

BOARD OF PORT COMMISSIONERS
PORT OF REDWOOD CITY

AGENDA SHEET

SUBJECT:
MOTION AUTHORIZING ISSUANCE OF LETTER
PERMIT TO PENINSULA CELEBRATION ASSOCIATION
IN CONNECTION WITH FIREWORKS DISPLAY-(4TH OF
JULY CELEBRATION-YEAR 2006)

DATE: June 28, 2006
ITEM NO.: VI-A
Submitted by: Michael J. Giari

<u>AGENDA CLASSIFICATION</u>		<u>PROGRAM AREA</u>	
<input type="checkbox"/> Policies	<input type="checkbox"/> Leases	X	General Operations
<input type="checkbox"/> Finance	<input type="checkbox"/> Construction	<input type="checkbox"/>	Marine Terminal Operations
<input type="checkbox"/> Legal	<input type="checkbox"/> Maintenance	<input type="checkbox"/>	Yacht Harbor Operations
<input type="checkbox"/> Personnel	X	<input type="checkbox"/>	Property Management
	Other	<input type="checkbox"/>	Administration

BACKGROUND

The Peninsula Celebration Association (PCA) has requested a permit from the Port for a fireworks display on the Fourth of July. We have met several times with representatives of PCA, the Redwood City Police and Fire Departments to discuss alternative plans for holding the fireworks display. PCA is proposing, under the current Event Plan submitted to the Port, to conduct the fireworks display in a similar manner to the ones that have been held at the Port over the last several years.

The fireworks will be launched from a barge in the turning basin of the Channel. A safety zone will be maintained around the barge. The fireworks that will be used require a safety zone of approximately 800 feet in radius. The fireworks barge will use a GPS system to remain on station. The barge with fireworks loaded in Oakland will be berthed at Wharf 4 before moving into position for the fireworks display. Access to the wharf will be restricted and all activities will be monitored by the Redwood City Fire Department.

The Fire Department will have a boat to patrol and enforce the safety zone. A fire engine and Fire Department personnel will be positioned at the Port for safety and supervision of all fireworks activities.

The Sea Scouts and Coast Guard Auxiliary will provide on the water support.

On shoreside, all Port industrial areas will be closed to the public at 6:00 PM. Port security guards will be posted at Hinman Road, Herkner road and the launch ramp. The launch ramp is open for use by boaters but during the fireworks display it will be closed. The Port is also closing the public fishing pier.

Executive Director's Approval

[Signature]

6/23/06
Date

June 28, 2006

Item VI-A (cont.): MOTION AUTHORIZING ISSUANCE OF LETTER PERMIT TO PENINSULA CELEBRATION ASSOCIATION IN CONNECTION WITH FIREWORKS DISPLAY – (4TH OF JULY CELEBRATION-YEAR 2006)

Page 2.

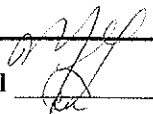
PCA will provide security personnel to direct and monitor spectator activities in the Seaport Court and Portside areas. PCA and the Redwood City Police Department will direct traffic, safely park cars, and close streets as necessary on Seaport Blvd. and Blomquist. Seaport Court will be closed when parking capacity has been reached. Arrangements will be made for patrons of Arrivederci Restaurant to park in the Portside parking lot provided they have made a reservation.

PCA will be responsible for making sure the viewing areas are free of trash and garbage following the fireworks. The Port will have restrooms open and available at the Marina and will provide portable toilets at both ends of the “grassy” viewing area.

The permit requires that the Port be held harmless, that the Port be reimbursed for any damages, and that public liability and property damage insurance naming the Port, its Board, etc., be provided in the amount of \$3 million.

Attached for additional information is a copy of the PCA Event Plan and the application to the Redwood City Police Department for a special event permit.

Executive Director's Approval



6/23/06
Date



PORT OF REDWOOD CITY
San Francisco Bay

675 Seaport Boulevard
Redwood City, California 94063-5568
650 306 4150 FAX 650 369 7636
E-mail: portofrc@redwoodcityport.com

June 28, 2006

Pete McFall, President
Peninsula Celebration Association
463 Brewster Street, Suite 4
Redwood City, CA 94063

Re: The Fourth of July Fireworks Activities-Year 2006

Dear Mr. McFall:

At the June 28, 2006 Port Commission Meeting, by way of Motion, the Board of Port Commissioners authorized me to issue this letter permitting the Peninsula Celebration Association to conduct the Fourth of July Fireworks activities within the Port Area subject to and in accordance with the terms and conditions contained herein and the Specific Plan for the July 4th 2006 Fireworks Display, attached hereto, marked Exhibit "A", and incorporated by this reference.

The permission herein granted is to the Peninsula Celebration Association (hereinafter, for convenience, called "Permittee"). This permit is subject to the following terms and conditions:

Fireworks. Said activities shall be sponsored by Permittee.

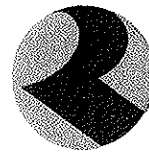
Revocation. This permit may be revoked at any time without cause by the Port of Redwood City.

Non-transferability. This permit is non-transferable.

Location. The Fireworks herein permitted shall be conducted in the areas shown on the attached map, marked Exhibit "B", incorporated herein by this reference. Members of the general public shall be allowed to view the Fireworks from the areas designated on Exhibit "C", attached hereto and incorporated by this reference "(the "Location")".

Garbage/Trash. The Location is being delivered to Permittee free and clear of garbage/trash. Permittee shall keep the Location free and clear of garbage/trash and shall deliver the Location back to the Port free and clear of garbage/trash upon the completion of the Fourth of July Fireworks activities.

Port Commissioners
Larry R. Aikins
Jack Castle
Richard "Dick" Dodge
Ralph A. Garcia, Jr.
Lewis D. Miller



June 28, 2006
Mr. Pete McFall
Peninsula Celebration Association
Page 2

Dates and Time. The Fireworks shall be conducted on Tuesday, July 4, 2006. The Fireworks display will start at or near dusk and will last approximately one-half (1/2) hour.

Insurance. Permittee shall furnish to the Port public liability and property damage insurance naming the Port of Redwood City, its Board, the City of Redwood City, its Council and their respective boards, commissions, officers, employees, volunteers, agents, and Portside Investors, Inc. as insured, or additional insured, insuring the same against all claims for personal injury or death to any person or persons resulting or arising from the conduction of the activities herein permitted, or alleged to have resulted or alleged to have arisen therefrom, or from any act or omissions to act, of Permittee in connection therewith, in the amounts of \$3,000,000 for each person and \$3,000,000 for each occurrence, and property damage insurance for damage or injury to, or destruction of property, including the loss of use thereof, in the amount of \$3,000,000. Evidence of such insurance coverage (certificate and declaration pages) in a form satisfactory to the Port shall be furnished by Permittee to the Port at least five (5) days prior to commencement of the event.

Damage to Public Property. Permittee shall reimburse the Port for the costs of any damages to Port-owned property in the vicinity of the designated events, caused by or arising out of the conducting of the activities permitted hereunder, or the acts, omissions to act, of persons participating in said event. All signs, barricades, or other markings placed in or upon public property and/or Port property, including the public right of way in connection with the activity, shall be removed immediately following said event.

Compliance With Laws. Permittee shall comply with all appropriate and applicable rules, regulations, and laws in connection with the conducting of said event, or any activities associated therewith. This permit shall be in addition to all other permits that are or may be required for conducting this event or any associated activity. Permittee shall obtain all necessary Federal, State, County, and City permits pertaining to the fireworks display.

Hold Harmless. Permittee shall assure the defense of an indemnity and save harmless the Port of Redwood City, its Board, the City of Redwood City, its Council and their respective boards, officers, commissions, employees, volunteers, and agents from all suits, actions, damages, or claims to which the Port and/or City may be subjected of any kind or nature whatsoever, resulting from or arising out of the



June 28, 2006
Mr. Pete McFall
Peninsula Celebration Association
Page 3

performance or failure to perform of Permittee hereunder, or otherwise arising from or arising out of said activities herein permitted.

Permit Subject City Services. This permit is subject to the City of Redwood City providing the following services or authorizations:

Permit/authorization from the Police Department
Permit/authorization from the Fire Department

Additional or Further Matters. Additional or further matters not herein described or contemplated in connection with the July 4th Fireworks shall not be effectuated without the prior written consent of the Port Executive Director.

Acceptance. This permit shall not be effective until fully executed by all parties hereto and accepted by permittee and returned to the Port of Redwood City.

Sincerely,

Michael J. Giari
Port Executive Director

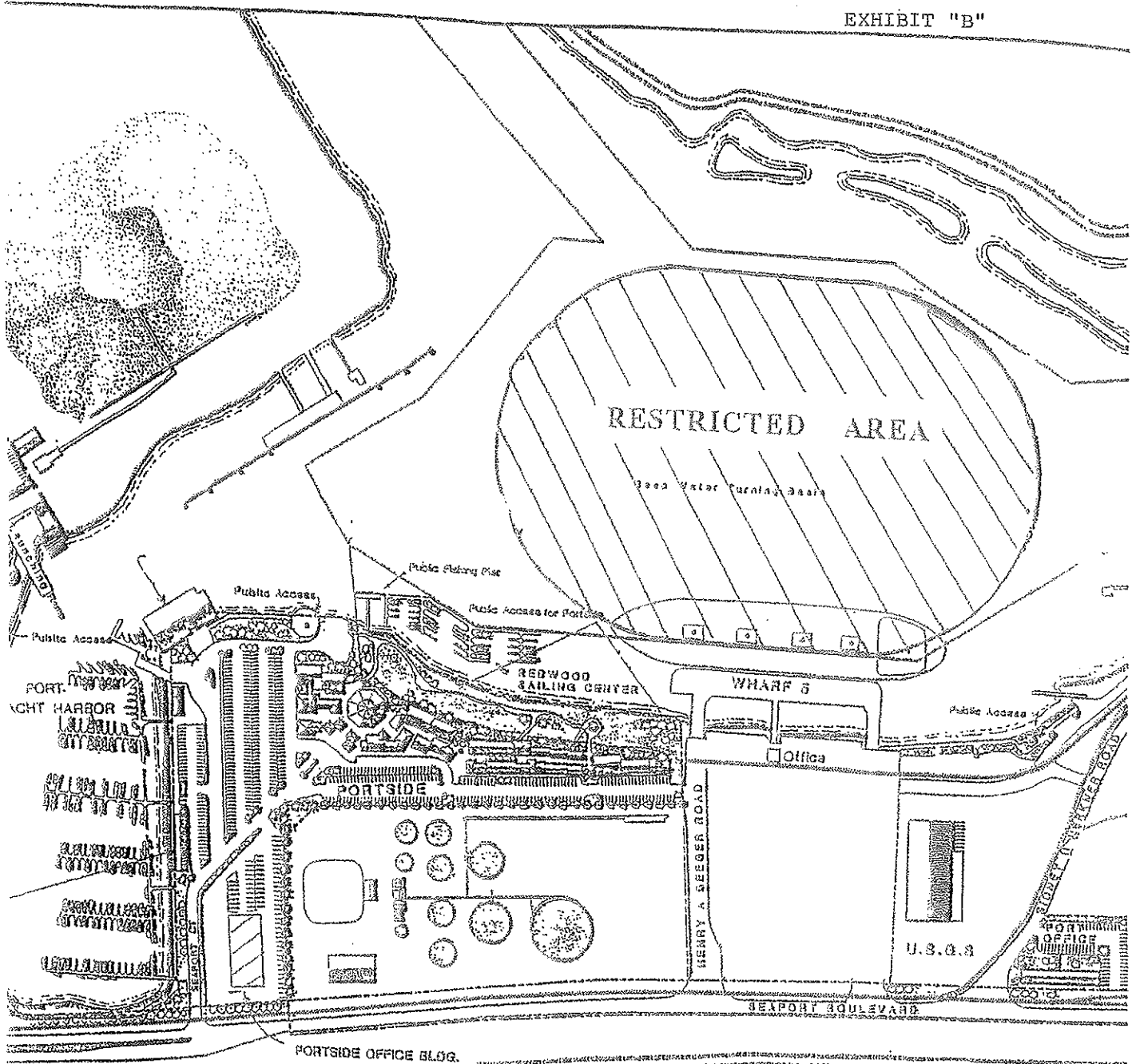
MJG:ra

The Peninsula Celebration Association does hereby accept the foregoing permit and all the terms and conditions thereof.

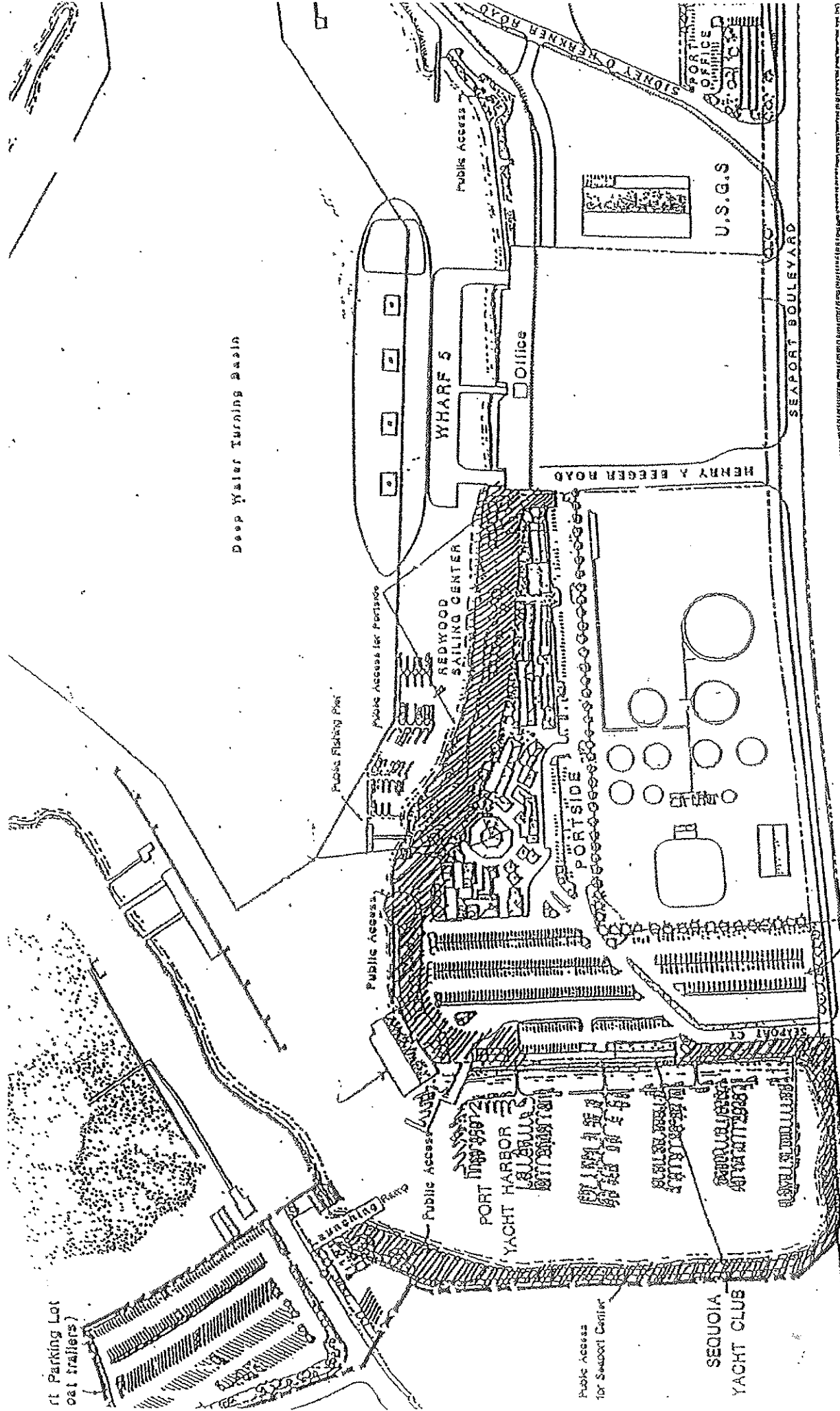
Peninsula Celebration Association

Dated: _____, 2006

By: _____



Port of Redwood City



Port of Redwood City

PORTSIDE (phase 2)

This plan is a preliminary site plan for the Port of Redwood City, California. It is intended to provide a general overview of the proposed development and is not to be used for construction purposes. The plan is subject to change without notice. The City of Redwood City, California, is the owner of the land shown on this plan. The plan is prepared by the City of Redwood City, California, and is the property of the City. The plan is not to be used for any other purpose without the written consent of the City.