

ATTACHMENT #7

**2009 SHOW OF SUPPORT PARADE PERMIT
APPLICATION - INCOMPLETE**

(9 Pages)

CITY OF MIDLAND SPECIAL EVENT AND STREET CLOSURE APPLICATION

Before any Special Event (where public right-of-way or public grounds will be used) or Street Closure Request can be considered for approval, the applicant must:

1. Verify with Planning Division (685-7400) if Temporary Land Use Permit is required. (y) (n) Planning Div. Signature: _____ Date: _____
2. Secure clearances and have authorized signatures in all designated areas of this application prior to advertising any event.
3. Complete an event map indicating the location or route of the event and other event logistics, as listed below.
4. Submit the completed application and event map to the Traffic Coordinator's Office at least 30 DAYS prior to the event. Please mail the completed form to the Traffic Coordinator, P.O. Box 1152, Midland, Texas 79702 or return to the Room 510, City Hall, 300 N. Lorraine Street.

Contact the Traffic Coordinator at 685-7260 with any questions.

EVENT NAME: SHOW OF SUPPORT PARADE Est. # of Participants: 1000

SPONSORING ORGANIZATION: CITY OF MIDLAND / SHOW OF SUPPORT

CONTACT Person: CAROLYN HINDS Address: _____

Phone No. (h) _____ (w) _____ (m) _____

EVENT Date: 11-19-09 Hours: 3:30 pm - 5:00 pm

LOCATION: DALL + LORRAINE TO HOBBESSHOE (SEE MAP)

(Attach map of event area showing parking-dumpsters-tents-booths-stages-fences-barricades, etc.)

Will the Event be held on Midland County grounds? (y) (n)

If Yes, please be aware that the use of Midland County property requires written permission from the County Commissioner's Court, the use of Sheriff deputies for security on County property, and may require additional clean-up and damage deposit fees.

DESCRIPTION OF ANY TENT, TEMPORARY STRUCTURES OR FENCING: _____

NO. OF RESTROOMS OR PORTABLE TOILETS PROVIDED: _____

CLEAN-UP DEPOSIT: A \$500 clean-up deposit is required; the total amount or a portion may be refunded following City inspection of the site. Also see above note regarding use of Midland County property. Rec'd? (y) (n) or N/A (if Temp. Land Use Permit is Req'd)

DAMAGE DEPOSIT: \$500 deposit against damage to public property is required; total amount or portion may be refunded following City inspection of the site. See above re: use of Midland County property. Rec'd? (y) (n) or N/A (if Temp. Land Use Permit is Req'd)

SECURITY PLAN (No. of City and/or County Officers): _____

PARKING PLAN: _____

(Attach written approval from the landowners, as needed)

.....
THE FOLLOWING SECTIONS MUST BE SIGNED BY AUTHORIZED STAFF
.....

I. **CITY ATTORNEY'S OFFICE - Call**

The City of Midland requires that special event and street closure applications include a Certificate of Insurance from an insurance carrier licensed to conduct business in the State of Texas. The Certificate of insurance must state General Liability Coverage for a minimum amount of \$1,000,000.00 and must name the event sponsor as the insured. The Certificate of insurance must name the City of Midland as an Additional Insured.

ADDITIONAL REQUIREMENTS: _____

COMMENTS: _____

DATE: _____

Authorized Signature Title

II. DEPT. OF DEVELOPMENT SERVICES - Call

REQUESTED STREET CLOSING: _____

REQUIRED BARRICADES, CONES, OR OTHER CONTROLS: _____

COMMENTS or RECOMMENDATIONS: _____

DATE: _____

Authorized Signature _____

Title _____

III. POLICE DEPARTMENT - Call

or Sgt.

ARE OFF-DUTY POLICE OFFICERS NEEDED? (y) (n)

If Yes, How Many? 10 Loc. Location? DE BASS/ENCO

COMMENTS or RECOMMENDATIONS: _____

DATE: 10-14-09

Authorized Signature _____

Title _____

IF A CITY PARK WILL BE USED DURING THE EVENT, PLEASE COMPLETE THIS SECTION:

IV. PARKS AND RECREATION - Call

PARK PROPERTY LOCATION: _____

FENCING IS AVAILABLE FOR RENT TO USE IN PUBLIC PARKS. REQUESTED? (y) (n)

COMMENTS or RECOMMENDATIONS: _____

DATE: _____

Authorized Signature _____

Title _____

V. HEALTH DEPARTMENT - Call

WILL FOOD BE SERVED? (y) (n) WILL PUBLIC RESTROOMS BE AVAILABLE? (y)

(n) AMOUNT? WILL PORT-A-POTTIES BE PROVIDED? (y) (n) AMOUNT?

COMMENTS or RECOMMENDATIONS: _____

DATE: _____

Authorized Signature _____

Title _____

VI. FIRE DEPARTMENT - Call

IS AN OPEN FLAME, A TENT OR OTHER FLAMMABLE ITEMS PLANNED: (y) (n)

COMMENTS or RECOMMENDATIONS: _____

DATE: _____

Authorized Signature _____

Title _____

VII. SOLID WASTE SERVICES - Call

HAS CITY PICK-UP OF REFUSE BEEN SCHEDULED: (y) (n)

COMMENTS or RECOMMENDATIONS: _____

DATE: _____

Authorized Signature _____

Title _____

an additional insured.

3) To abide by all federal, state and local laws during the time of operation of the special event.

4) To properly barricade the right of way described in Exhibit "A" in accordance with the requirements set forth in the Texas Manual on Uniform Traffic Control Devices and any instructions issued by the City's Traffic Engineer.

5) To provide ____ number of certified peace officers at the special event during all hours the special event is being held.

6) In the event that alcoholic beverages will be consumed in the right of way set forth in Exhibit "A" during said special event, the permittee shall carry legal liquor liability insurance from an insurance carrier licensed to do business in the State of Texas in the amount of \$500,000.00 which shall be in effect on the day of operation of the special event. A Certificate of Insurance setting forth the amount and type of such insurance shall be submitted to the City prior to the issuance of this permit. The Certificate of Insurance shall name the event sponsor as the insured and shall further name the City of Midland, Texas, as an additional insured.

7) **NOTWITHSTANDING ANY OTHER PROVISION, PERMITTEE HEREBY RELEASES, ACQUITS, RELINQUISHES AND FOREVER DISCHARGES CITY, CITY'S EMPLOYEES AND OFFICERS, FROM ANY AND ALL DEMANDS, CLAIMS, DAMAGES, OR CAUSES OF ACTION OF ANY KIND WHATSOEVER WHICH PERMITTEE HAS OR MIGHT HAVE IN THE FUTURE, INCLUDING BUT NOT LIMITED TO BREACH OF CONTRACT, QUANTUM MERUIT, CLAIMS UNDER THE DUE PROCESS AND TAKINGS CLAUSES OF THE TEXAS AND UNITED STATES CONSTITUTIONS, TORT CLAIMS, OR CITY'S NEGLIGENCE.**

8) The permittee and the City of Midland acknowledge that this permit is supported by good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

9) Other provisions:

This permit does not relieve the permittee from the obligation of observing all applicable ordinances of the City of Midland, Texas.

SIGNED AND ISSUED this ____ day of _____, 20__.

CITY OF MIDLAND, TEXAS

By: _____
City Manager or Designee

PERMITTEE: _____

**SUMMARY OF THE
SPECIAL EVENTS AND STREET CLOSURE APPLICATION
REQUIREMENTS**

- () Have you attached a map of the event, particularly relating to closing of streets for a race or assembly of a crowd in the street?
- () Have you verified with the Planning Division whether or not a Temporary Land Use Permit is required?
- () Have you contacted the City of Midland Traffic, Police, and Legal representatives to determine proper barricade, security, and insurance requirements? Such representatives of the City must sign this application.
- () Have you contacted a private barricade company to determine when and where the barricades will be set, along with necessary traffic marking?
- () If alcoholic beverages are to be sold, have you gotten a temporary permit as required from the Texas Alcoholic Beverages Commission (TABC)? The local Odessa office number is
- () Have you received and included Midland County approval as needed if any portion of your event will take place on County property? Office of the County Judge:
- () Have you mailed or returned this application - completed and including a map - to the Traffic Coordinator, PO Box 1162, Midland, Texas 79702 at least 30 days prior to the event?

RIGHT OF WAY USE PERMIT - SPECIAL EVENT

Permittee: SHOW OF SUPPORT / CITY OF MIDLAND
Sponsoring Organization

By: L.T.
Title

TYPE OF SPECIAL EVENT: PARADE

Does the Special Event include the consumption of alcoholic beverages: yes No

The City of Midland hereby extends this permit to the above named permittee to hold the special event described above on City of Midland Right of Way at the location as shown on the site plan, attached hereto as Exhibit "A" and on the following dates and times:

NOVEMBER 19, 2009, FROM 4:00 P.M. TO 5:30 P.M. AS SHOWN
ON EXHIBIT A MAP.

Permittee acknowledges that the City of Midland may unilaterally revoke this permit at any time.

In consideration herefor, the permittee agrees to the following conditions:

1) It will indemnify and hold harmless and defend City and all of City's officers, agents and employees from all suits, actions, claims, damages, personal injuries, losses, property damage and expenses of any character whatsoever, including attorney's fees, brought for or on account of any negligent act of Permittee, its agents or employees, in the execution, supervision and operations growing out of or in any way connected with the special event described above, and Permittee will be required to pay any judgment with costs which may be obtained against City or any of its officers, agents or employees, including attorney's fees.

Permittee shall indemnify and hold harmless and defend City and all of City's officers, agents and employees from all suits, actions, claims, damages, personal injuries, property damage, losses, and expense of any character whatsoever including attorney's fees, brought for or on account of any injuries or damages received or sustained by any person or persons or property, **ON ACCOUNT OF ANY NEGLIGENT ACT OF CITY, CITY'S OFFICERS, AGENTS, AND EMPLOYEES, WHETHER SUCH NEGLIGENT ACT WAS THE SOLE PROXIMATE CAUSE OF THE INJURY OR DAMAGE OR A PROXIMATE CAUSE JOINTLY AND CONCURRENTLY WITH PERMITTEE OR PERMITTEES EMPLOYEES, OR AGENTS NEGLIGENCE, IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE SPECIAL EVENT DESCRIBED ABOVE AND PERMITTEE WILL BE REQUIRED TO PAY ANY JUDGMENT WITH COSTS WHICH MAY BE OBTAINED AGAINST CITY OR ANY OF ITS OFFICERS, AGENTS OR EMPLOYEES INCLUDING ATTORNEY'S FEES.**

2) To carry a general liability insurance policy that provides public liability coverage in the minimum amount of \$1,000,000.00 for bodily injury to or death of one or more persons and \$250,000.00 for property damage, which policy shall be in effect on the day of operation of the special event. A Certificate of Insurance from an insurance carrier licensed to conduct business in the State of Texas setting forth the amounts and types of insurance shall be submitted to the City prior to the issuance of this permit. The Certificate of Insurance shall name the event sponsor as the insured and shall further name the City of Midland, Texas, as

APPROVED AS TO FORM:

 Keith Stretcher, City Attorney

NOTARY AFFIDAVIT

STATE OF TEXAS §
§
COUNTY OF MIDLAND §

BEFORE ME, the undersigned authority, personally appeared City Manager or Designee of the City of Midland, known to me, and on oath stated that he executed the foregoing document for the purposes and considerations therein expressed and an act and deed of the City of Midland, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 20__.

Notary Public, State of Texas

NOTARY AFFIDAVIT

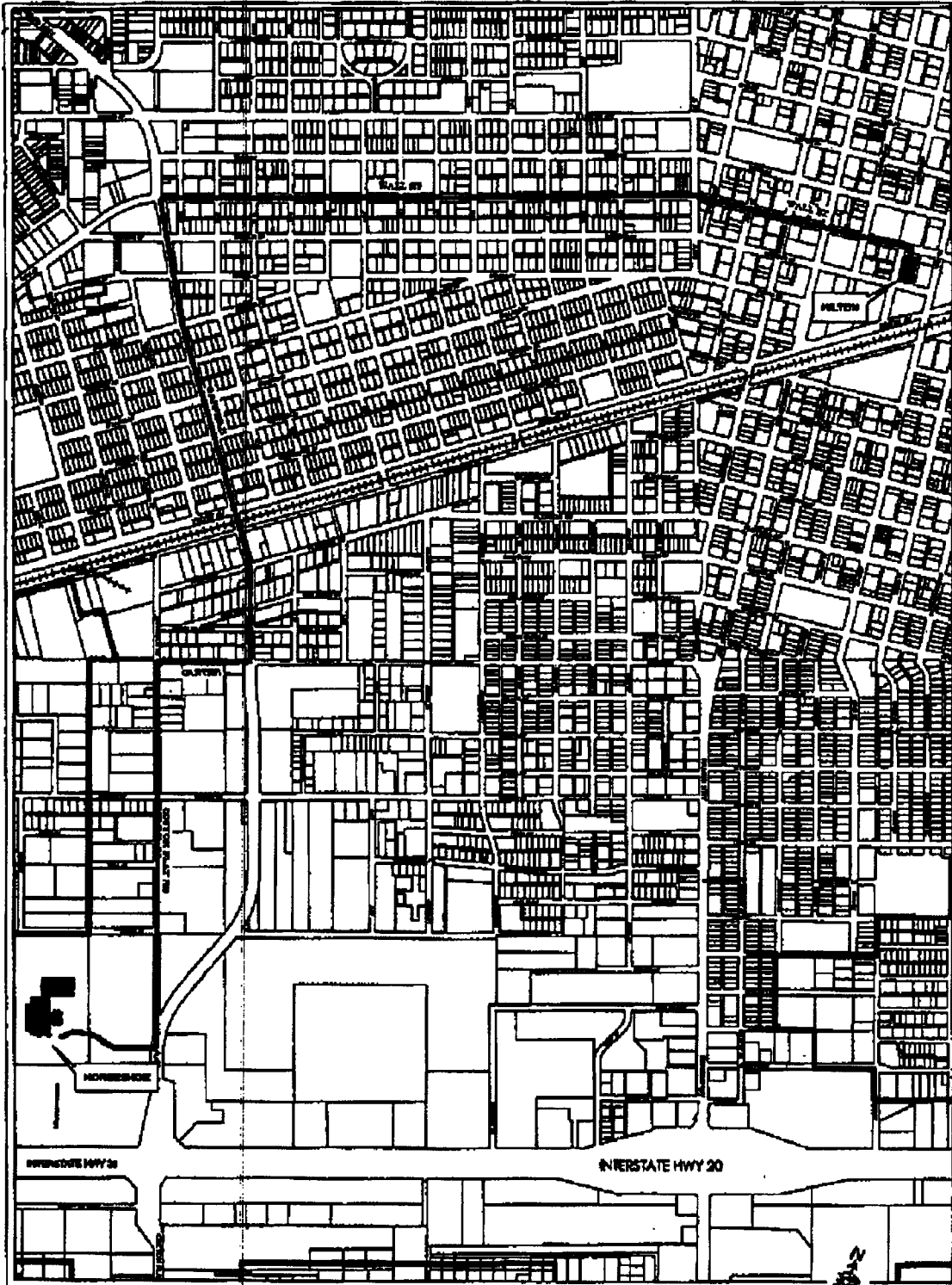
STATE OF TEXAS §
§
COUNTY OF MIDLAND §

BEFORE ME, the undersigned authority, personally appeared _____, Permittee, known to me, and on oath stated that he executed the foregoing document for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of October, 2009.



Notary Public, State of Texas *J*



GENERAL CHANGE ENDORSEMENT

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below:

Name of Insurance Company(ies) Scottsdale Insurance Company Scottsdale Ins Company 100.0% GenLiab			
	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Inception Date 6/22/2009</td> <td style="width: 50%; padding: 2px;">Expiration Date 6/22/2010</td> </tr> </table>	Inception Date 6/22/2009	Expiration Date 6/22/2010
Inception Date 6/22/2009	Expiration Date 6/22/2010		
Endorsement Effective 10/15/2009	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">Policy Number</td> <td style="width: 50%; padding: 2px;">Endorsement # 3</td> </tr> </table>	Policy Number	Endorsement # 3
Policy Number	Endorsement # 3		
Named Insured City of Midland	Countersigned By		

(Authorized Representative)

IN CONSIDERATION OF THE ADDITIONAL PREMIUM SHOWN BELOW, IT IS HEREBY UNDERSTOOD AND AGREED THAT THE POLICY IS AMENDED AS FOLLOWS:

The following Event is added to this policy:

12. Show of Support Parade (November 19, 2009)

All other terms and conditions remain unchanged.

PREMIUM	\$ 350.00
FEES	\$ 0.00
TAX	\$ 16.98
FILING FEE . . .	\$ 0.00
STAMPING FEE:	\$.21
TOTAL	\$ 367.19

(9)