

RESOLUTION NO. 3026-2006

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL AUTHORIZING THE CLOSURE OF
MAIN STREET (STATE ROUTE #1)**

WHEREAS, the Holiday Lights Parade Committee and Kiwanis Club ("Parade Committee") are sponsoring a Holiday Lights Parade on Saturday, December 2, 2006, said parade is to be conducted within the City of Fort Bragg as more particularly set forth in the attached Encroachment Permit Application marked as Exhibit "A;" and

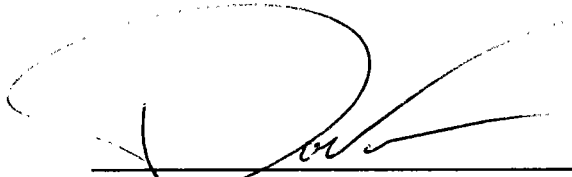
WHEREAS, the Parade Committee has applied for a Parades/Celebrations permit, and

WHEREAS, the California Department of Transportation has required as part of their encroachment field permit process, that the Parade Committee obtain a Resolution from the City Council authorizing the closure of Main Street (State Route #1).

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby authorize the closure of a portion of Main Street (State Route #1) from Pine Street on the north to Oak Street on the south on Saturday, December 2, 2006, from 6:30 p.m. to approximately 9:00 p.m. for the purpose of facilitating the Holiday Lights Parade.


The above and foregoing Resolution was introduced by Councilmember Baltierra, seconded by Councilmember Melo, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 10th day of October, 2006, by the following vote:

AYES: Councilmembers Gjerde, Baltierra, Hammerstrom, Melo, and Mayor Turner.
NOES: None.
ABSENT: None.
ABSTAIN: None.



DAVE TURNER,
Mayor

ATTEST:



Cynthia M. VanWormer, CMC
City Clerk



CITY OF FORT BRAGG
ENCROACHMENT PERMIT APPLICATION

EXHIBIT A

416 N. FRANKLIN STREET
FORT BRAGG, CA 95437
(707) 961-2823

Permission is requested to encroach on the City of Fort Bragg right of way as follows: (Complete all items. Use NA if not applicable.) Application is not complete until all required attachments are included.

Location: 3 largest QWR parking lot on Pine Street, east to Main Street; South on Main to Cab; east on Cab to Franklin, North on Franklin to 400 block

Address or Street Name: Main & Franklin Cross Street (include distance and direction): Pine to 400 on Main & Franklin Streets

Portion of Right of Way: street Work to be performed by Own Forces Contractor

Starting Date: 12/2/06 Completion Date: 12/3/06 Start/End Times (a.m./p.m.): 6:30-9:00 PM. Estimated Cost in City Right of Way: _____

DESCRIBE WORK WITHIN CITY RIGHT OF WAY (ATTACH SKETCH):
Holiday Light Parade - route above

NOTE: If application is for excavation and/or piping please attach plans (5 sets folded 8-1/2 x 11), specs, calcs, maps, etc.

THE UNDERSIGNED AGREES THAT THE WORK WILL BE DONE IN ACCORDANCE WITH CITY OF FORT BRAGG RULES AND REGULATIONS AND SUBJECT TO INSPECTION AND APPROVAL

Organization or Applicant: Holiday Light Parade Committee & Kiwanis Club Phone: 964 6774 Architect, Engineer or Project Manager: Nancy Cardenas Phone: 964 6774

Address (include city and zip code): 726 N. Main St. Fort Bragg

Authorized Signature: Nancy Cardenas Title: Coordinator Date Received At City Hall: SEP 07 2006

TO BE COMPLETED BY CITY

LIABILITY INSURANCE REQUIRED? No Yes Amount \$1 MILLION

ENVIRONMENTAL REVIEW REQUIRED: No Yes

FEES (Account 110.420.2601):

Issuance Fee: \$ 55.00

Permit Fee: \$ _____

P **D**
SEP 07 2006
Rec # 12858 \$55

SITE INSPECTION REQUIRED: CITY OF FORT BRAGG
(Site inspection is to verify that applicant has met all encroachment permit conditions. Please contact the Engineering Department at 961-2823 to schedule inspection.)

Inspected by: _____

Date of inspection(s): _____

cc: Public Works Department _____
Police Department via FAX _____
Applicant _____
Community Dev. Dept. _____
Engineering Dept. _____

Logged into computer _____ Date _____ Initials _____

Check category below which describes the Project:

- Survey
- Mailbox
- Flags, Signs, Banners, Decorations
- Parades, Celebrations
- Public Utility Modifications, Extensions, Hookups
- Erosion Control
- Movie, TV Filming
- Sidewalk/Gutters
- Sidewalk Sale
- Single Family Dwelling Driveway
- Maintenance of Existing Landscaping
- Ditch Paving
- Fence
- Regulatory Warning, Information Signs
- Remove/Replace Distinctive Road Markings
- Facade Restoration
- Street Furniture (planter box, bench, etc.)
- Maintenance, Reconstruction, or Resurfacing of a Driveway or Road Approach
- None of the Above. If project cannot be described in above categories, describe: _____

ENCROACHMENT PERMIT GENERAL PROVISIONS

1. *A permit is issued under the provisions of Chapter 5.5 of Division 2 of the Streets and Highways Code and Chapter 9.78 of the Fort Bragg Municipal Code. Except as otherwise provided for public agencies and franchise holders, the permit is revocable on five (5) days notice.*
2. *It is understood and agreed by the applicant that the doing of any work under the permit shall constitute an acceptance of the provisions, terms, conditions and/or restrictions*
3. *Before starting any construction work authorized by the permit, the permittee shall notify the Engineering Department. Such notice shall be given at least 48 hours in advance of the time work is to start. If the work entails street closures or detours, please see Special Conditions attached*
4. *The permit shall be kept at the site of the work and must be shown to any representative of the grantor or any law enforcement officer upon demand.*
5. *PUBLIC CONVENIENCE - Applicant shall so conduct his operations as to offer the least possible obstruction and inconvenience to the public. Unless otherwise provided on the permit, all public traffic shall be permitted to pass through the work with as little inconvenience and delay as possible. Spillage resulting from hauling operations along or across any public traveled way shall be removed immediately by the permittee at his expense. Any soil or debris tracking from a construction site is strictly prohibited. If the spillage is hazardous, the Mendocino County Office of Environmental Health must be notified at 964-2714, as well as the Fort Bragg Police Department at 964-0200.*
6. **PUBLIC SAFETY** - *Should the Applicant's operations create a condition hazardous to the public, he shall furnish, erect, and maintain, at his expense, such fences, barricades, lights, signs, and other devices as are necessary. Applicant shall furnish at his expense, such flagmen and guards as are necessary to prevent accidents or damage or injury to the public. No material or equipment shall be stored where it will interfere with the free and safe passage of public traffic. Should the Applicant's operations create a condition hazardous to traffic, please see Special Conditions attached.*
7. *All work shall conform to recognized standards of construction and those specifications prescribed on the face of this permit. All the work shall be done subject to the supervision of, and to the satisfaction of, the grantor. Upon completion of the work, all brush, timber, scraps, dirt, mud, construction dust or debris, and material shall be entirely removed and the right of way left in as presentable condition as before work started. Work which requires the presence of an employee of the grantor as inspector, the salary and other incidental expenses of such inspection during the work shall be paid by the permittee upon presentation of a bill therefor.*
8. *It is understood by Applicant that whenever construction, reconstruction, or maintenance work on the highway may require the relocation of the installation provided for herein, it shall, upon request of the grantor, be immediately moved by, and at the sole expense of, the permittee.*
9. *An encroachment permit does not relieve permittee from the responsibility of obtaining all applicable permits and/or licenses as may, in connection with the work or activity therein described, be required from other public agencies and/or commissions. Failure by applicant to secure all necessary and applicable permits and/or licenses shall nullify the permit.*
10. **LIABILITY FOR DAMAGES** - *Applicant is responsible for all liability for personal injury or property damage which may arise out of work herein permitted, or which may arise out of failure on the permittee's part to perform his obligations under the permit in respect to maintenance. In the event any claim of such liability is made against the City of Fort Bragg, or any department, officer, or employee, thereof, applicant shall defend, indemnify and hold them and each of them harmless from such claim.*
11. *DUE CARE shall be exercised to avoid injury to existing Highway improvements or facilities. City road surfacing shall be replaced by equal or better than the surfacing disturbed. The cost of all materials, labor, etc. necessary for installation of the encroachment shall be borne by the permittee. The cost of any labor and materials for repairs to the road by city forces, made necessary by the work done under the permit, shall be charged to the permittee at actual cost.*
12. *If the work herein contemplated shall interfere with the established drainage, ample provision shall be made by the permittee to provide for it as may be directed by the grantor.*
13. *Upon completion of underground or surface work of consequence, the permittee shall furnish a plan to the Department of Public Works showing the location and details.*
14. *The permittee agrees by the acceptance of the permit to exercise reasonable care to maintain properly any encroachment placed by it in the highway and to exercise reasonable care in inspecting for and immediately repairing, and making good any injury to any portion of the highway which occurs as a result of the maintenance of the encroachment in the highway or as a result of the work done under the permit including any and all injury to the highway which would not have occurred had such work not been done or such encroachment not placed therein.*
15. *Permittee shall obtain an encroachment permit from the Office of the City Clerk prior to advertising the conduct of the activity. Permittee shall arrange for adequate security, traffic and litter control by conferring with the Police Department. Permittee shall reimburse City for any extraordinary costs of providing City services in support of the event. Extraordinary costs may include City employee overtime, disposal fees, the cost of supplies and materials and/or contract services.*

Approved: _____ (City Clerk) _____ (Date)

A FULLY EXECUTED COPY OF THIS APPLICATION SHALL CONSTITUTE A PERMIT

CONDITIONS FOR HOLIDAY LIGHTS PARADE

1. The parade shall be held on Saturday December 2, 2006 rain or shine.
2. The applicant shall obtain all necessary City and Caltrans encroachments for the parade and road closure.
3. The applicant shall provide Commercial General Liability Insurance in the amount of \$1 million dollars, listing the City of Fort Bragg and CalTrans as additional insured. The insurance shall be submitted to Cindy Van Wormer, City Clerk, at least two weeks prior to the event.
4. The applicant shall obtain a sufficient number of Event Volunteers to place "No Parking" signs on both sides of the 100 block of Oak Street, both sides of the 100 through 400 blocks of North Franklin Street, and both sides of the 300 block of North Main Street. The signs are to be legibly written in, at least, 1" lettering and state the date and time the parking restriction applies. The "No Parking" signs shall be placed at least 24 hours prior to the event. The applicant shall coordinate with Police Department personnel for the placement of barricades. The applicant shall contact Mike Cimolino, Public Works Supervisor, at least one week in advance of the event to coordinate placement, pick up, and drop off of the barricades and No Parking Signs. Mike Cimolino may be reached at (707)961-2836.
5. All decorative material on parade entries and floats shall be noncombustible or flame retardant.
6. All motorized parade entries, floats, and/or towing apparatus shall have a portable fire extinguisher readily accessible to the operator. The fire extinguisher shall be 2-A, 10-B:C rated model or equivalent as approved by the Fort Bragg Fire Department.
7. No candy shall be thrown from any parade vehicle.
8. The applicant shall obtain event volunteers sufficient to control traffic at intersections deemed appropriate by the Fort Bragg Police Department. Contact Floyd Higdon, Police Lieutenant, at (707)961-2817 for coordination.
9. All event volunteers shall wear reflective safety vests or equivalent at approved by the Fort Bragg Police Department.
10. The applicant shall have Event Volunteers available to assist parade participants in parking at the end of the parade route so that all entries are parked within the 300 and 400 block of North Franklin Street. Any vehicle or float that cannot fit into that area shall be responsible for parking in a legal fashion elsewhere. Overflow onto the Redwood Avenue intersection, or onto the 200 block of North Franklin Street will not be allowed.
11. The event sponsors shall provide the name of all event volunteers to Floyd Higdon, Police Lieutenant, at least one week prior to the event. Lieutenant Higdon may be contacted by calling (707)961-2817.
12. All event volunteers shall report to the Fort Bragg Police Department at 5:30 p.m. on the day of the event for briefing. Contact Lieutenant Floyd Higdon for coordination. Lieutenant Higdon may be contacted by calling (707)961-2817.
13. "Event Ahead" signs shall be placed at the southwest corner of the intersections of Main Street and Spruce Street (southbound direction) and the intersections of Main Street and Chestnut Street (northbound direction).
14. Barricades and "Detour" signs shall be placed on the 100 block of east Laurel Street at the alley to direct vehicles to Redwood Avenue. The intent of this condition is to eliminate issues arising from vehicles crossing the Franklin Street/Laurel Street intersection in the area parade floats are parked.