

MEMORANDUM

September 4, 2014

TO: Honorable Mayor and City Commissioners
VIA: Kenneth Fields, City Manager
FROM: Katie Kinloch, Administrative Assistant
SUBJECT: Lake Wales YMCA 2nd Annual Turkey Trot November 27, 2014
Special Event Permit

SYNOPSIS: The approval of the special event permit application allows the Lake Wales YMCA to hold its 2nd Annual “Turkey Trot 5K” on Thanksgiving Day, November 27, 2014; and allow for the temporary closing of a portion of the Marketplace downtown and several city intersections.

RECOMMENDATION

It is recommended that the City Commission consider taking the following action:

1. Approve the special event permit application from the Lake Wales YMCA to hold the second annual “Turkey Trot 5K” on Thanksgiving Day, November 27, 2014 between the hours of 8:00 a.m. and 9:00 a.m.
2. Approve the temporary closing of a portion of the Marketplace on Park Avenue for staging of the event between 7:00 a.m. and 8:00 a.m. and for the closing ceremonies beginning at 9:00 a.m. to approximately 10:00 a.m.
3. Approve the temporary closing of several intersections along the route as the runners approach, the temporary closing of a city street and the route as follows:
 - Park Avenue from First Street to Scenic Highway
 - Scenic Highway to Cypress Gardens Lane
 - Cypress Gardens Lane to Crystal Avenue to North Third Street
 - Third Street at Crystal Avenue to Park Avenue and east to lakeshore Blvd. crossing Lakeshore to Lake Wailes Park
 - Following the bike path (Lake Wailes Trail) to 8th Street crossing over to lakeshore Blvd. and following Lakeshore to Polk Avenue
 - Polk Avenue to 5th Street
 - 5th Street to Johnson Avenue to 4th Street
 - 4th Street to Central Avenue to Third Street
 - Stuart Avenue to First Street; and
 - Back to the Marketplace on Park Avenue where the 5K ends

BACKGROUND

Mr. Clark Heter, CEO of the Lake Wales YMCA submitted a special event permit application to hold the second annual "Turkey Trot 5K" on Thanksgiving Day, November 27, 2014 between the hours of 8:00 a.m. and 9:00 a.m. This event is being held all over the country in different cities as an annual event and the YMCA feels this would be an exciting event as well to hold annually in Lake Wales.

The special event permit application includes a request for the temporary closing of a portion of the Marketplace on Park Avenue to allow for the staging of the event which will begin at 7:00 a.m. to 8:00 a.m. with the 5K beginning at 8:00 a.m. At the conclusion of the event there will be a closing ceremony in the Marketplace at 9:00 a.m. to approximately 10:00 a.m. The YMCA requested the temporary closing of several intersections along the route for the protection of the runners as they approach and the temporary closing of Lakeshore Blvd. from 8th Street to Polk Avenue. The route and streets involved will include the following:

- Park Avenue from First Street to Scenic Highway
- Scenic Highway to Cypress Gardens Lane
- Cypress Gardens Lane to Crystal Avenue to North Third Street
- Third Street at Crystal Avenue to Park Avenue and east to lakeshore Blvd. crossing Lakeshore to Lake Wailes Park
- Following the bike path (Lake Wailes Trail) to 8th Street crossing over to lakeshore Blvd. and following Lakeshore to Polk Avenue
- Polk Avenue to 5th Street
- 5th Street to Johnson Avenue to 4th Street
- 4th Street to Central Avenue to Third Street and then to Stuart Avenue
- Stuart Avenue to First Street; and
- Back to the Marketplace on Park Avenue where the 5K ends

City departments have reviewed the permit application and approved the event. There is no cost to the City for in-kind services. The Lake Wales Police Department will use off-duty officers to be positioned on the route at intersections where runners will cross. Lake Wales Police Department VOICE and cadets will be assisting with this event. The sponsor will be responsible for all costs associated with this event and providing sanitary facilities and clean up services along the route and at the Marketplace. Certificate of Liability Insurance will be provided as required.

OTHER OPTION

Do not approve this special event permit application or the temporary intersection closings

FISCAL IMPACT

There will be no cost to the City for in-kind services associated with this event. The sponsor will pay 100% of the cost for off-duty officers and provide all clean up services.

ATTACHMENTS

Special Event Permit Application

Notarized Agreements of Financial Responsibility

Turkey Trot 5K route

City of Lake Wales Application for Special Event Permit

Sponsor Lake Wales YMCA

Name of Event: Lake Wales Turkey Trot 5K

Description: Fun Run & Walk

Location: See attached map

Beginning Date: 11-27-2014 Ending Date: 11-27-2014 Hours of Operation: 8:00am - 9:00am

Sponsor Contact: CLARK HETER OR JENNIFER FLORIDA

Mailing: 1001 Burns Ave

City: Lake Wales State: FL Zip: 33853

Sponsor Type: non-profit Contact Phone #: (863) 676-9441
(non-profit civic, professional, educational, religious, etc / commercial) 321 239-6077 Jennifer

Indicate manner in which each will be handled; if City assistance is requested, please indicate. (if item is not applicable, indicate "N/A")

Sanitary facilities: Porto Johns

Parking: Public

Site preparation: BARRICADE on PARK Ave at 17 and at 1st - See Attached

Site clean-up: Volunteers

- | | | |
|---|--|---|
| Will vehicular traffic control be required? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes (Requires coordination with city Police & Public Works departments) |
| Will pedestrian control be required? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes (Requires coordination with city Police & Public Works departments) |
| Will city street(s) be closed? | <input type="checkbox"/> No | <input checked="" type="checkbox"/> Yes (Requires Commission approval) |
| Will state road(s) be closed? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires permit from Dept of Transportation) |
| Will add'l trash receptacles be required? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires coordination with BFI) |
| Will tent(s) be erected? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires building permit & inspection) |
| Will temporary structure(s) be erected? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires building permit & inspection) |
| Will electrical service be installed? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires electrical permit & inspection) |
| Will live animal(s) be included in event? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires coordination with city Code Enforcement Officer) |
| Will amusement ride(s) be operated? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires permit from Dept of Agriculture & Consumer Services) |
| Will food vendor(s) be utilized? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires health permit & county occupational license) |
| Will craft or other vendor(s) be utilized? | <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes (Requires county occupational license) |

- Attachments. (items marked "x" are required with all applications; indicate additional attachments)
- Diagram showing site location & layout, parking areas, traffic patterns, electrical, etc
 - Agreement to Assume Financial Responsibility for Injury or Damage
 - Legal description & notarized letter of consent (required for event on private property)
 - Dept of Transportation Road Closing Permit (required for state road closing)

Sponsor has received a copy of Ordinance 93-02 and understands that Sponsor will be required to show proof of Liability Insurance and will be required to reimburse City for costs associated with Special Event unless such requirements are specifically waived by the City Manager in granting the permit. City occupational license fees are required for some events as specified in Ordinance 93-02.

Signature of Sponsor's Authorized Representative

CEO

Date

8/26/14

10/27/2013



CITY OF LAKE WALES
FACILITY USE APPLICATION, CONTRACT AND PERMIT FOR
AGREEMENT TO ASSUME FINANCIAL RESPONSIBILITY FOR INJURY OR DAMAGE

Applicant: YMCA Event: TURKEY TROT Location: See Attached Map

The Sponsor (hereinafter referred to as "the permittee"), shall indemnify, defend, and hold harmless the City of Lake Wales (hereinafter referred to as "the City"), and all of its officers, agents, and employees from any claim, loss, damage, cost, change, or expense arising out of any acts, actions, neglect, or omission by the Permittee, its agent, employees, or subcontractors during the performance of the permitted event, whether direct or indirect, and whether to any person or property to which the City or said parties may be subject, except that neither the Permittee nor any of its agents, employees, or subcontractors will be liable under the agreement for damages arising out of the injury or damage to persons directly caused or resulting from the SOLELY negligence of the City or any of its officers, agents, or employees.

Permittee's obligation to indemnify, defend and pay for the defense or at the City's option, to participate and associate with the City in the defense and trial of any damage claim or suit and any related settlement negotiations, shall be initiated by the City's notice of claim for indemnification to Permittee. Permittee's inability to evaluate liability or its evaluation of liability shall not excuse Permittee's duty to defend and indemnify within seven days after such notice by the City is provided by registered mail. Only an adjudication or judgement after highest appeal is exhausted specifically finding the City SOLELY negligent shall excuse performance of this provision by Permittee. Permittee shall pay all costs and fees related to this obligation and its enforcement by the City. City's failure to notify Permittee of a claim shall not release the Permittee of the above duty to defend.

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the City's right, title and interest in land to be entered upon and used by the Permittee, and the Permittee will, at all times, assume all risk of and indemnify, defend, and save harmless the City from and against any and all loss, damage, cost, and expense arising in any manner on account of the exercise or attempted excise by said Permittee of the aforesaid rights and privileges.

During the event, the Permittee shall observe all safety regulations of the City, and the Permittee shall take measures to ensure the safety of the public.

In case of non-compliance with the City's requirements in effect as the approved sate of the permit resulting from this agreement, said permit is void.

[Signature]
Signature of Sponsor or Authorized Representative of Sponsor

8/28/2014
Date

Clark Meter
Printed Name
CEO

State of Florida
County of Polk

The forgoing instrument was acknowledged before me this 28 day of August, 2014 by

Clark Meter

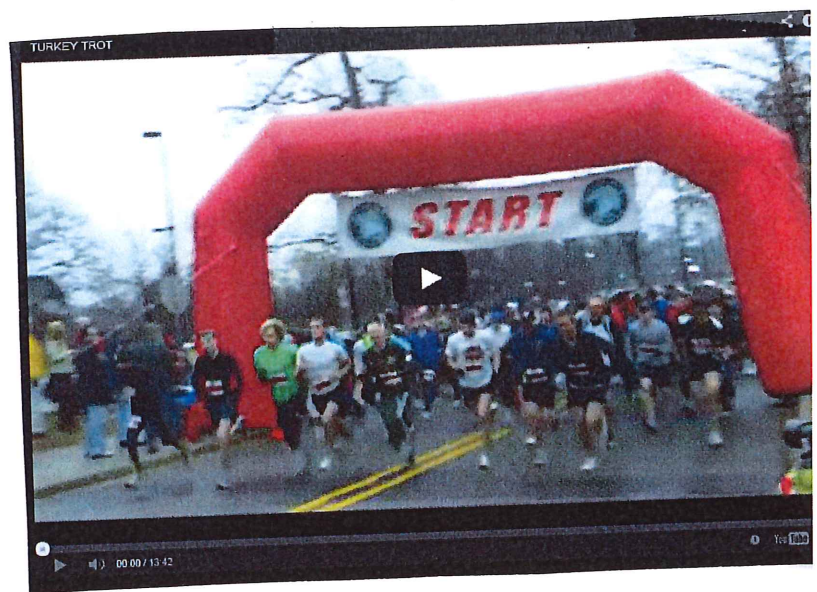
[Signature]
Signature of Notary Public-State of Florida
Terra Goug
Name of Notary Typed, Printed, or Stamped



Personally Known OR Produced Identification
Type of Identification Produced

(407) 398-0153 FloridaNotaryService.com

2014 TURKEY TROT 5K
JOIN MILLIONS GET IN SHAPE ACROSS THE
COUNTRY ON TURKEY DAY



YMCA Annual Turkey Trot ROUTE Thanksgiving Day

Florida, United States, North America



The runners will meet at the Marketplace Clock on Park Avenue, travel east on Park Avenue crossing over Scenic Highway (SR17) to Cypress Gardens Lane where they will turn north to Crystal Avenue, at Crystal Avenue they will travel east to Third Street and then south to Park Avenue, they will head east on Park Avenue crossing over Lakeshore Blvd. to Lake Wailes Park where they will follow the bike path to 8th Street, at this point they will head north on Fifth Street until reaching Johnson Avenue where they will head west on Polk Avenue to S. Fifth Street, at this point they will head north on Fourth Street to Central Avenue and then head west on Central Avenue to Third Street, at this point they will follow Third Street to Stuart Avenue where they will head west reaching the Marketplace where the event will end.