

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

DEPT: Parks and Recreation *CM*

BOARD AGENDA # *B-5(b)

Urgent

Routine

AGENDA DATE July 13, 2010

CEO Concur with Recommendation YES NO

4/5 Vote Required YES NO

PN
(Information Attached)

SUBJECT:

Approval for Chris Ricci Presents, Inc. to Have Exclusive Use of the Courthouse Lawn Beginning August 7, 2010, and Ending August 8, 2010, for the Tenth Annual Xclamation Festival

STAFF RECOMMENDATIONS:

1. Approve the request from Chris Ricci Presents, Inc., to have exclusive use of the Courthouse Lawn for the Tenth Annual Xclamation Festival beginning at 12:01 a.m. on Saturday, August 7, 2010, and ending no later than 9:00 a.m. on Sunday, August 8, 2010.
2. Direct Chris Ricci Presents, Inc., to adhere to the requirements set forth by the Department of Parks and Recreation.

FISCAL IMPACT:

If approved, \$255 in exclusive use and reservation fees will be assessed to Chris Ricci Presents, Inc., for their Tenth Annual Xclamation Festival.

BOARD ACTION AS FOLLOWS:

Approval for Chris Ricci Presents, Inc. to Have Exclusive Use of the Courthouse Lawn Beginning August 7, 2010, and Ending August 8, 2010, for the Tenth Annual Xclamation Festival

DISCUSSION:

A request has been received from Chris Ricci Presents, Inc., to have exclusive use of the Courthouse Lawn for their Tenth Annual Xclamation Festival. The event will be open to the public beginning at 6:00 p.m. on Saturday, August 7, 2010, and ending at 1:00 a.m. on Sunday, August 8, 2010. Pre-event set-up begins at 12:01 a.m. on Saturday, August 7, 2010, while post-event take-down will end no later than 9:00 a.m. on Sunday, August 8, 2010. The Courthouse Lawn serves as an essential community open-space area within the downtown corridor of the city of Modesto and is highly valued as a community event location.

Chris Ricci Presents, Inc. has been producing the Xclamation Festival for the last nine years and is considered a commercial-for-profit event. This year's event celebrates ten years of music and arts, drawing over 15,000 people to the downtown area of the city of Modesto. The event features fifty bands on eight stages covering fifteen city blocks.

The Department of Parks and Recreation supports this request for exclusive use providing that Chris Ricci Presents, Inc. adheres to the following requirements:

- Chris Ricci Presents, Inc. shall provide the Department of Parks and Recreation a Certificate of Insurance with a minimum of \$1 million liability coverage and shall provide accompanying endorsements naming Stanislaus County as an additional insured. The Certificate of Insurance shall be provided no later than 5:00 p.m., Wednesday, August 4, 2010.
- An Organization Hold Harmless Agreement is required. The original must be completed and returned no later than 5:00 p.m., Wednesday, August 4, 2010.
- The expected number of participants for the event date is 15,000.
- Alcohol may be sold, served, or consumed during this exclusive use and must comply with all State, County, and City ordinances and regulations.
- Chris Ricci Presents, Inc. shall provide all security personnel for this exclusive use request including law enforcement, medical services, and fire personnel as deemed appropriate by the City of Modesto.
- The Courthouse Lawn area shall be left free of litter, debris, and garbage and all shall be removed from the premises no later than 9:00 a.m. on Sunday, August 8, 2010.
- All vendors are required to have the proper permits, licenses and insurance.
- No portable toilets shall be placed on any lawn area of the courthouse; placement shall be exclusively on concrete or paved surfaces.
- The Department does not guarantee electricity at the facility.

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- The Department will ensure irrigation does not interfere with this exclusive use.
- Any damages to the facility shall be reported immediately to the Department.

POLICY ISSUE:

The Board of Supervisors should determine if approving the Chris Ricci Presents, Inc.'s Tenth Annual Xclamation Festival is consistent with its priority of Effective Partnerships.

STAFFING IMPACT:

There are no staffing impacts associated with this item.

CONTACT PERSON:

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