



## CITY COUNCIL AGENDA REPORT

**Meeting Date:** May 20<sup>th</sup>, 2021

**From:** Noreen Leek, Parks & Recreation Director

**Subject:** Consider Approving Private Event in the Community Park

### **Community Goal/Result**

Community Building

### **Purpose**

Maintain public spaces and facilities for community interaction.

### **Recommendation**

Receive request from citizen Bradley Dimoff and consider approving private event in the Community Park on Saturday, July 3<sup>rd</sup> from Noon-4:00pm.

### **Background**

It is the general policy of the City of Brisbane that persons/groups shall be permitted and encouraged to use Brisbane's Community Park for passive, recreational, educational, cultural and other worthwhile purposes which are available to all persons regardless of age, gender, race, religion, or national origin.

The application approval process is designed to allow for consideration of group applications (less than 100 persons) by the Parks & Recreation Department staff. The City's policy states that group applications for 100 or more persons must be reviewed and approved or rejected by the City Council. Applications should be analyzed to assure that the Park's passive, recreational, and community facility is safely maintained, and the public's best interest is protected.

### **Discussion**

Mr. Dimoff has requested use of the Brisbane Community Park Gazebo, Lawn Areas, and Picnic Area 1 to hold a celebration of life for his wife. One of his wife's favorite pastimes was attending the City's summer concerts in the park. Mr. Dimoff would like to create a similar experience for her celebration of life event by hiring a band to play in the gazebo and a catered lunch for friends and family. The expected attendance is 100-150 people.


If the application is approved, Mr. Dimoff would be responsible for securing an amplified sound permit through the City's Building and Planning department. This event would also result in additional support from the Police department for monitoring, the Public Works department for parking signage, and the Parks & Recreation department for trash removal and event oversight.

**Fiscal Impact**

The fees to be collected for this application total \$596.00 but that does not take into account the additional staff time required by the aforementioned departments. A \$200 refundable deposit would be required at the time of reservation and refunded to the applicant upon completion of the event provided that all policies and procedures are followed and no disturbance is caused, or that no excessive cleaning is required resulting from the event.

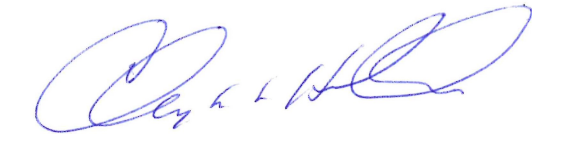
**Attachments**

1. Park Rental Application



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Noreen Leek, Parks & Recreation Director



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Clay Holstine, City Manager



# BRISBANE PARKS & RECREATION DEPARTMENT COMMUNITY PARK RENTAL APPLICATION

50 Park Place, Brisbane, CA 94005 | 415.508.2140 | www.brisbaneca.org

## APPLICANT INFORMATION

Name Bradley Dimoff Organization PERSONAL  
 Primary Phone 650 270 3163 Secondary Phone \_\_\_\_\_  
 Address P O Box 58 \*City BRISBADE State CA Zip 94005  
 \*(Proof of residency is required in order to receive resident discount)  
 Email 125 Avenida St.

## EVENT INFORMATION

### Picnic Area Requested:

Area #1   
 Area #2 \_\_\_\_\_  
 Area #3 \_\_\_\_\_  
 Area #4 (first come, first served) \_\_\_\_\_

Gazebo

Lawn Area #1   
 Lawn Area #2

Date July 3rd

Day of the Week SATURDAY

Estimated Attendance: under 21 \_\_\_\_\_ 21 & over  100

### Event Type and Description

CELEBRATION OF LIFE (RITA JAMES)  
FOOD & BAND (NO ALCOHOL) (ANNA DIMOFF)

SPECIAL REQUESTS		AMOUNT DUE
Inflatable	Yes ___ No ___	\$9/Res, \$29/Non-Res (hourly) (Lawn Reservation Required)
Gazebo Electricity	Yes ___ No ___	\$25 Flat Rate
Pinata	Yes ___ No ___	No Fee
BBQ	Yes ___ No ___	No Fee

## USE AGREEMENT & LIABILITY RELEASE

**This is a legal document which limits our liability, please read carefully! By signing this document you state that:**

- (1) you assume all risk of injuries from participation in this activity,
- (2) you release the City of Brisbane, its officers, employees, agents, and servants from all liability arising out of your participation in this activity. I. ASSUMPTION OF RISK: I voluntarily participate in the activity described in the Brisbane Community Park Use Permit, fully aware of the dangers and risks involved and knowing that the City of Brisbane does not guarantee the construction, condition, or safety of the facilities or the equipment, not the supervision of the activity by its officers, employees, agents, and servants. I expressly assume the risk of all loss, damage or injury from my participation in or presence at the said activity. II. RELEASE OF LIABILITY: In consideration for the opportunity to participate in this activity and the services provided by the City of Brisbane, I (on behalf of myself, my heirs, assigns, and legal representatives) release the City of Brisbane, its officers, employees, agents, and servants from any liability arising out of my participation in or presence at the described activity in the Brisbane Community Park Day Use Permit. I expressly absolve the City of Brisbane, its officers, employees, agents, and servants of liability for their negligence.

Applicant's Signature [Signature]

Date 5/13/2021



# BRISBANE PARKS & RECREATION DEPARTMENT

## RULES & REGULATIONS FOR PARK RESERVATIONS

50 Park Place, Brisbane, CA 94005 | 415.508.2140 | www.brisbaneca.org

### GENERAL POLICY

AGREE

- ❖ It is the general policy of the City of Brisbane that persons/groups shall be permitted and encouraged to use Brisbane's Community Park for passive, recreational, educational, cultural and other worthwhile purposes which are available to all persons regardless of age, gender, race, religion, or national origin.
- ❖ Persons or groups may reserve portions of the park based upon criteria contained within this policy. This policy does not preclude any persons from using the Park without a reservation in accordance with the adopted City of Brisbane policies and ordinances pertaining to such use.

### DESIGNATED RENTAL AREAS

AGREE

- ❖ The Park is divided into three distinct reservable areas: (1) picnic table areas, (2) open lawn areas, and (3) the Gazebo. In order to ensure general public usage is always available, the tables in picnic area #4 are not reservable and are considered first come, first served.
- ❖ Reservation of lawn area(s) are required for all inflatables.

### USE OF PARK AREA

AGREE

- ❖ Recreational activities that are organized for the general public sponsored and co-sponsored by the City of Brisbane, have priority over other groups in the scheduling of facilities.
- ❖ The City of Brisbane reserves the right to cancel any permit if said use conflicts with a City sponsored or co-sponsored event.
- ❖ The City of Brisbane reserves the right to schedule exclusive use of any part of the Park, or the entire Park at any time for City sponsored or co-sponsored functions.

### OTHER CONSIDERATIONS

AGREE

- ❖ Staff shall consider the safety, health, and welfare of persons and the security, preservation, and orderly use of City facilities as criteria when reviewing permit applications. All applicable City ordinances, including the City noise ordinance and any special rules or regulations established for the Park will be in effect. This includes, but is not limited to: entertainment, rummage sales, and games.
- ❖ Alcohol is only permitted if denoted on the application and corresponding fees are paid.
- ❖ Charging admission, selling tickets or solicitation of money in any manner without prior approval is prohibited. This includes the sale and/or peddling of any foods, refreshments, novelties or goods.

### GROUP APPLICATION PROCESS

AGREE

- ❖ The application approval process is designed to allow for consideration of group applications (less than 100 persons) by the Parks & Recreation Department staff. Staff reserves the right to have the Parks & Recreation Commission review any application. Group applications for 100 or more persons must be approved by the City Council. Applications will be reviewed to assure that the Park's passive, recreational, and community facility is safely maintained and the public's best interest is protected.

### CANCELLATION/REFUND POLICY

AGREE

- ❖ Applicants must notify the Brisbane Parks & Recreation Department office within ten (10) working days prior to the scheduled use date for a full refund. Failure to cancel an event within this time frame will result in forfeiture of the reservation fees.
- ❖ In the event of rain, you must contact the Parks & Recreation office at least 4 days in advance of your scheduled date in order to reschedule your event or request a refund. Rainy day refunds will be determined by the Parks & Recreation Department and reviewed as to whether or not the applicant had utilized the reserved area.

### RESERVATION PROCEDURE

AGREE

- ❖ Picnic reservations may be processed online through the reservation system of applications can be completed and filed in person by an adult representative. No permit will be issued to a minor. If applying in person, the applicant must be present during the entire time of the reservation.
- ❖ Permit applications must be fully completed and submitted with payment for a permit to be issued. This process must be completed no less than three (3) working days prior to the desired date. Payment may be made using credit card, check or cash. Reservations are not valid until all fees are paid in full.

### REGULATIONS

AGREE

- ❖ Any person, group or organization which has damaged or destroyed any City property or has failed to follow established policies in the past, may be denied a permit.
- ❖ Users of the Park are responsible for any damages or extraordinary clean-up resulting from their use. Permit holders are prohibited from using nails, staples or other items that could damage the park or any of its facilities.
- ❖ No stakes, ropes, poles, or other securing devices are to be attached to any bushes or trees.
- ❖ The permit holder shall be required to perform all site preparation and clean-up of "party props" following the completion of the event.
- ❖ No person shall use or permit the use of any sound amplification device in any portion of the Park without specific permission of the City of Brisbane. All noise being emitted from said gathering must comply with the City of Brisbane Noise Ordinance.
- ❖ Ball games, practices, tournaments or similar activities by any organized group shall be prohibited.
- ❖ Permit holders shall not engage in any activity or set-up any equipment or decorations which infringes on other park users ability to use the Park or any of its other facilities.
- ❖ Permit holders are prohibited from using portable barbeques or other flammable devices in or within fifteen (15) feet of the Gazebo.
- ❖ On any given date, a maximum of two (2) jump house permits will be issued.
- ❖ Permit holders who have been approved for use of a jump house MUST provide a secondary container in which the generator will sit. This will eliminate any fuel spillage onto the lawn area. NOTE: Generators are needed for jump houses since the City does not provide electrical access.
- ❖ Inflation/air-blown jumping devices no larger than 13x13 are allowed only with the rental of a picnic area. Water course inflatables, obstacles courses, inflatables with slides and/or loose accessories (i.e. balls) are not allowed.
- ❖ Barbeque pits are available for use at no additional cost on a first come, first served basis. Please dispose of spent coals into the provided hot ash containers.
- ❖ Groups are subject to observation by City personnel. Anyone who provides false information on a rental application (i.e. group size, alcohol, inflatables, etc.) could be denied future use of City facilities.
- ❖ It is the renter's responsibility to remove all excess trash that does not fit in the provided park receptacles.

### PICNIC RENTAL GUIDELINES AND POLICIES DURING THE COVID-19 PANDEMIC

- ❖ The City of Brisbane reserves the right to impose additional restrictions on picnic area reservations in the interest of public health and in compliance with State and local health orders. All renters will be required