container in which the generator will sit. This will eliminate any fuel spillage onto the grassy area.**
10. Barbeque pits are available for use at no additional cost on a first-come first-served basis. Please dispose of spent coals into the provided hot ash containers.

**C. CANCELLATION POLICY**

Applicants must notify the Brisbane Parks & Recreation Department office within five (5) working days prior to the scheduled use date for a full refund less cancellation fee of \$8. Failure to cancel an event within this timeframe will result in forfeiture of the reservation fee.

**D. REFUND POLICY**

In the event of rain, groups will receive a refund or full credit toward a rescheduled date. Rainy day refunds will be determined by the Brisbane Parks & Recreation Department and reviewed as to whether or not the applicant had utilized the reserved area.

Allow approximately four weeks for processing of refunds.

**E. VIOLATIONS OF POLICY**

Violations of conditions of this policy guidelines or Park regulations shall be punishable by a fine.

I have read and understand these Guidelines and hereby agree to comply with the content. I understand that failure to observe these regulations of City, State or Federal law may result in severe penalties



Applicant Signature

2/8/13

Date

# COMMUNITY PARK DAY USE PERMIT APPLICATION

Recycling Encouraged — Use Designated Containers in the Park

BRISBANE PARKS & RECREATION DEPARTMENT  
 50 PARK PLACE, BRISBANE, CA 94005  
 FOR RESERVATIONS 415 / 508-2140  
 NON-EMERGENCY CITY ASSISTANCE 415 / 467-1212

1. **RESERVATION REQUEST**  
 Contact Person/Organization: DEE DEE PORTER / MOB ad Today's Date: 2/21/13  
BEST P.T.O.  
 Primary Phone: 415-420-0829 Secondary Phone: \_\_\_\_\_  
(please circle: cell / home / work) (please circle: cell / home / work)  
 Address: 449 SAN BRUNO AVE City: BRISBANE State: CA Zip: 94005  
 E-Mail: deedee@deedeeporter.com CDL#: \_\_\_\_\_

2. **EVENT** (circle all that applies)  
 Picnic Area(s): 1 2 3 4 Tables: A B C D Grassy Area(s): East West Gazebo  
 Date: 4/21/13 Day of Week: SUNDAY 2:30  
 Starting Time: (include time for set-up) 9:30 am Ending Time: (include time for clean up) \_\_\_\_\_  
 Number attending under 18 years old: 0 18 - 20 years: 0 21+ years: 200

3. **Describe your event** Include nature of event and specific description of use of park.  
Bees garden in gazebo after zippy 5k run  
 Please check boxes that apply to your event:  
 Jump House\*  Alcohol  Amplified Music/Sound\*\*  Volleyball/Badminton Net  Piñatas  Barbeque  
\*generator needed for jump house, power not provided      \*\*signature on noise ordinance may be required

4. **NOTICE:** This is a legal document which limits our liability, please read carefully! By Signing this document you state that (1) you assume all risk of injuries from participation in this activity, (2) you release the City of Brisbane, its officers, employees, agents, and servants from all liability arising out of your participation in this activity. I. **ASSUMPTION OF RISK:** I voluntarily participate in the activity described in the Brisbane Community Park Use Permit, fully aware of the dangers and risks involved and knowing that the City of Brisbane does not guarantee the construction, condition, or safety of the facilities or the equipment, not the supervision of the activity by its officers, employees, agents, and servants. I expressly assume the risk of all loss, damage or injury from my participation in or presence at the said activity. II. **RELEASE OF LIABILITY:** In consideration for the opportunity to participate in this activity and the services provided by the City of Brisbane, I (on behalf of myself, my heirs, assigns, and legal representatives) release the City of Brisbane, its officers, employees, agents, and servants from any liability arising out of my participation in or presence at the described activity in the Brisbane Community Park Day Use Permit. I expressly absolve the City of Brisbane, its officers, employees, agents, and servants of liability for their negligence.

Applicant's Signature: [Signature]

**OFFICE USE ONLY**

<p><b>Application Received:</b>                  Date: _____ By: _____</p> <p><b>Application Approved:</b>                  Date: _____ By: _____</p> <p><b>Jump House Approved:</b>                  Date: _____ By: _____</p>	<p><b>Fees:</b>                  Tables: \$ _____ Grass Area: \$ _____                  Gazebo: \$ _____ Gazebo Dep: \$ _____                  Total Fees: \$ _____                  Cr Card / Cash / Ck# _____                  Issued: Police: _____ Attendant: _____</p>
---	---