CITY OF FORT LAUDERDALE

OUTDOOR EVENT AGREEMENT

THIS AGREEMENT is made by and between:

CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida, referred to hereinafter as "City",

and

EXCLUSIVE SPORTS MARKETING, INC., OF FLORIDA., a profit corporation organized under the laws of Florida, whose principal place of business is 6421 Congress Avenue, Suite 103, Fort Lauderdale, Florida 33487 and who is referred to hereinafter as "Applicant" or "Sponsor".

WHEREAS, the Applicant wishes to hold an outdoor event and has submitted an application pursuant to the requirements of Section 15-182 of the Code of Ordinances of the City of Fort Lauderdale, Florida; and

WHEREAS, the Applicant is willing to obtain the requisite insurance, and is willing to indemnify and hold harmless the City of Fort Lauderdale for any damage to persons or property that might occur during or as a result of the outdoor event; and

WHEREAS, on January 22, 2013, by Motion, the City Commission of the City of Fort Lauderdale authorized the proper City officials to execute this Agreement.

NOW, THEREFORE, in consideration of the mutual promises made herein, the parties agree as follows:

The foregoing recitals are true and correct, and:

1. Effective Date.

The Effective Date of this Agreement is the date upon which City Commission approval is granted.

2. Outdoor Event.

The Applicant is permitted to operate or sponsor the AIA MARATHON (referred to hereinafter as the "Event") outdoors only at the location(s) and time(s) set forth in the attached Outdoor Event Agreement Schedule One, which is attached hereto and made a part hereof.

3. General Requirements.

- (1) If the Event includes use of fireworks, in advance of the Event the Applicant shall obtain a fireworks permit from the City's Fire Department. The Applicant shall comply with all applicable state laws regarding the use of fireworks.
- (2) The Applicant shall provide sanitary facilities of the type and in a sufficient number specified by the requirements established by the City's Department of Sustainable Development.
- (3) The Applicant shall coordinate with the City's Department of Sustainable Development who will schedule appropriate City staff to conduct electrical inspections of all electrical facilities whether power is supplied by local utilities or is self-provided by generator systems. The Applicant shall permit the City staff to conduct electrical inspections of all electrical facilities.
- (4) If the Event includes the sale or distribution of any food or beverages, the Applicant shall comply with all applicable state, county and City health code requirements.
- (5) If the Event includes use of tents, awnings, or canopies, in advance of the Event the Applicant shall submit current flameproof certificates to the City's Fire Department. The Applicant shall not hold or sponsor the Event until the fire department has provided written approval of the use of any tents, awnings, or canopies.
- (6) In advance of the Event the Applicant shall submit a written plan to the City Police Department that regards crowd control and traffic direction. The Applicant shall not hold or sponsor the Event until the Police Department has provided written approval of the Applicant's plan. The Applicant shall bear the cost of staff necessary to implement the crowd control and traffic direction plan. Police costs shall be exempt from prior notice requirements.
- (7) In advance of the Event the Applicant shall submit a written plan to the City's Fire Department that regards fire safety and EMS. The Applicant shall not hold or sponsor the Event until the Fire Department has provided written approval of the Applicant's plan. The Applicant shall bear the cost of staff necessary to implement the fire safety and EMS plans. Fire and EMS costs shall be exempt from prior notice requirements.
- (8) Unless the Applicant meets the requirements for exception found in Section 15-184 of the Code of Ordinances of the City of Fort Lauderdale, Florida, in

advance of the Event the Applicant shall provide a certificate of insurance satisfactory to the City's Risk Manager. The certificate shall show that the Applicant has obtained comprehensive general liability insurance with a policy limit of not less than one million dollars (\$1,000,000.00) combined single limit coverage, which shall include property damage, bodily injury, and death. The "City of Fort Lauderdale" shall be named as an additional insured. If the Event includes the dispensing, serving, sale, or distribution of any alcoholic beverage, the Applicant shall in addition provide liquor liability insurance with a policy limit of not less than of five hundred thousand dollars (\$500,000.00). The Applicant shall not hold or sponsor the Event until the City's Risk Manager has provided written approval of the Applicant's certificate of insurance or insurance policy.

- (9) The Applicant shall indemnify and hold harmless the city for any damage to person or property that occurs during or as a result of the operation of the Event.
- (10) In advance of the Event the Applicant shall submit a written plan to the City's Parks and Recreation Department that indicates the proposed location of any temporary structure, such as a barricade, fence, tent, concession stand, ticket booth, grandstand. The written plan shall include information about the planned removal of any temporary structure after the Event. The Applicant shall not hold or sponsor the Event or erect any temporary structure until the City's Parks and Recreation Department has provided written approval of the Applicant's temporary structure plan. The Applicant shall bear the cost necessary to implement the temporary structure plan.
- (11) The sale, possession, or consumption of any alcoholic beverage is prohibited while on or within any public place, or while on or within any vehicle located in a public place, which public place is located within the beach area as defined in Section 5-3(a) of the Code of Ordinances of the City of Fort Lauderdale, Florida except as authorized as a City-approved special event.
- (12) If the event includes the sale, possession, or consumption of alcohol within the beach area, the Applicant shall submit:
 - (1) a written plan designating the event dates and hours for sale of alcoholic beverages, and
 - (2) a written plan for enclosing, restricting or controlling access to the special event area, which must be approved by the police, Parks and Recreation Departments and any other governmental agency that may have jurisdiction;

4. Restoration of public property.

If the Event includes use of public property the Applicant shall be responsible for, and shall maintain, all areas of the public property used. Maintenance means the prompt and complete removal of Event-generated trash or debris and the repair or restoration of any public property that was damaged as a result of the Event. Public property means real and personal property that is not privately owned and includes, but is not limited to, any sidewalk or paved surface, any tree, plant, shrub, bench, light fixture, traffic signal, parking meter, trash barrel or sign.

The City shall inspect the Event site location(s) for damage within twenty-four hours of the conclusion of the Event and the City shall provide the Applicant with a written report of any damage found on public property. The report shall state the cost of repair(s) necessary to restore the public property. Within fourteen days of the Applicant's receipt of this report the Applicant shall pay the cost of repair or challenge the City's report by a writing addressed to the Director of the City's Parks and Recreation Department. Resolution of any such challenge shall be made by the City Manager; the Applicant agrees to abide by the City Manager's decision.

5. Reimbursement of expenses.

Should the City incur expenses as a result of the Event the City shall provide the Applicant with an invoice of expenses. Within fourteen days of the Applicant's receipt of any invoice the Applicant shall pay the invoice or challenge the City's invoice by a writing addressed to the Director of the City's Parks and Recreation Department. Resolution of any such challenge shall be made by the City Manager; the Applicant agrees to abide by the City Manager's decision.

6. Authority of the City of Fort Lauderdale City Manager.

The City of Fort Lauderdale City Manager and his designee, the Director of the City of Fort Lauderdale Parks and Recreation Department (referred to hereinafter as "the Director") shall have the authority to suspend all or any part of the Event when the City Manager or the Director determines that the Event, or its attendees, or its spectators, pose(s) a threat to the public health, safety, or welfare. The City Manager also reserves the right to immediately revoke permission and to suspend or terminate the event or any portion of it if any of the elements of the agreement are violated.

7. Compliance with laws.

(1) The Applicant shall at all times comply with all federal and state laws or statutes, and with the rules, regulations, and ordinances of City and any other governmental agency having jurisdiction including, but not limited to, those relating to noise, building, zoning, gambling, fire protection, liquor regulation, and hours of operation. The Applicant shall further take all precautions and use

day of, 2	arties hereto have set their hands and seals this
VITNESSES:	CITY OF FORT LAUDERDALE
Safee ali	Mayor
Vitness print/type name]	City Manager
Witness print/type name]	
	ATTEST:
	City Clerk
	Approved as to form:
	Assistant City Attorney

EXCLUSIVE SPORTS MARKETING, INC., OF FLORIDA

By Mint herms

MATTHEW LORRAINE, CEO

[Print/type name and title]

[Witness print/type name]

(CORPORATE SEAL)

ATTEST:

Secretary

STATE OF FL: COUNTY OF Palm Beach:

The foregoing instrument was acknowledged before me this 15th day of School 2013 by MATTHEW LORRAINE, as CEO of EXCLUSIVE SPORTS MARKETING, INC., OF FLORIDA. He She is personally known to me or has produced ______ as identification.

(SEAL)

Notary Public, State of Florida (Signature of Notary Taking Acknowledgment)

LINDA MEYER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE028810
Expires 1/21/2015

Name of Notary Typed, Printed or Stamped

My Commission Expires: 1/21/2015

EE058810

Commission Number

Memorandum

To:

Harry Stewart, City Attorney

From:

Jeff Meehan, Outdoor Event Coordinator

Date:

December 19, 2012

Re:

Request for Event Agreement

A1A Marathon Please ask your staff to prepare an event agreement for the above named event. Attached to this memo is the application, proof of corporate identification and Schedule 1, which should be attached to the agreement as an exhibit. In addition, the following City Departments have reviewed and approved the plans:

City Police Department has reviewed the application and requires does not require the applicant to pay for security personnel for crowd control and traffic direction purposes.

City Fire Department has reviewed the application and approved the proposed safety staffing plan (contingent upon compliance with the Florida Fire Prevention Code and passing any required inspections).

City Risk Manager has reviewed and approved the Certificate of Insurance. comprehensive general liability insurance, one million dollars (\$1,000,000). liquor liability insurance, five hundred thousand dollars (\$500,000).

City Building Department has reviewed and approved the proposed use of temporary structures and electrical facilities.

City Parks and Recreation Department has reviewed and approved the proposed set-up, clean-up plan.

___ Other City Department: $\cancel{\mathbb{M}^{\mathcal{N}}}$ has reviewed and approved the proposed plan.

Please contact me at (954) 828-6075 if you have any questions. Thank you.



CITY OF FORT LAUDERDALE OUTDOOR EVENT APPLICATION

\$100 Fee must accompany application

Application must be filled out completely. In DARK ink or type, and submitted at least 90 days ahead of your planned event.

The application will be reviewed by our administrative staff to determine the following criteria:

- 1. Facility requested
- 2. Compliance with City ordinances
- 3. Special permits required
- 4. Charges your organization will incur when City assistance and/or services are required
- 5. Security requirements
- 6. Environmental Issues/effects on surrounding areas

PART I: EVENT REOUEST			
Event name: A1A Marathon	· · · · · · · · · · · · · · · · · · ·		
Purpose of event (check one): Fund	iraiser □ Awareness	☐ Recreation XOth	Fitness Activity for the public
Detailed event description: in it's 8th year. The event is scheduled for February , 17 2012 st			
east on las clas, through birch state park, North	on a1a to pompano, where	they turn around and run south o	on a1a to South beach Parking lot
Requested location: South Beac	h Park and Hu	igh Taylor Birch	State park
Estimated dally attendance: 5000			
Requested dates and time of event: DATE BEGIN SETUP: 2/15/13	DAY Friday	BEGIN 10am AM/PM	ËND
EVENT DAY 1: 2/17/13		5:30am AM/PM	12pm _{AM/PM}
EVENT DAY 2:	•	AM/PM	AM/PM
EVENT DAY 3:		AM/PM	AM/PM
BREAKDOWN: 2/17/13	Sunday		5pm_AM/PM
Has this event been held in the past? If yes, please list past dates an	nd locations: South E	Beach Park and Hugh	Taylor Birch State park
February- 2006, 2007, 2008, 200	U9, TU, TT, T2		

PART II: APPLICANT	
Organization name: Exclusive Sports M	larketing
	City, State, Zip: Delray Beach, FL
Phone: 561.504.2001	
Non-Profit Organization?Yes _XNo	Tax ID #:
Corporation name: Exclusive Sports M	arketing
(as It app	pears in articles of incorporation)
Date of incorporation: 10/2//1986 State	Incorporated In: Florida Federal ID #: 592743367
Two authorizing officials for the organization: President: Chris Colgan	Phone: 561.241.3801
Secretary: Linda Meyer	
Event Coordinator Name: Troy Forte	
	Cell: 585.414.8769
E-mail address: troy@eventsolutionsfi	.com _{Fax:} <u>561.241.3805</u>
Event production company (if other than applican	.+\•
	t):
	City, State, Zip:
Contact person:	Title:
Phone: (day) (night)	(œll)
E-mail address:	Fax:
PART III: EVENT INFORMATION	
Are you planning to charge admission? If yes, how much? \$ 55-95	X_YesNo
Are you requesting to fence the event?	Yes <u>XNo</u>
Are you planning on having any type of concession If yes, State Health Dept. must be notified	on? Yes X No d 10 days prior to event. Call John Litscher at 954-632-8094.
Are you planning on selling alcoholic beverages? If yes, how will the beverages be served? (Draft truck, cold plate, mini-bar, beer tub, table service, etc.)
Are you planning an confus free steehalls because	gggg V Voolk No
Are you planning on serving free alcoholic bevera If yes, to whom will it be given? Yes, Registe	

Are you planning to have any type of amusement rides? If yes, name of company:	Yes _XNo
What type of rides are you planning? (All rides must be approved by the State of Florida Bures prior to opening. Contact Ron Jacobs at jacobs@doacs.s	
Are you planning to play or have music? If yes, what music format(s) will be used? (amplified, ao	X YesNo oustic, recorded, live, disc jockey, etc):
List the type of equipment you will use (speakers, amplif Amplified, Live, race announcements and music will be amplified do	
Will you use any type of soundproofing equipment?	
List the days and times music will be played: $\frac{2/17/13}{2}$	3 8am
How close is the event to the nearest residential use?	
Will your event require road closings? X Yes No If yes, list requested streets and times in detail :	
Please see attached Map	
Please attach a layout of your traffic plan, including the place arrows, cones, and message boards, as well as the name of the be approved by the Police Dept. which may terminate any event Will your road closings affect access to parking spaces or parking *****PLEASE NOTE****** All road closings which result in lost be billed to the event organizer and must be paid in full before to	e company you will be using. Your traffic plan must coccurring without the proper use of barricades, glots?Yes XNo s of revenue from inaccessible parking spaces will
Will any recyclable materials be utilized at this event? (Materials that can be recycled include all clean paper, or cans, and milk or juice boxes.) Please refrain from the u	se of Styrofoam plates and cups.
Who will provide clean up services for garbage and recyclables?	Exclusive Sports Marketing
	(doinpan) name
Contact Name: Troy Forte ****PLEASE NOTE***** All grounds must be cleaned up im	Phone: 585.414.8769
materials should be recycled at all City facilities and parks. Recycled at all City facilities and parks. Recycled a private company or in some cases by the City of Fort Lauderds services. Contact Janet Townsend at	

PART IV: APPLICANT'S ACCEPTANCE/SIGNATURE

The information I have provided on this application is true and complete to the best of my knowledge.

Before receiving final approval from the City Commission, I understand that I (and the production company, if applicable) must furnish an original certificate of General Liability Insurance naming the City of Fort Lauderdale as additionally insured in the amount of at least one million dollars (\$1,000,000) or greater as deemed satisfactory by the City Risk Manager, and an original certificate of liquor liability insurance in the amount of \$500,000 if alcohol is being served.

I understand that a Parks and Recreation sponsored activity has precedence over the above schedule and I will be notified if any conflicts arise.

I understand that the City of Fort Lauderdale Police Department will determine all security requirements and that EMS is required by City Ordinance to be onsite during all outdoor events.

I understand that the City has a noise ordinance. If at any time during the event it is determined by law enforcement personnel, code enforcement personnel, parks and recreation personnel, or any other city representative that the entertainment or music is causing a noise disturbance, I will be directed to lower the volume to an acceptable level as determined by City staff. If a second noise disturbance arises during the event, I may be directed to shut down the music or entertainment for the remainder of the event. I agree to abide by all provisions of the noise control ordinance and understand that my failure to do so may result in a civil citation, a physical arrest, or the shutting down of the event.

Signature of applicant

Date 14/12

Ut of operations

Please return completed application at least 90 days ahead of your planned event, along with \$100.00 application fee (payable to the City of Fort Lauderdale) and an event site plan to:

Susan Fyfe Moinar, Outdoor Event Coordinator 1350 W. Broward Boulevard, Fort Lauderdale, FL 33312

E-mail address: smolnar@fortlauderdale.gov Phone: (954) 828-5362 Fax: (954) 828-5650

EVENT APPLICATION SUBMISSION CHECKLIST:

Completed application form

\$100 application fee payable to the City of Fort Lauderdale

Event Site Plan, showing:

 layout of event (stage(s), other types of entertainment, activities, booths, restrooms, canopies, dumpsters, fencing, generator location or other source of electricity, etc.)

 traffic plan (including the placement and number of barricades, signs, directional arrows, cones, message boards, and name of the barricade and/or directional traffic signs company being used.)

We are prepared to furnish our Certificate of Liability Insurance as well as our Certificate of Liquor Liability Insurance (if applicable) before submittal to the City Commission

FIRE DEPARTMENT OUESTIONNAIRE

DĐ	EVENTION .		
1.	Are you planning to have canopies (no sides) for this event? X Yes X No		
	How many and what sizes? (10-15) 10x10; (3) 20x40		
	Name of Company: Exclusive Sports Marketing		
	A building permit is required. Please contact Lt. Strandhagen at 954-828-5892.		
2.	Are you planning to have tents (with sides) for this event? Yes X No		
	How many and what sizes?		
	Name of Company:		
	In addition to a building permit, exit signs, emergency lights, fire extinguishers, and "No Smoking" signs are required for tents. A fire watch at overtime rate may apply, Contact Lt. Strandhagen at 954-828-5892,		
Bui	** <u>PLEASE NOTE</u> ***** All permits required by the Florida Bullding Code must be obtained through the ilding Department (including but not limited to electrical, structural, plumbing). Contact the Building Department 954-828-6520.		
3,	Are you planning to have fireworks?Yes _XNo		
	Name of company conducting the show:		
4,	Are you having food vendors? Yes X No		
	How many and what kind?		
	A fire extinguisher is required for each food booth. If a propane tank is used for a fuel source, it must be secured on the outside of the booth. A Fire inspection is required for all food booths. If the inspection is during non-working hours the cost will be \$60 - \$70 per hour.		
<u>op</u>	ERATIONS/EMS		
Spe	* One rescue unit/cart for 500 to 5,000 people in attendance (sustained attendance) * Two rescue units/carts for 5,000 to 10,000 people in attendance (sustained attendance) * One more rescue unit/cart per 5,000 additional people * One command person if two or more rescue units/carts are required		
The	e number of rescue units and paramedics is determined according to attendance and other risk factors.		
	Does your event require EMS medical standby services based on the guidelines above? YES X NONO		
2. \	What is your estimated sustained attendance? 5000		
3.	On-site contact? NAME Troy Forte PHONE 585.414.8769		
A n	ninimum of 4 hours will be charged for all special event details. 45 minutes will be added to the pre and post ent times (totaling 1.5 hours), allowing for travel and preparation for the event.		

5

		POLICE DEPARTM	IENT OUEST:	IONNAIRE		
1.	Does your event require use	of police vehicles?	V	Yes_X	No	
2.	Is this a new or previously h		New			
	Previous date(s)?	February-2006	3,07,08,0	9,10,11,12	·····	
3.	Any established security, tra	ffic, or other appropriat	e plan(s)?	Yes_X	No	
	If yes, besides Fort Lau (private security compa	iderdale Police, who will	you be using	for this plan?		
		, pompano and	broward	county offic	ers	
	private obtains	, portiporto arta				
4.	Do you have an established	detail of off-duty officer		Yes_X	No	
	Pat Hart	; '				
5.	Any notable entertainers or	special circumstances s	cheduled for y	our event? Yes	No_X	
	Who/What?		· · · · · · · · · · · · · · · · · · ·			
Th	understand the off duty rate te hourly rate and costs to be ents "Cost Estimate" workshe	Incurred by the event	organizer will	be quoted on the	City of Ft. Laude	rdale Special
,	157		,	1216/12		
Sig	gnature	· · · · · ·	Date	7/ / .~	.	

LEGEND

HYDRATION STATION AID STATION

SOUTH BOUND

NORTH BOUND



SCHEDULE ONE

1 Name of Applicant:

Exclusive Sports Marketing, Inc., of Florida

2 Name of Outdoor Event:

A1A Marathon

3 Date of Setup:

Friday, February 15, 2013

4 Time of Setup:

10:00 AM

5 Date of Event:

Sunday, February 17, 2013

6 Time of Event:

5:30 AM- 12:00 PM

7 Date of Breakdown:

Sunday, February 17, 2013

8 Time of Breakdown:

5:00 PM

9 Event Location:

Fort Lauderdale Beach Park/Birch State Park

10 Road Closings:

Yes- see attached race route

11 Alcohol:

Yes

12 Previous Code Violations:

No

TOPESONE ALA MARAFION



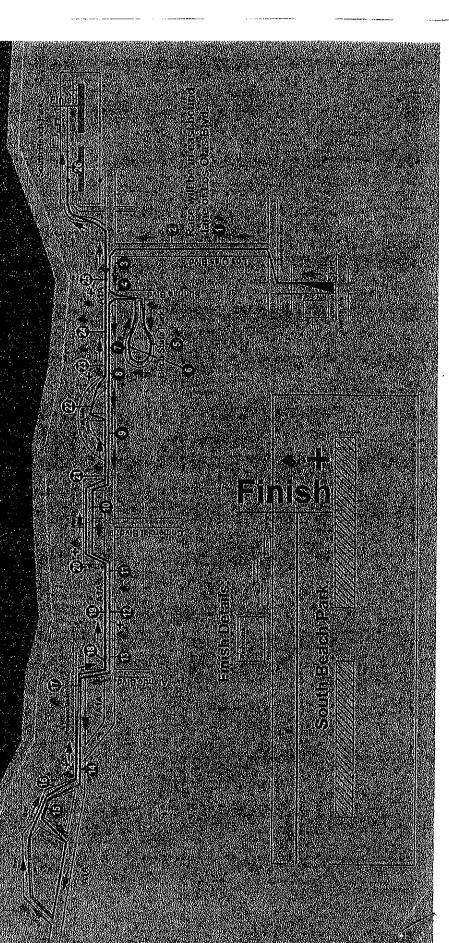
LEGEND

NORTH BOUND

SOUTH BOUND

ALD STATION





DOCUMENT ROUTING FORM

1 O of each agreement

NAME OF DOCUMENT: Event Agreements with the City of Fort Lauderdale as follows: Event Agreements and Related Road Closings: 1) St. Demetrios Greek Orthodox Church; 2) Mount Olivet Seventh-Day Adventist Church Trailblazer Parade; 3) Kid Duck Fest; 4) Sistrunk Parade and Street Festival; 5) Florida AIDS Walk & Music Festival; 6) Where the Cars Are; 7) A-I-A Marathon; 8) Walk for the Animals; 9) South Florida Scottish Festival and Games; 10) Clueless on Las Olas; and 11) AutoNation Culture of Caring Concert

Approved Comm. Mtg. on January 22, 2013 CAM# 13-0121	13 APR 1 PH 4:27
ITEM: M-01 PH O CR - Routing Origin: CAO ENG. COMM. DEV. OTHER	
Also attached: ☐ copy of CAR ☐ copy of document ☐ ACM	Form # originals
By: forwarded to:	
Initials 1.) Approved as to Content: Department Director Please Check the proper box: CIP FUNDED YES NO Capital Improvement Projects	Capital Improvements defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, fixtures) that add value and/or extend useful life, inc. major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, real.
2.) Approved as to Funds Available: by	Date:
Finance Director Amount Required by Contract/Agreement \$ Function Dept./Div Index/Sub-object	
3.) City Attorney's Office: Approved as to Form:# Originals to	City Mgr. By:
Harry A. Stewart Cole CopertinoX Robert B. Ginger Wald D'Wayne Spence Paul G. B Carrie Sarver DJ Williams-Persad	
4.) Approved as to content: Assistant City Manager: By: By: Susanne Torriente,	Assistant City Manager
5.) Acting City Manager: Please sign as indicated and forward:#6.) Mayor: Please sign as indicated and forward:# originals to7.) To City Clerk for attestation and City seal.	च ग्रेन
INSTRUCTIONS TO CLERK'S OFF	ICE Y
B.) City Clerk: retains one original document and forwardsorigin Copy of document to Coriginal Rout Attach certified copies of Reso. # Fill-in date	

C:\Documents and Settings\Staceyd\Local Settings\Temporary Internet Files\OLK104\January 22nd Route Slip.doc