

RESOLUTION NO. 1225

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DES MOINES, WASHINGTON, authorizing the Des Moines Waterfront Farmers Market ("Farmers Market") to conduct the Classic Car and Wooden Boat Show ("Event") on July 20, 2013 at the Des Moines Marina North Parking Lot, and listing conditions under which such permission is granted.

WHEREAS, the City Council finds that community events enhance the quality of life for residents of the City of Des Moines, and

WHEREAS, the Farmers Market wishes to sponsor and conduct the Event on July 20, 2013, and

WHEREAS, the City of Des Moines wishes to permit the conduct of the Event; and, at the same time, be held harmless from any liability arising from such activity; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES RESOLVES AS FOLLOWS:

Sec. 1. Permission to conduct the 2013 Classic Car and Wooden Boat Show ("Event") is granted to the Farmers Market, subject to the following conditions:

(1) Farmers Market shall defend and hold the City of Des Moines harmless from liability.

(2) Farmers Market, the sponsors and promoters of the Event, will provide financial support for the Event and will pay for Event expenses such as portable toilets, garbage collection, paid advertising and/or promotional banners associated with the Event.

(3) The prime leadership of the Event activities shall be non-City personnel and it shall be clearly understood that assistance by City personnel is advisory to the Farmers Market.

(4) Farmers Market will secure all permits and shall provide liability insurance in the amount of two million dollars (\$2,000,000) for the Event. The City of Des Moines shall be named as an additional insured. Proof of such insurance must be delivered to the City thirty (30) days prior to the Event.

(5) As promoters of the Event, Farmers Market will be permitted to erect such special signage as is appropriate in the thirty (30) days prior to and during the event. All such signage shall be removed within ten (10) days after the Event.

(6) Normal fees for conduct of the Event on City property shall be waived where possible. Fees required by other governmental agencies shall be the responsibility of Farmers Market.

(7) An authorized official of Farmers Market shall execute a written agreement, on behalf of Farmers Market, acknowledging its responsibilities for the conduct of the Event and accepting such limitations as are contained in this Resolution in addition to such limitations as may be imposed by the City Council or City Manager, including, but not limited to:

(a) Farmers Market agrees to take whatever measures are necessary to prevent damage to City property and to be responsible for any damage that may occur as a result of the Event; and

(b) A Des Moines Police Department Command Officer and/or the Fire Marshall of South King Fire and Rescue will have the authority to close the Event down at any time should it be necessary, following assessment of any security issue.

Sec. 2. Upon execution of a written agreement incorporating all the terms and conditions of this Resolution, the City Manager is authorized, at his discretion, to grant permission to Farmers Market to use and occupy, for the purpose of the Event, City streets, rights-of-way, and City property.

Sec. 3. The City Manager is authorized, at his discretion, to grant permission to utilize City promotional tools such as the *City Currents*, Parks, Recreation and Senior Services Brochure, City Web Page, and Channel 21 to inform and educate the public about the Event. Farmers Market understands that fees to cover City expenses may be charged for this use.

Sec. 4. The City Manager is authorized, at his discretion, to provide City assistance to the Event which may include, services by the Police, Public Works, Parks, and Marina

Departments for the purpose of logistics coordination, downtown and Marina area traffic control, road closures, parking lot management, and boater and pedestrian safety, and rental fees for the use of City property. The City Manager shall provide a report to the City Council on services provided and costs thereof.

ADOPTED BY the City Council of the City of Des Moines, Washington this 23rd day of May, 2013 and signed in authentication thereof this 23rd day of May, 2013.


M A Y O R

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk