

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Parks and Recreation

BOARD AGENDA # \*B-10

Urgent

Routine

AGENDA DATE June 30, 2009

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval for Chris Ricci Presents to Have Exclusive Use of the Courthouse Lawn from July 17, 2009 to Sunday, July 19, 2009 for its 10<sup>th</sup> Annual Xclamation Festival

STAFF RECOMMENDATIONS:

- 1) Approve request from Chris Ricci Presents to have exclusive use of the Courthouse Lawn from Friday, July 17, 2009, beginning at 6:00 p.m. to Sunday, July 19, 2009 ending at 10:00 a.m. for their 10<sup>th</sup> Annual Xclamation Festival.
- 2) Direct Chris Ricci Presents to adhere to the requirements set forth by the Department of Parks and Recreation.

FISCAL IMPACT:

If approved \$280 for exclusive use and reservation fees will be assessed to Chris Ricci Presents.

BOARD ACTION AS FOLLOWS:

No. 2009-439

On motion of Supervisor O'Brien, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval for Chris Ricci Presents to Have Exclusive Use of the Courthouse Lawn from July 17, 2009 to Sunday, July 19, 2009 for its 10<sup>th</sup> Annual Xclamation Festival

## DISCUSSION

A request has been received from Chris Ricci Presents to have exclusive use of the Courthouse Lawn located at 1100 I Street beginning Friday, July 17, 2009, at 6:00 p.m. and ending on Sunday, July 19, 2009, at 10:00 a.m. for their 10<sup>th</sup> Annual Xclamation Festival.

The Xclamation Festival is an annual event in its tenth year taking place on the streets of downtown Modesto. Its Mardi Gras atmosphere and concert performances featuring over 50 bands on six stages over the course of eight hours is amiable and features the World's Largest Outdoor Disco utilizing four city blocks and some of the most popular touring acts in the country. The use of the Courthouse Lawn Area serves as a place for event goers to relax in a park setting while still staying within the venue. Event coordinators have successfully met department requirements in past years.

The Department of Parks and Recreation does not have any objections to this request for exclusive use and as such necessitates Chris Ricci Presents to adhere to the following requirements:

- Chris Ricci Presents shall work with all other necessary groups, organizations, or other governmental personnel as determined by applicable codes, laws, and regulations to ensure a safe event including but not limited to City of Modesto, California Alcoholic Beverage Control, County Sheriff, California Highway Patrol, etc.
- By Wednesday, July 15, 2009, no later than 5:00 p.m., require Chris Ricci Presents, to provide the Department of Parks and Recreation a Certificate of Insurance with minimum general liability coverage of \$2 million and endorsement naming Stanislaus County as an additional insured.
- A Hold Harmless Agreement (Organization) is required. The original agreement must be completed and returned by Wednesday, July 15, 2009, no later than 5:00 p.m.
- The exclusive use and reservation fees of \$280 is payable by Wednesday, July 15, 2009, no later than 5:00 p.m.
- The expected number of participants is 15,000.
- Alcohol may be sold, served, or consumed on County property during this exclusive use with proper permitting.
- The Department does not have access to any electrical usage at the Courthouse Lawn.
- The area is to be left in a clean condition with all waste, debris, and garbage removed from County premises upon conclusion of exclusive use.
- No vehicles may be driven on the Courthouse Lawn turf.

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- Portable restrooms shall not be placed on Courthouse Lawn turf.

### **POLICY ISSUE (S)**

The Board should consider whether the approval of this exclusive use request and fees supports the Board of Supervisors' priority of effective partnerships. The Department of Parks and Recreation strive to establish partnerships with organizations that strengthen community image and sense of place through use of outdoor open spaces that facilitate community connections.

### **STAFFING IMPACT**

There are no staffing impacts associated with this item.