

AGENDA

AGENDA OF THE SPECIAL SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, TO BE HELD ON WEDNESDAY, AUGUST 17, 2016, AT 5:30 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY _____ AT _____.

ROLL CALL

COUNCIL

Councilmember Eugene Conners, Ward I
Councilmember Joan Hansen, Ward II
Councilmember Shirley Doughty, Ward III
Mayor Ronald Oertle
Councilmember Anna Cline, Ward III, Mayor Pro Tempore
Councilmember Douglas Dunn, Ward II
Councilmember Serena Sullivan, Ward I

STAFF

Richard J. Marsh Jr., City Manager
Ashlee Coronado, City Clerk
Sharon Buono, Finance Director
Albert Echave, Police Chief
Mark Burneleit, Fire Chief
Andy Haratyk, Public Works Director

CITY ATTORNEY

Elda Orduno

THE FOLLOWING ITEM WILL BE DISCUSSED AND/OR CONSIDERED AT THIS MEETING:

1. Discussion and Possible Approval of a Park, Facility and Right-of-Way Use Permit for the Bisbee Radio Project, Inc. (KBRP) for the Use of City Park to Hold the 12th Annual Bisbee Blues Festival on Saturday, September 10, 2016 from 5:00AM to Midnight.
Ashlee Coronado, City Clerk

ADJOURNMENT

Individuals with hearing disabilities can contact the City Clerk's Office (520) 432-6012 to request an Assisted Listening Device, at least 24 hours before the meeting.

Anyone needing special accommodation to attend this meeting should contact Ashlee Coronado at (520) 432-6012 at least twenty-four hours before the meeting.

Public documents referred to herein may be viewed during regular business hours at the City Clerk's Office at 118 Arizona St., Bisbee.

Pursuant to A.R.S. § 38-431.03(A) (3), the Council may vote to enter executive session at any point during this meeting for discussion or consultation for legal advice with its attorney(s), who may appear telephonically.



AGENDA ITEM NUMBER _____

REQUEST FOR MAYOR & COUNCIL ACTION

Session of: August 17, 2016

Regular Special

DATE ACTION SUBMITTED: August 15, 2016

REGULAR CONSENT

TYPE OF ACTION:
RESOLUTION ORDINANCE FORMAL ACTION OTHER

SUBJECT: **DISCUSSION AND POSSIBLE APPROVAL OF A PARK, FACILITY AND RIGHT-OF-WAY USE PERMIT FOR THE BISBEE RADIO PROJECT, INC. (KBRP) FOR THE USE OF CITY PARK TO HOLD THE 12TH ANNUAL BISBEE BLUES FESTIVAL ON SATURDAY, SEPTEMBER 10, 2016 FROM 5:00AM TO MIDNIGHT**

FROM: Ashlee Coronado, City Clerk

RECOMMENDATION: Approval of the Permit

PROPOSED MOTION: I move that we approve the Park, Facility and Right-of-Way Use Permit for the Bisbee Radio Project, Inc. (KBRP) for the use of City Park to hold the 12th Annual Bisbee Blues Festival on Saturday, September 10, 2016 from 5:00AM to Midnight

DISCUSSION:

Mr. Ryan Bruce has submitted a Park, Facility, and Right-of-Way use Permit to hold the 12th Annual Bisbee Blues Festival on Saturday, September 10, 2016 from 5:00AM to Midnight.

Staff has reviewed the Permit and recommends approval.

The \$50.00 refundable deposit is required. All other fees will be paid prior to the event except for vendor fees which will be paid following the event.

FISCAL IMPACT: \$ 822.00

DEPARTMENT LINE ITEM ACCOUNT: 10-34-10880

BALANCE IN LINE ITEM IF APPROVED: NA

Prepared by: Ashlee Coronado
Ashlee Coronado,
City Clerk

Reviewed by: Richard J. Marsh Jr.
Richard J. Marsh Jr.,
City Manager

RECEIVED

AUG 11 2016

CITY CLERK'S OFFICE
CITY OF BISBEE

Permit No. 40-16

CITY OF BISBEE
PARK, FACILITY AND RIGHT -OF -WAY USE PERMIT
(This permit must be approved by City Council and/or by Parks staff prior to the event)

Permit must be submitted to and approved by the City Council prior to the event. City Council meetings are the first and third Tuesday of each month. Please note: your permit application must be submitted to the Public Works / Parks & Recreation Department at least four weeks prior to the next scheduled City Council meeting (before your scheduled event) in order for it to be on the City Council's meeting agenda. If the applicant is proposing to sell liquor at the proposed event, the applicant should allow an additional 10 days for processing of the required State "Special Liquor License." Also: As per section 11.2.9 paragraph G - "All permittees shall be responsible for returning the park, recreational facility or public right-of-way to the same condition in which it existed upon issuance of the permit. If this responsibility is not met, the permittee will be charged at a rate set forth by the City staff and approved by the Mayor and Council". Refer to Section 11.2.9 - "Park and Facility Use" of the City Code for requirements regarding use of City parks and facilities (a copy of the City Code is available at www.cityofbisbee.com, City Hall, or the Copper Queen Library)

If you have any questions regarding this permit application, please contact Lorena Valdez, Public Works at 432-6002 or lvaldez@cityofbisbee.com

APPLICANT INFORMATION

1. Applicant Name: RYAN J BRUCE Date: 7/1/16
2. Organization Name: The Bisbee Radio Project, Inc.
3. Mailing Address: P.O. Box 1501 / 94 Main St Bisbee, AZ 85603
Phone #: 432-1400 Contact name and phone # during event RYAN J. BRUCE 520-227-654
4. Name and complete description of activity planned (attached separate letter to include breakdown of event and activities and details if more than one activity or if more space is needed).
12 Annual Bisbee Blues Festival - Sept 10th, 2016
Ticketed event on main stage in city park with 6 bands playing live music from 12pm - 10pm. Food & Beverage vendors with appropriate security.
5. Approximate Number of Participants and/or Spectators: 1000
6. Requested Location of Event: City Park, 62 Brewery Ave
7. Date(s) of Event: 9/10/16
8. Hours of Event: 12pm - 10pm
9. Hours of Reservation (with set-up and breakdown) 5AM - 12AM (9/9/16 - 9/10/16)
10. Request Consumption of Alcohol: Yes No
11. Request Sales of Alcohol: Yes No

SERVICES REQUESTED FROM THE CITY OF BISBEE

(Provide letter with all services that are needed with details of times and locations. City may require services depending on nature of event) See attached service rate sheet.

- \$ _____ General Electricity access \$10 (CITY, LOWER VISTA, & GRASSY PARKS ONLY), Band Shell Access \$50 (CITY PARK):
 - GENERATORS ARE PERMITTED....ALL JUMPING CASTLES MUST HAVE INSURANCE AND GENERATORS
- \$ _____ Beer Permit (non-commercial permits only) \$10
- \$ _____ Police (escorts, security, road closures, redirecting of traffic): for _
- \$ _____ Park Public Works staff (example: posting closures of streets/parking, access to facility/band shell/restrooms, etc): _____

\$ _____ Other - any additional requests made by applicant or any other conditions set by the City Council, City Code, ordinance or resolution.

CONDITIONS APPLICANT MUST MEET THAT ARE REQUIRED BY THE CITY OF BISBEE:

- \$25 non-commercial or \$50 commercial permit fee paid before permit is processed.
- \$50.00 refundable deposit paid before permit is processed (if a check is issued, must be "Written separately from other charges) This deposit will be refunded at the completion of the event, provided that the facility has been left in the same, or better, condition as it was at the start of the event. The City will deduct from this deposit any expenses that may be incurred for cleaning or repairing the facility following the event prior to refunding any remaining balance.
- Fees for above service requests in the amount of \$ _____ before permit is processed or event can take place.
- Business License/Special Event License Fee of \$32.50 paid before permit is processed- where there is a promoter sub-letting booth space to vendors, the promoter will pay a fee of \$32.50 and \$4.00 per vendor per day. The promoter is required to supply a list of vendors which describes the items or service the vendor will be selling and pay all applicable fees prior to the event. Sales tax on all items sold at the City rate will be collected by the City for all sales made by the promoter and all vendors via their State tax forms.
- Vendor Fee of \$4.00 per vendor, per day (must be submitted prior to the event).
- Certificate of insurance required showing City of Bisbee as additional insured - \$1,000,000 minimum for high risk functions.
- County Health Department Food Permit must be attached if serving food or having food vendors. Health Department can be contacted at 520- 432-9472 for more information (This is not a food handler's certificate)
- Special Event Liquor License Application submitted to the City Clerks office- required in order to serve or sell liquor from the State of Arizona (Department of Liquor Licenses & Control, Phoenix Office). The sale of or consumption of alcoholic beverages must be approved by the City Council.
- Copy of flyers or promotional material associated with this event.

NOTES: 1-THERE IS NO WATER USAGE AT ANY PARK AT ANY TIME.
 2-IF YOU ARE HAVING A PARTY WITHOUT A PERMIT WITH MORE THAN 50 PEOPLE, CITY STAFF WILL COLLECT THE PERMIT FEE AT THE TIME OF YOUR PARTY AND PROVIDE YOU WITH A RECEIPT.

APPLICANT CERTIFICATION

ANY PERSON VIOLATING ANY PROVISION OF THIS ARTICLE SHALL BE GUILTY OF A MISDEMEANOR AND, UPON CONVICTION THEREOF, SHALL BE PUNISHABLE BY A FINE OF NOT LESS THEN FIFTY DOLLARS NO MORE THAN FIVE HUNDRED DOLLARS.

I, Ryan J. Bruce certify that I am authorized to sign this agreement and agree to abide by the conditions set forth herein and in the City Code.


Signature of Applicant/Authorized Party

7/1/16
Date

HOLD HARMLESS AGREEMENT

Please print or type:

In consideration of any services rendered and the use of the City of Bisbee facilities or Right-of-Way during the (print event) 12th Annual Bisbee Blues event the period from (date & time) 5 AM - 9/10/16 to 12 AM - 9/11/16, the permittee RYAN J BRUCE agrees to the following:

1. That the permittee shall defend, indemnify and save harmless the City of Bisbee, its officers, employees, agents and representatives from and against all losses, claims, demands, payments, suits, actions, recoveries and judgments of every nature and description arising by reason of any act or commission of the permittee, his agent(s), employees or participants during the event or in consequence of any negligence or carelessness regarding the same.

If Permittee is required to provide insurance:

2. The Permittee's insurance shall be primary.
3. The City of Bisbee shall be named as an additional insured on the permittee's liability insurance coverage for the referenced event, and the Hold Harmless Agreement be endorsed onto said insurance policy.
4. Said liability insurance shall be in an amount no less than \$1,000,000.00 per occurrence.
5. Said insurance shall not be canceled or expired during the term of the event unless a minimum of ten (10) days written notice is given to the Finance Director of the City of Bisbee.


Signature of Permittee or Authorized Representative

RYAN J BRUCE
Print Name

7-1-16
Date

COUNCIL ACTION:

Recommended to: Approve: _____ Deny: _____

With conditions as noted:

Mayor's Signature: _____

Date: _____

CITY OF BISBEE PUBLIC WORKS DEPARTMENT
118 ARIZONA STREET
BISBEE, AZ 85603
(520) 432-6002

APPLICATION FOR SPECIAL EVENT LICENSE

(Please print firmly or type)

- (1) Applicant's Name: RYAN J. BRUCE
- (2) Mailing Address, City, State & Zip: PO Box 1501
Bisbee, AZ 85603
- (3) Business Name: The Bisbee Radio Project, Inc. (KBRP)
- (4) Business Address: 94 Main Street / P.O. Box 1501
- (5) City: Bisbee State: AZ Zip: 85603
- (6) Business Phone No.: 520-432-1400 Resident Phone No.: 520-227-6547
- (7) Name of Special Event: 12th Annual Bisbee Blues Festival Date: 9/10/16
- Specify date(s) License needed: 9/10/16
- (8) Will you be serving food: _____ YES NO

If yes, do you have a Health Dept. Food Certificate: _____ YES _____ NO
(A copy of the Cochise County Health Dept. Certificate MUST accompany this application otherwise it will not be accepted)

Fees: Permit fee: \$32.50
Vendor fee of: \$4.00 per day. (When promoter subletting to other vendors)

Total submitted: \$ _____

I, RYAN J. BRUCE being first duly sworn upon oath hereby declare, under penalty of perjury, that I am the licensee making the foregoing application and that said application has been read and that the contents thereof and all statements contained therein are true, correct, and complete.



Signature of Applicant

9/1/16

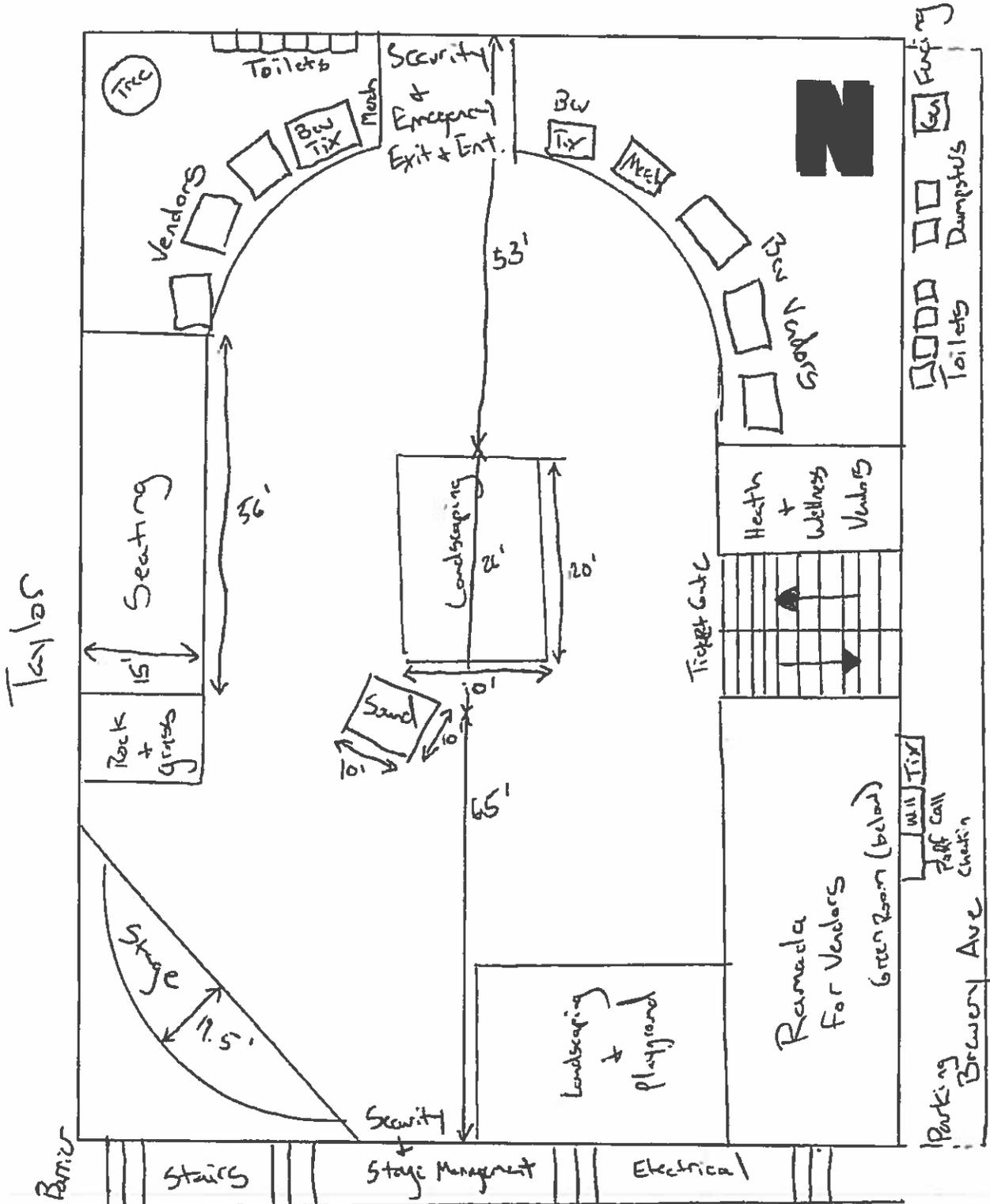
Date

Make checks payable to: City of Bisbee
118 Arizona Street
Bisbee, Arizona 85603

SPECIAL EVENT LICENSED PREMISES DIAGRAM
 (This diagram must be completed with this application)

Special Event Diagram: (Show dimensions, serving areas, and label type of enclosure and security positions)

NOTE: Show nearest cross streets, highway, or road if location doesn't have an address.



July 1, 2016

City of Bisbee
ATTN: Bisbee City Council
118 Arizona Street
Bisbee, AZ 85603



Dear Mayor and Council,

KBRP Community Media is applying for a permit to hold the 12th Annual Bisbee Blues Festival on September 10th, 2016 in City Park. Inside the gates of City Park there will be music, food, beverage, and merchandise sales. The music performances are scheduled to conclude at 10 PM on Saturday night.

KBRP would like to reserve the parking in front of the park on Brewery Avenue for bands to load and unload equipment. These spots would be occupied for 10-15 minute intervals in order to complete this task, but still provide emergency vehicle access to the park is needed.

There will be no traffic plan as there will be no rerouting of traffic. KBRP will need trash removal throughout the day and access to the band shell and restrooms. KBRP will provide port-o-lets for attendees.

This event is very important to Bisbee's local community and region. We will work with the City in every way to make sure it is a successful event.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan J. Bruce', with a horizontal line extending to the right.

Ryan J. Bruce
KBRP Executive Director

Community Media - Volunteer Powered, Member Supported.
P.O. Box 1501 • Bisbee • AZ • 85603 • 520-432-1400 • www.kbrpradio.com

BISBEE BLUES FESTIVAL – PRODUCTION SCHEDULE (City Park)

(if possible, KBRP would like to gain access Friday, September 9th to City Park – vendors and equipment set-up staffed by 24 hour security personnel)

5 AM – KBRP and production volunteers arrive to begin set-up in City Park (including lighting and sound)

7 AM – KBRP and production volunteers arrive to set-up vendor, food, and beverage tables and tents

9 AM – Security volunteers will arrive to secure entrances; volunteer staff arrives for second shift of production and set-up

11 AM – KBRP staff and production volunteers have briefing about process and procedure including review of IDs, ticket sales, merchandise sales, and security

11:30 AM – All sound, production, vendor, food, and beverage set-up complete

12 PM – Gates open

12:30 PM – First musical act begins set-up

1 PM – First musical act takes the stage

10 PM – Headline musical act concludes

10 PM – KBRP and volunteer staff begin clean up

11:59 PM – All tear down and cleanup will be complete

**BISBEE BLUE'S FESTIVAL
EVENT
September 10, 2016**

Permit Fee:	\$ 50.00
Special Event License	\$ 32.50
Band Shell &Electricity	\$ 60.00
Signs (11 x 1.50)	\$ 16.50
Trash Barrels (10 total)	
\$40.00 for 6	\$ 40.00
\$10.00 for each additional	\$ 40.00
Dumpsters (8 x \$15.00)	\$ 120.00
Additional Dumpster Pick up (1 Days @ \$53.00 ea day)	\$ 53.00
1 Parks Staff (8 hrs x \$20.00/hr)	<u>\$ 160.00</u>
TOTAL	\$ 572.00
Refundable Deposit:	\$ 50.00

Note: Vendor Fees will be paid after event.

Bisbee Blues



IRS Department of the Treasury
Internal Revenue Service

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248164828
Apr. 12, 2011 LTR 4168C E0
86-0904572 000000 00

00012863
BODC: TE

THE BISBEE RADIO PROJECT
INCORPORATED
% THE BISBEE RADIO PROJECT INCORPORATED
PO BOX 1501
BISBEE AZ 85603-2501

121892

Employer Identification Number: 86-0904572
Person to Contact: Tonya Morris
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your Apr. 01, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in May 2003.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(vi).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

0248164828
Apr. 12, 2011 LTR 4168C E0
86-0904572 000000 00
00012864

THE BISBEE RADIO PROJECT
INCORPORATED
% THE BISBEE RADIO PROJECT INCORPORATED
PO BOX 1501
BISBEE AZ 85603-2501

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,



S. A. Martin, Operations Manager
Accounts Management Operations

2016
2015

Bisbee Blues Festival Fee Schedule

robert.kbrp@
gmail.
com

PERMIT FEES:

City Park Permit Fee	\$50.00
Special Event License	\$32.50
Band Shell Electricity	\$60.00
No Parking Signs 11 @ 1.50 each	\$16.50
10- Trash Barrels \$40.00 for 6 \$10.00 for each additional (4)	\$80.00
8- Dumpsters @\$15.00ea	\$120.00
Additional Dumpster Pick up	\$53.00
TOTAL:	\$412.00

PERSONNEL COSTS:

Public Works: 8 Hours @ \$20.00 per hr.	\$160.00
Police Department: 1- Officers @ \$25.00 for 11hrs. 1- Police Units @ \$30.00 per day	\$30.00

~~275.00~~
~~550.00~~
~~30.00~~
740
550.00
465.00

TOTAL:

CREDITS:

4 Hour reduction in Public Works Cost	(80.00)
Reduction in Permit Fee Per Guidelines	(250.00)
TOTAL CREDITS:	(330.00)

TOTAL without Deposit :

Refundable Deposit for Event	\$50.00
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547.00
822.00