

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u>06/13/11</u>		Item Number: <u>C-6</u>	
CITY COUNCIL 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, 2011; 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.			
Contact Person/Dept.: Patrick Reynolds, Parks Manager		Phone Number: (310) 253-6470	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (Email) Meetings and Agendas – City Council (06/08/11); (Email) Culver City Exchange Club (06/08/11)			
Department Approval: Dan Hernandez (05/31/11)		City Attorney Approval: Carol Schwab (by H. Baker) (06/08/11)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/08/11)		City Manager Approval: John M. Nachbar (06/08/11)	
<u>RECOMMENDATION:</u> Staff recommends the City Council 1) adopt a Resolution granting a 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, 2011; and 2) approve a license agreement authorizing the Exchange Club's use of the City's GEM car for the Fourth of July event. <u>BACKGROUND:</u> The City of Culver City and the Culver City Exchange Club have been co-sponsors of the Annual Fourth of July Fireworks Display for the past several years. Culver City Municipal Code (CCMC) Sections 9.02.210 and 9.02.220 authorize the City Council, by resolution, to grant a permit for a public display of fireworks to be conducted on July 4th. The Exchange Club routinely requests the use of the City's GEM car for the transportation of event volunteers and event-related supplies immediately before, during and after the celebration. The Exchange Club's use of the City's GEM car requires the execution of a license agreement setting forth the duties and responsibilities of the Exchange Club relating to this use, including insurance and indemnification requirements.			

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DISCUSSION:

Fireworks Display Permit

The Exchange Club and Pyro Spectaculars have applied jointly for a permit to conduct the fireworks display for the City's 2011 Fourth of July event. Staff has reviewed the permit application for the Fourth of July public display of fireworks and finds all of the requirements of the CCMC have been met. Therefore, staff recommends approval of the application.

License Agreement

The Exchange Club has once again requested the use of the City's GEM car for the transportation of event volunteers and event-related supplies immediately before, during and after the celebration. Staff recommends the City Council approve a license agreement with the Exchange Club with the same terms and conditions of the previous agreement and authorize the City Attorney's Office to prepare such agreement consistent with the City Council's direction this evening.

FISCAL ANALYSIS:

The City Council has been requested to allocate funds in the amount of \$24,000 in account 10116100.517500 (Non-Departmental/Contributions to Agencies) for this event as part of the City Manager's Proposed Budget for Fiscal Year 2011/2012. In addition to the \$24,000 direct contribution, the City also provides in-kind services as follows (based on Fiscal Year 2010/2011 data, unless otherwise noted):

City Resource	In-Kind Amount	Description
Police	\$22,649	Overtime expense.
Fire (inspections only)	\$1,500	<u>Inspections:</u> Last year Fire Department inspectors spent a total of 12 hours on pre-event inspections and during the event; the \$1,500 includes benefits and overtime. <u>Fire Suppression:</u> On-duty staff is ready and equipped to respond to both event-related and non-event-related emergencies; no dedicated (additional) fire suppression resources are allocated for the event.
Parks	\$3,012	Personnel expense (salary + benefits); no overtime.
Public Works	\$5,847	<u>Street Division:</u> Personnel expense, equipment and materials; no overtime.

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Event Insurance	\$700	Approximate premium cost for Special Event insurance to increase liability coverage for this specific event. Policy excludes any claim arising specifically from pyrotechnics (from Fiscal Year 2009/2010).
TOTAL	\$33,708	

The above costs have been reviewed by staff and represent the application of staff resources consistent with past levels. While it is not recommended, the level of in-kind participation could be reduced (with a commensurate reduction in costs). However, the same level of preparation, event management and clean-up would not be achieved or would take longer to accomplish.

It should be noted that in past years, department budgets had sufficient unspent appropriations (due often as a result of unfilled position vacancies) to provide the funds for the in-kind contributions estimated in the above table. To partially address the operational deficit projected for Fiscal Year 2010/2011, all vacant positions and the corresponding appropriations were removed from the City Council Approved Budget for Fiscal Year 2010/2011. This cost reduction remains in place for Fiscal Year 2011/2012, in addition to other budget tightening measures.

Departments may need to make reductions in other operations or request a budget amendment at a future point to address the need to provide these in-kind services for this event.

ATTACHMENT:

Proposed Resolution

MOTIONS:

That the City Council:

1. Adopt a Resolution granting a permit jointly to the Exchange Club and Pyro Spectaculars to conduct the annual fireworks display sponsored by the City of Culver City and Exchange Club to be held on July 4, 2011; and,
2. Approve a license agreement authorizing the Exchange Club's use of the City's GEM car at the Fourth of July event; and,
3. Authorize the City Attorney to review/prepare the necessary documents; and,
4. Authorize the City Manager to execute such documents on behalf of the City.