

MEETING DATE: June 25, 2012

AGENDA ITEM: 1) Adoption of a Resolution Granting a Fireworks Permit Jointly to the Exchange Club and Pyro Spectaculars to Conduct the Annual Fireworks Display Sponsored by the City of Culver City and the Exchange Club to be Held on July 4, 2012; and 2) Approval of a License Agreement Authorizing the Exchange Club's Use of the City's GEM Car for the Fourth of July Event.

ATTACHMENT

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RESOLUTION NO. 2012-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, GRANTING A PERMIT JOINTLY TO THE CULVER CITY EXCHANGE CLUB AND PYRO SPECTACULARS TO CONDUCT THE ANNUAL FIREWORKS DISPLAY SPONSORED BY THE CITY OF CULVER CITY AND THE CULVER CITY EXCHANGE CLUB TO BE HELD ON JULY 4, 2012.

WHEREAS, the City of Culver City and the Culver City Exchange Club (the "Exchange Club") co-sponsor the City's annual fireworks display every Fourth of July; and

WHEREAS, pursuant to Culver City Municipal Code ("CCMC") Sections 9.02.210 through 9.02.220, the City Council, by resolution, may grant a permit to conduct a public display of fireworks on July 4th; and

WHEREAS, Exchange Club and Pyro Spectaculars have duly applied for and met all application requirements for a permit to conduct a public fireworks display.

NOW, THEREFORE, the City Council of the City of Culver City, California, DOES HEREBY RESOLVE as follows:

A permit is hereby issued to Exchange Club and Pyro Spectaculars to conduct a Fourth of July celebration (the "Event"), which includes a public display of fireworks (the "Fireworks Display"), at the athletic fields (the "Field Area") located at Culver

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1 City High School ("CCHS") on July 4, 2012, subject to all of the terms and conditions set
2 forth in Exhibit A, attached to this Resolution and incorporated herein by this reference.

3 APPROVED and ADOPTED this _____ day of _____ 2012.

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6 _____
7 ANDREW WEISSMAN, MAYOR
8 City of Culver City, California

9 ATTEST:

APPROVED AS TO FORM:

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11 _____
12 MARTIN R. COLE, City Clerk

13 A12-00491

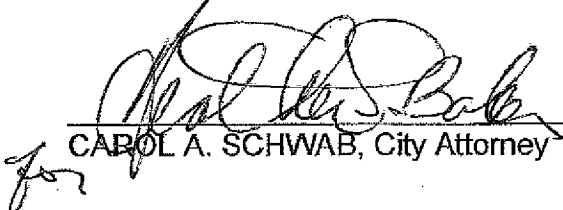
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CAROL A. SCHWAB, City Attorney

Exhibit A

2012 Fourth of July Fireworks Event: Terms and Conditions

I. Exchange Club Responsibilities:

- A. Culver City Municipal Code Requirements – Exchange Club and Pyro Spectaculars shall comply with all of the provisions of CCMC Sections 9.02.215 and 9.02.220.
- B. Insurance and Indemnification – Exchange Club and Pyro Spectaculars agree to indemnify and hold harmless the City, its officers, representatives, and employees from any loss or liability or damages, including expenses and costs, for bodily injury or property damage sustained by any person as a result of any operation related to the permit granted by this Resolution. Exchange Club and Pyro Spectaculars shall obtain all necessary insurance as required by CCMC Section 9.02.220, in addition to other coverage that may requested by the City in its discretion.
- C. Publicity – Advertisement of the Event shall be limited to the placement of street banners at the designated locations within Culver City. Exchange Club shall identify the City of Culver City as a co-sponsor of the Event, and the participation of the City of Culver City shall be given equal recognition with Exchange Club in all matters relating to the Event.
- D. Alcohol Prohibited – Exchange Club shall use its best efforts to ensure the consumption of alcoholic beverages does not occur at the Event.
- E. Occupant Load – The total number of Event attendees shall not exceed the maximum allowable capacity of the Field Area, which as currently configured can accommodate 12,500 attendees. Exchange Club shall be responsible for counting the number of people entering the Event and ensuring that the occupant load does not exceed 12,500 attendees.
- F. Safety Aisles – Exchange Club shall establish minimum 6-foot wide safety aisles on the Field Area and shall keep such aisles clear, with assistance from volunteers and the Culver City Fire Department (“CCFD”), at all times during the Event.
- G. CCHS Track – Chairs and blankets shall not be allowed on the CCHS track portion of the Field Area.
- H. Exit Signs – Exchange Club shall post large “EXIT” signs at all Field Area exits and shall make an announcement at the beginning of the Event and again just before the Fireworks Display identifying exit locations and informing the public to remain calm and exit in an orderly manner in the event of an emergency.
- I. First Aid Station – Exchange Club shall establish a first aid station on the Field Area that shall be clearly marked and staffed throughout the Event by Exchange Club members and/or volunteers who are qualified to administer first aid.

Exhibit A

2012 Fourth of July Fireworks Event: Terms and Conditions

- J. Clean-up – Exchange Club shall coordinate with the City's Parks, Recreation and Community Services Department and the Environmental Programs and Operations Division of the Public Works Department (for bin delivery, empty and removal only), as well as local volunteers (e.g. Boy Scouts, CCHS students), to clean-up the Field Area and parking areas immediately after the Event has concluded so that the Field Area and parking areas are left in the same condition as they were prior to the Event.
- K. Wrap-up Meeting – Exchange Club shall participate in a post-event meeting with City staff within 30 days after the Event to discuss both positive and negative outcomes of the Event and recommendations for future Fourth of July events.

II. Areas of Collaboration between the Exchange Club and the City of Culver City:

- A. Occupant Load – Occupant load shall be controlled throughout the Event. Exchange Club, Culver City Police Department ("CCPD") and CCFD shall keep in radio contact throughout the Event regarding head count on the Field Area and shall stop entry onto the Field Area once maximum allowable capacity (12,500 attendees) has been reached.
- B. Staffing – Exchange Club, CCPD shall ensure there is sufficient staffing to coordinate and control the Event, ensure that restricted areas are kept free of spectators and ensure that adequate access and exiting is provided throughout the Event. Such staffing shall be required at a ratio of one crowd manager per 250 attendees, which may be provided by a combination of Exchange Club members, volunteers, CCPD and CCFD. All staffing members shall remain competent and professional throughout the Event.
- C. Gates – All gates around the Field Area shall be staffed throughout the Event by Exchange Club members, volunteers and/or CCFD and shall be unlocked and opened at the end of the Fireworks Display or if needed during the Event in the case of an emergency.
- D. On-site Parking – Parking shall be limited to the blacktop lots on the CCHS property and a section of grass on the Field Area between the visitor's bleachers and the basketball courts, in accordance with a parking diagram provided by the City's Public Works Department.
- E. Exiting On-site Parking – Vehicles shall exit from the Event through the following two locations: 1) Driveway on Huron Avenue; and 2) Two driveways located at the Culver City Middle School parking lot (access to these two driveways is by the service road at the southern perimeter of CCHS). Vehicles shall be directed to the above-described exits through the use of traffic control equipment.

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F. Off-site Parking – Once street parking is full in the neighborhood surrounding the Event, as determined by CCPD, no vehicles shall be permitted to enter the neighborhood unless the occupant of the vehicle can show proof of residency of that area. At the point of on-street parking saturation, the following intersections shall be closed to access (except for residents):

1. Elenda Street/Braddock Drive (west side only);
2. Elenda Street/Barman Avenue (west side only);
3. Elenda Street/Lindblade Street (west side only);
4. Elenda Street/alley (west side only);
5. Elenda Street/Wagner Avenue (west side only);
6. Huron Avenue/alleys (alley legs only);
7. Huron Avenue/Wagner Street (Wagner Street legs only);
8. Huron Avenue/Lindblade Street (Wagner Street legs only);
9. Huron Avenue/Barman Avenue (Wagner Street legs only);
10. Huron Avenue/Culver Boulevard (Huron Avenue only);
11. Harter Avenue/Culver Boulevard (Harter Avenue only);
12. Sepulveda Boulevard/alley (east side only);
13. Sepulveda Boulevard/Wagner Avenue (east side only);
14. Sepulveda Boulevard/Lindblade Street (east side only);
15. Sepulveda Boulevard/Barman Avenue (east side only); and
16. Sepulveda Boulevard/Braddock Drive (east side only).

*The above-referenced intersections will accommodate egress at all times.

G. Emergency Access – The segment of Harter Avenue between Culver Boulevard and Lucerne Avenue has been designated as the emergency access roadway. Emergency vehicle access to and around the Event shall be established and maintained throughout the Event by CCPD.

H. Fire Lane – A 20-foot fire lane will be established on Harter Avenue, between Braddock Drive and Lucerne Avenue, on the east side of the street; it will be established and monitored through the use of traffic control equipment under the direction of the Traffic Engineering Manager, CCFD and CCPD.