

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

YOLO MUSIC LAS OLAS, LLC., a limited liability company organized under the laws of Florida, whose principal place of business is 200 SW 2nd Street, Fort Lauderdale, Florida 33301, 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 November 6, 2012, 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 "Vibe's Second Year Anniversary" (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 at the Event is subject to approval by the City Commission in accordance with Section 15-183 of the Code of Ordinances of the City of Fort Lauderdale, Florida.

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 extreme care to conduct its operations in a safe and prudent manner with respect to its agents, employees and visitors to its Event.
- (2) The Applicant shall comply with the applicable sections of the Americans with Disabilities Act of 1990 (42 U.S.C. 126), which prohibits discrimination of handicapped individuals by denying them the right to participate in or benefit from the services provided at the Event. The Applicant understands that it is responsible for compliance with this Act. The Applicant guarantees that individuals with disabilities will be able to attend, enter, and use all the facilities at the Event.
- (3) The Applicant agrees to secure and pay for all licenses and permits required by any governmental agency having jurisdiction, including City. If the Event

includes the use of any item that is or that may be protected from infringement, such as but not limited to copyrights, patents and trademarks, the Applicant shall, in advance of the Event, provide City with documentation that shows that the Applicant has obtained the applicable license, permit or permission and that all associated all fees have been paid in full. The provisions of this paragraph apply specifically, but not exclusively, to ASCAP, BMI, SESAC, and any other similar organization that may require written permission and payment of a fee for use of protected material

8. Transfer of Rights.

To the extent this Agreement creates rights that vest in the Applicant, the Applicant shall not transfer any rights to any other individual or entity.

9. Venue.

Venue to enforce the provisions of this agreement shall be Broward County, Florida.

10. Incorporation.

This Outdoor Event Agreement, together with the attached Schedule One constitute the whole of the Agreement between the parties. The written approvals issued by the various City departments or staff members and the various documents submitted by the Applicant, including the application, are supplemental to this Agreement. In the event of a conflict, the terms of this Agreement control.

[THIS SPACE WAS INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this
the 18th day of January, 2013.

WITNESSES:

CITY OF FORT LAUDERDALE

Sahera Ali
Sahera Ali

[Witness print/type name]

Quia D. Penedo
Quia D. Penedo

[Witness print/type name]

[Signature]
Mayor

[Signature]
City Manager

ATTEST:

Jonda K Joseph
City Clerk

Approved as to form:

[Signature]
Assistant City Attorney

WITNESSES:

YOLO MUSIC LAS OLAS, LLC.

JoAnne M Purstell
JoAnne M Purstell

[Witness print/type name]

By [Signature]

TIMOTHY PETRILLO, MANAGER

[Print/type name and title]

[Signature]
Cherie Anderson

[Witness print/type name]

ATTEST:

(CORPORATE SEAL)

Secretary

STATE OF FLORIDA:
COUNTY OF BROWARD:

The foregoing instrument was acknowledged before me this 6 day of December, 2012, by TIMOTHY PETRILLO, as MANAGER of the YOLO MUSIC LAS OLAS, LLC. He She is personally known to me or has produced _____ as identification.

(SEAL)

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

Name of Notary Public: JOHNNA DYNN CAMPBELL Stamped
Notary Public - State of Florida
My Comm. Expires Jun 3, 2015
Commission # EE 68431

Commission Number

Memorandum

To: Harry Stewart, City Attorney
From: Jeff Meehan, Outdoor Event Coordinator
Date: October 31, 2012
Re: Request for Event Agreement

Vibe Second Year Anniversary 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:

PS 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.

DA 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).

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

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

h Other City Department: MSK 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

PLEASE SUBMIT BY EMAIL TO THE CITY CLERK 30 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 REQUEST

Event name: LifeNet4Families "We CAN do it" Gala

Purpose of event (check one): Fundraiser Awareness Recreation Other _____

Requested location: Laura Ward Park, SE 6th Avenue, Fort Lauderdale

Estimated daily attendance: 220

Requested dates and time of event:

	DATE	DAY	BEGIN	END
EVENT DAY 1:	<u>December 1st</u>	<u>Saturday</u>	<u>6PM</u> AM/PM	<u>11PM</u> AM/PM
EVENT DAY 2:	<u>N/A</u>	<u>N/A</u>	_____ AM/PM	_____ AM/PM
EVENT DAY 3:	_____	_____	_____ AM/PM	_____ AM/PM
SETUP:	<u>December 1st</u>	<u>Saturday</u>	<u>10AM</u> AM/PM	
BREAKDOWN:	_____	_____		<u>11:30</u> AM/PM

Has this event been held in the past? Yes No

If yes, please list past dates and locations: Saturday, December 17th, 2011 at Laura Ward Park

Detailed event description (Include activities, entertainment, vendors, etc.): _____

Fundraiser, sit down dinner, live and silent auction, music, and award ceremonially

PART II: APPLICANT

Organization name: LifeNet4Families

Address: One NW 33rd Terrace City, State, Zip: Lauderhill, FL 33311

Phone: 954-792-2328 Fax: 954-449-1485

Corporation name: The Cooperative Feeding Program
(as it appears in articles of incorporation)

Date of Incorporation: 09/12/1985 State incorporated in: FL Federal ID #: 59-2696451

Two authorizing officials for the organization:

President: Russell T. Martin Phone: 954-792-2328

Secretary: Cara Sollimine Phone: 954-768-5351

Event Coordinator: Frank Fernandez Will you be on-site? Yes No

Title: Director of Financial Development Phone: 954-792-2328 Cell: 954-882-7878

E-mail address: frank.fernandez@lifenet4families.org Fax: 954-449-1485

Additional Contact: N/A Will you be on-site? Yes No

Title: _____ Phone: _____ Cell: _____

E-mail address: _____ Fax: _____

Event production company (if other than applicant): N/A

Address: _____ City, State, Zip: _____

Contact person: _____ Title: _____

Phone: (day) _____ (night) _____ (cell) _____

E-mail address: _____ Fax: _____

PART III: EVENT INFORMATION

Are you planning to charge admission? Yes No
If yes, how much? \$ 125.00

Are you requesting to fence the event? Yes No

Are you planning on having any type of concession? Yes No
If yes, State Health Dept. must be notified 10 days prior to event. Call John Litscher at 954-632-8094.

Are you planning on selling alcoholic beverages? Yes No
If yes, how will the beverages be served? (Draft truck, cold plate, mini-bar, beer tub, table service, etc.)

Are you planning on serving free alcoholic beverages? Yes No
If yes, to whom will it be given? Attendees who are over 21 years of age

Are you planning to have any type of amusement rides? Yes No
If yes, name of company: _____

What type of rides are you planning? _____
(All rides must be approved by the State of Florida Bureau of Fair Rides and all permits must be secured prior to opening. Contact Ron Jacobs at (850) 921-1530.

Are you planning to play or have music? Yes No
If yes, what music format(s) will be used? (amplified, acoustic, recorded, live, disc jockey, etc):

Live Band and a DJ

List the type of equipment you will use (speakers, amplifier, drums, etc):

speakers and amplifiers

Will you use any type of soundproofing equipment? Yes No

List the days and times music will be played: Saturday, December 1st from 6pm to 11pm

How close is the event to the nearest residence? Unknown

Will your event require road closings? Yes No
If yes, list requested streets and times in detail: _____

******PLEASE NOTE****** You are required to secure barricades and/or directional traffic signs for road closings. Please attach a layout of your traffic plan, including the placement and number of barricades, signs, directional arrows, cones, and message boards, as well as the name of the company you will be using. Your traffic plan must be approved by the Police Dept. which may terminate any event occurring without the proper use of barricades.

Will your road closings affect access to parking spaces or parking lots? Yes No
******PLEASE NOTE****** All road closings which result in loss of revenue from inaccessible parking spaces will be billed to the event organizer and must be paid in full before the event. Please call Keela Black at 828-3794.

Will any recyclable materials be utilized at this event? Yes No
(Materials that can be recycled include all clean paper, cardboard, glass, plastic drink containers, aluminum cans, and milk or juice boxes.) Please refrain from the use of Styrofoam plates and cups.

Who will provide clean up services for garbage and recyclables? LifeNet4Families

Contact Name: Frank Fernandez Phone: 954-882-7878

******NOTE****** All grounds must be cleaned up **immediately** after completion of event. Recycling should be done at all City facilities and parks. Recycling may be provided by your organization, a private company or in some cases by the City of Fort Lauderdale. You are responsible for securing recycling services. Contact Janet Townsend at jtownsend@fortlauderdale.gov or (954) 828-5956.

Will you require electricity? Yes No

Events requiring electricity are the responsibility of the applicant. All permits must be obtained through the City's Department of Sustainable Development Building Services Division at (954) 828-5191 before setting up.

Company: _____ License #: _____

Name of electrician: _____ Phone: _____

PART IV: APPLICANT'S ACCEPTANCE

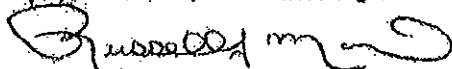
The information I have provided on this application is true and complete to the best of my knowledge.

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.



Russell T. Martin
Name of applicant

President and CEO
Title

07-26-12
Date

Please email completed application at least 96 days ahead of your planned event to:

jmeehan@fortlauderdale.gov

Please mail the \$100.00 application fee (payable to the City of Fort Lauderdale) to:

Jeff Meehan, Outdoor Event Coordinator
1350 W. Broward Boulevard, Fort Lauderdale, FL 33312
Phone: (954) 828-6075 Fax: (954) 828-5650

Please include the following with the application:

- * Event site plan -- including stage(s), other entertainment locations, activities, booths, restrooms, canopies, dumpsters, fencing, generators, etc.
- * Traffic/detour plan - including the placement and number of barricades, signs, directional arrows, cones, message boards, and name of the barricade and/or traffic signs company being used.

FIRE DEPARTMENT QUESTIONNAIRE

PREVENTION

1. Are you planning to have canopies (no sides) for this event? Yes No

How many and what sizes? 40 X 60 Framed Tent w/ water barrels

Name of Company: TBD

A building permit is required. Please contact Capt. Bruce Strandhagen at 954-828-5080.

2. Are you planning to have tents (with sides) for this event? Yes No

How many and what sizes?

Name of Company:

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 Capt. Bruce Strandhagen at 954-828-5080.

****PLEASE NOTE**** All permits required by the Florida Building Code must be obtained through the Building Department (including but not limited to electrical, structural, plumbing). Contact the Department of Sustainable Development Building Services Division at 954-828-6520.

3. Are you planning to have fireworks? Yes No

Name of company conducting the show:

A permit is required for all pyrotechnics displays. Contact Capt. Wendy D'Agostino at 954-828-5884.

4. Are you having food vendors? Yes 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 \$75 per hour.

OPERATIONS/EMS

Special Event Detail Guidelines:

- * 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 number of rescue units and paramedics is determined according to attendance and other risk factors.

1. Does your event require EMS medical standby services based on the guidelines above? YES NO

2. What is your estimated sustained attendance? 200

3. On-site contact? NAME Frank Fernandez PHONE 954-882-7878

A minimum of 4 hours will be charged for all special event details. 45 minutes will be added to the pre and post event times (totaling 1.5 hours), allowing for travel and preparation for the event.

POLICE DEPARTMENT QUESTIONNAIRE

1. Does your event require use of police vehicles? Yes _____ No X

If yes, A Hold-Harmless Agreement must be signed and Liability coverage of a minimum of **ONE MILLION DOLLARS** must be provided.

2. Is this a new or previously held event? New _____ Previous X

If yes, Previous date(s)? _____

3. Any established security, traffic, or other appropriate plan(s)? Yes X No _____

If yes, besides Fort Lauderdale Police, who will you be using for this plan?
(private security company, volunteers, etc.)

Fort Lauderdale Police

4. Do you have an established detail of off-duty officers? Yes _____ No X
If yes, who is your Police department contact?

5. Any notable entertainers or special circumstances scheduled for your event? Yes _____ No X

Who/What? _____

6. Is there alcohol being sold or given away? Yes _____ No X

7. Are there any road closures required? Yes _____ No X

If so what roads/intersections? _____

8. What is your estimated attendance? 220

I understand the off duty rate for Police personnel for ALL special events is calculated at a 3-hour minimum rate. I also understand there is a 24 hour cancellation requirement to avoid the 3 hour minimum payment per officer. The hourly rate and costs to be incurred by the event organizer will be quoted on the City of Ft. Lauderdale Special Events "Cost Estimate" worksheet developed at the Special Events logistics meeting and provided to the organizer. All payments will be paid within two (2) weeks of the payroll being submitted.

Name

Buseo

Date

07-26-12

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Detail by Entity Name

Florida Limited Liability Company

YOLO MUSIC LAS OLAS, LLC

Filing Information

Document Number L09000092260
FEI/EIN Number 270996417
Date Filed 09/23/2009
State FL
Status ACTIVE

Principal Address

200 SW 2ND STREET
FT. LAUDERDALE FL 33301

Mailing Address

200 SW 2ND STREET
FT. LAUDERDALE FL 33301

Registered Agent Name & Address

PETRILLO, TIMOTHY
200 SW 2ND STREET
FT LAUDERDALE FL 33301 US

Name Changed: 02/18/2010

Address Changed: 02/18/2010

Manager/Member Detail

Name & Address

Title MGR
PETRILLO, TIMOTHY
200 SW 2ND STREET
FT LAUDERDALE FL 33301

Annual Reports

Report Year	Filed Date
2010	02/18/2010
2011	03/15/2011
2012	03/29/2012

Document Images

[03/29/2012 -- ANNUAL REPORT](#)

- [03/15/2011 -- ANNUAL REPORT](#)
- [02/18/2010 -- ANNUAL REPORT](#)
- [09/23/2009 -- Florida Limited Liability](#)

Note: This is not official record. See documents if question or conflict.

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SCHEDULE ONE

1. Name of Applicant: YOLO Music Las Olas LLC
2. Name of Outdoor Event: Vibe's Second Year Anniversary
3. Date and time of Event: Saturday, November 10, 2012 (8:30 PM- 3 AM)
Set up (3:30 PM) Breakdown (3:30 AM)
4. Event Location: Vibe- 301 East Las Olas Blvd.
5. Road Closings: No
6. Alcohol: Yes