

12. NEW BUSINESS

- a. Request from Alisha Buesing (American Cancer Society) to waive the Special Events fees in the amount of \$1,390 for the Relay for Life scheduled for Saturday, February 21 beginning at 9:00 a.m. through Sunday, February 22 ending at 10:00 a.m. at Community Park, 2173 Periwinkle Way



MEMORANDUM

DATE: November 25, 2008
TO: Judith A. Zimomra, City Manager
FROM: Crystal J. Mansell, Executive Asst. to City Manager *C. Mansell*
SUBJECT: American Cancer Society's Relay for Life – Request for Waiver of Special Event Fees

On December 5, 2006, Sanibel City Council adopted Ordinance 06-016, which updated the City's regulatory system for special events permits and established fees which became effective January 1, 2007. On May 6, 2008, City Council adopted Resolution 08-053 (attached), which provided for fees for the rental of City properties and parks.

On October 28, 2008, the City of Sanibel received an application from the American Cancer Society for their Relay For Life event, which is proposed for February 21st, & 22nd, 2009. The applicant is requesting to hold the event at Sanibel Community Park and the Sanibel Community Association. Accompanying the application is a letter to the City of Sanibel requesting Council waive Special Event Fees for the Relay For Life.

The estimated Special Event Fees for the American Cancer Society's Relay for Life event are as follows:

FEES	
Application Fee (Sanibel Resident/Business)	\$ 100
Community Park Rental	\$ 575
Police Services (Public Safety @ Crosswalk)	\$ 535 (13 hours)
Safety Fencing Rental (Along Shared-Use Path)	\$ 120
Electrical Outlets (6 qty - 110 outlets)	\$ 60
TOTAL FEES	\$1,390
REFUNDABLE DEPOSITS	
Damage/Clean-Up Deposit	\$100
Safety Fencing Refundable Deposit	\$ 40
TOTAL DEPOSITS	\$140

Please let me know if you require additional information. Thank you.



City of Sanibel

800 Dunlop Road
Sanibel, Florida 33957-4096

www.mysanibel.com

AREA CODE - 239

CITY COUNCIL	472-4135
ADMINISTRATION	472-3700
BUILDING	472-4535
EMERGENCY MANAGEMENT	472-3111
FINANCE	472-9645
LEGAL	472-4359
NATURAL RESOURCES	472-3700
PARKS & RECREATION	472-9075
PLANNING	472-4135
POLICE	472-3111
PUBLIC WORKS	472-6397

October 6, 2008

Mrs. Lisa Cochran
PO Box 1414
Sanibel, FL 33957

Dear Mrs. Cochran,

The City of Sanibel is in receipt of your verbal message left on my voicemail requesting the City of Sanibel co-sponsor and waive all associated event fees for the annual 2009 American Cancer Society's Relay for Life, currently proposed to be held at Sanibel Community Park. Please be advised that Council historically has limited co-sponsorship to events in which the City was involved with prior to adoption of the Special Events Fee Ordinance. To date, the City has not expanded co-sponsorship to additional events.

Upon receipt of a written request and completed Special Events Application, your item will be placed on an agenda for City Council's consideration. City Council's meeting schedule for the remainder of the year is as follows:

October 21st – 9 a.m.

Deadline to submit agenda material is 5 p.m., October 13th, 2008

November 4th – 9 a.m.

Deadline to submit agenda material is 5 p.m., October 27th, 2008

November 18th – 9 a.m.

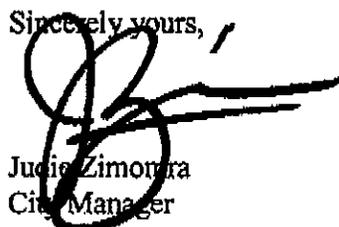
Deadline to submit agenda material is 5 p.m., November 10th, 2008

December 2nd – 9 a.m.

Deadline to submit agenda material is 5 p.m., November 24th, 2008

December 16th – 9 a.m.

Deadline to submit agenda material is 5 p.m., December 8th, 2008

Sincerely yours,


Judge Zimorra
City Manager

Xc: Sanibel City Council
Pamela Smith, City Clerk
Executive Staff



To: The City of Sanibel

From: Alisha Buesing (representing American Cancer Society)

Date: 10/28/08

Memo: Relay for Life of Sanibel/Captiva

I'm writing to you in regards to the Relay for Life of Sanibel/Captiva, that is being held on February 21&22 at Sanibel Community House. We are requesting that our event fee be waived by the City of Sanibel. Please place our request on the agenda for the City Council of Sanibel scheduled for November 4. We appreciate your consideration and community support.

Sincerely,

A handwritten signature in black ink, appearing to read "Alisha Buesing". The signature is fluid and cursive.

**Alisha Buesing
Community Representative
American Cancer Society
4575 Via Royale, Suite 110
Ft. Myers, FL 33919
239-936-1113, ext 124
563-529-5765 (cell)
239-936-3763 (fax)**



CITY OF SANIBEL
SPECIAL EVENTS PERMIT APPLICATION
 800 DUNLOP ROAD, SANIBEL, FL 33957
 Phone (239) 472-3700 Fax (239) 472-3065
 Website: www.mvsanibel.com
 Email: admin@mvsanibel.com

FOR CITY USE:

PERMIT # _____

_____ of _____

DATE: 10/29/08 Lee Co. Tax Parcel # 26.46.22.T2.00011.0000
25-46-22-21-00002-0010

Application must be submitted no later than 30 calendar days prior to the event accompanied by a refundable deposit (if applicable), and a non-refundable \$50/resident or \$100/non-resident application fee. Applications submitted less than 30 calendar days but not less than 7 days prior to the event, will be assessed a late fee of \$5 per calendar day. Applications will not be accepted later than 7 calendar days prior to the event.

EVENT NAME: Relay For Life of Sanibel Captiva

EVENT ADDRESS: Sanibel Community house 2173 Penwinkle Way

Name of shopping center or complex, if applicable: Sanibel FL 33957

A drawing of event layout, parking area, placement of signs and temporary structures must be attached upon application submission.

NAME OF ORGANIZATION: American Cancer Society

ADDRESS: 4575 Via Royale #110 Fort Myers FL 33919

CONTACT PERSON: Altha Bussing TITLE: C.R.

WORK PHONE: 936-1113 x124 CELL: _____ FAX: _____

EMAIL ADDRESS: _____ WEBSITE: _____

NAME OF CONTACT PERSON AND PHONE NUMBER AT THE EVENT:
Lisa Newmyer-cochrane 239-472-8875 or 216-8875

IS THE APPLICANT/ORGANIZATION A 501(C)3, NON-PROFIT? Yes No
 Certificate No. 83-0012046593C-1 Please provide a copy of current certificate.

DATE(S) OF EVENT:
 *Set-up and tear down must be included as part of event dates.
February 21, 09
February 22, 09

BEGINNING/ENDING TIME:
 *Set-up and tear down must be included as part of event times.
9am 9/21 -
10am 9/22

NUMBER OF PARTICIPANTS EXPECTED: _____ ADMISSION CHARGE (IF ANY): 0

TYPE OF EVENT/SPECIFIC ACTIVITIES: Relay For Life - Overnight fundraiser for the American Cancer Society

TEMPORARY SIGN(S) The Sanibel Code permits one (1) on-site sign, not to exceed 12 square feet that may be double-faced, per Special Event. Non-Profit organizations are permitted up to six (6) off-site directional signs, with City Manager approval. Banner signs and balloons are strictly prohibited at all times.

Please indicate sign size, type, and location of On-Site sign: yard signs w/ event logo

00537



Consumer's Certificate of Exemption

DR-14
R. 01/02

Issued Pursuant to Chapter 212, Florida Statutes

85-80128465930-1	04/23/2004	04/30/2009	501(C)(3) ORGANIZATION
Certificate Number	Effective Date	Expiration Date	Exemption Code

This certifies that:

AMERICAN CANCER SOCIETY FLORIDA
DIVISION INC
3709 W JETTON AVE
TAMPA FL 33629-5111



is exempt from the payment of Florida sales and use tax on real property rented, transient rental property, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-15
R. 01/02

1. You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases. See Rule 12A-1.039, Florida Administrative Code (FAC).
2. Your *Consumer's Certificate of Exemption* is to be used solely by your organization for your organization's customary nonprofit activities.
3. Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
4. The exemption applies only to purchases your organization makes. The sale or lease to others by your organization of tangible personal property, sleeping accommodations or other real property is taxable. Your organization must register and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, FAC).
5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third degree felony. Any violation will necessitate the revocation of this certificate.
6. If you have questions regarding your exemption certificate, please contact the Exemption Unit of Central Registration at 850-487-4130. The mailing address is 5050 West Tennessee Street, Tallahassee, FL 32399-0100.

Department of the Treasury
Internal Revenue Service
Quality Review Staff
Taxpayer Assistance Group
P. O. Box 1035 - RM 907
Atlanta, Georgia 30370-0000

Date MAY 16 1990

Date of Inquiry
05/16/90

Refer Reply To:

ORG.EQ.TPA

EIN:

13-1758491

FFN:

AMERICAN CANCER SOCIETY, INC.
ATTN: ROBERT PASK - COUNSEL
1399 CLIFTON ROAD, NE
ATLANTA, GA 30329-4251

Dear Taxpayer:

This is in response to your request for confirmation of your exemption from Federal Income Tax.

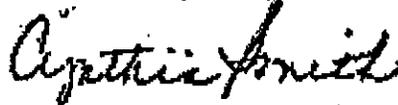
You were recognized as an organization exempt from Federal Income Tax under section 501(c)(13) of the Internal Revenue Code by our letter of November, 1982. You were further determined not to be a private foundation within the meaning of section 509(a) of the Code because you are an organization described in section 170(b)(1)(A)(v) and 509(a)(1).

Contributions to you are deductible as provided in section 170 of the Code.

The tax exempt status recognized by our letter referred to above is currently in effect and will remain in effect until terminated, modified, or revoked by the Internal Revenue Service. Any change in your purposes, character, or method of operation must be reported to us so we may consider the effect of the change on your exempt status. You must also report any changes in your name and address.

Thank you for your cooperation.

Sincerely yours,



Exempt Organizations Coordinator

Special Events –SCHEDULE OF FEES

APPLICATION FEES:

\$50 Resident \$100 Non-Resident \$50 Retail Sidewalk Sale

100 -

\$5 Late Fee, per day @ _____ days

DEPOSIT (For events held on City properties)

\$50 (1-100 ppl) \$100 (101-500 ppl) \$250 (501-1000 ppl) \$1,000 (1001+ppl)

100 -
~~250~~

CITY FACILITIES

Resident Non-Resident

- Community Park – Entire Park (CP) \$475/day \$575/day @ 575 days
- (CP) Pavilion \$25 \$50 @ _____ days
- (CP) Volleyball Court (Hourly) \$10 \$20 @ _____ hours
- (CP) Shuffleboard Court (Hourly) \$10 \$20 @ _____ hours
- Bowman’s Beach Pavilion \$25 \$50 @ _____ days
- MacKenzie Hall (2 Hour Block) \$25 \$50 @ _____ hours
- City Hall Gazebo \$25 \$50 @ _____ days
- Recreation Center Pavilion (4 Hour Block) \$150 \$300 @ _____ hours

OTHER

- Traffic Control Devices (Cones/Barricades) \$1/each \$1/each qty. _____
- Traffic Control Devices – Installation \$30 \$30 qty. _____
- Road Closure Fee \$250 \$250 qty. _____
- 110V Power Fee @ City Facilities-Per outlet \$10/each \$10/each qty. _____
- 220V Power Fee @ City Facilities-Per outlet \$20/each \$20/each qty. _____
- Temporary Fencing (100 feet/5 Posts) \$10/each \$20/each qty. _____
- Temporary Fence Deposit (100 feet/5 Posts) \$40 \$40 qty. _____
- Temporary Fence Installation (100 feet/5 Posts) \$40/each \$40/each qty. _____
- Portable Light Stand (Per Day) \$15/each \$30/each qty. _____
- Portable Light Stand - Deposit \$250 \$250 qty. _____
- Equipment Delivery Fee \$30 \$30 qty. _____
- Overnight Parking Fee, per RV \$25 qty. _____
- Tent Permit Fee (Per tent, exceeding 120 sq.ft.) \$75 qty. _____
- Tent Rental Fee (Per tent)
 - 10' x 10' \$30 \$60
 - 20' x 20' \$100 \$200
 - 20' x 40' \$200 \$400

Police Services (\$135/Minimum 3-Hour Shift, \$40 per each additional hour – PER Officer)

Number of Officers: _____ Number of Hours: _____

TOTAL DUE: \$775.00

PERMIT #

Will temporary sanitary facilities be provided? [] Yes [✓] No If yes, indicate location on site plan.

Will trash receptacles, dumpsters and recycling containers be provided? [X] Yes [] No

If yes, indicate on site plan. Who will be providing the receptacles, dumpsters or containers? ACS

NOTE: Trash and recycling receptacles must be emptied at the end of each day into a dumpster for multiple day events to discourage the feeding or foraging of raccoons. Failure to do so will be in violation of this permit, may lead to forfeiture of deposit, and may constitute a violation of other City Ordinances.

Is this a student or youth group event? [] Yes [✓] No

If yes, the fee for a special event permit shall be \$5 so long as proceeds from the event solely benefit a Sanibel student or youth group; is a single day event generally not lasting longer than 8 hours; no vendor or related fees are charged (only the youth group fee or contribution is solicited); event is managed and conducted solely by volunteers; and temporary and/or permanent structures are not required. (Ordinance 07-016)

Is the applicant an organized homeowners association or neighborhood association? [] Yes [✓] No

If yes, the application fee shall be waived. (Resolution 07-020)

Does event require electrical usage at any City Owned Property? [✓] Yes [] No

If yes, a \$10 daily power usage fee for electrical connection at any City owned property will apply for each 110 volt outlet, and \$20 daily power usage fee per 220 volt outlet, per 24-hour day or any portion thereof. (Resolution 07-092)

Does applicant request use of the City's portable lights? [] Yes [✓] No

If yes, a \$250 refundable deposit and daily rental fee, per stand is required. Applicant must coordinate pick-up & drop-off of lights through the Public Works Department at (239) 472-6397.

OWNER OF PROPERTY: If the person/group applying for this permit is not the owner of the property, the property owner must sign this application. If the property owner is unavailable to sign the application, a letter of permission from owner is acceptable. City

Property Owner Signature

Print Name

Title

By signature below, it is understood by applicant that this application is subject to review and approval by City staff and may be revoked at any time for non-compliance with rules, local ordinances, state statutes or if the event endangers the health, safety, or welfare of the public. The City reserves the right to cancel the event should any conflicts arise with scheduling, and will give reasonable notice to the applicant for the purpose of rescheduling. During reviews by various City Departments, additional conditions may be imposed. As required by Section 110-83, City services determined necessary for the conduct of the Special Event, such as temporary lighting or police officers to direct or reroute traffic, shall be paid by applicant.

This permit is valid only for the time indicated on this permit. In the event that the applicant fails to fulfill the requirement(s) as set forth in this permit or fails to obtain proper authorization to proceed, if conditions have changed, including but not limited to time, specifications and activities, deposit may be forfeited and the permit may be cancelled.

As applicant, I agree to abide by all conditions and requirements of the City of Sanibel and will comply with *Chapter 110 of the Sanibel Code. Applicant further understands that the use of Fireworks, Explosives and Upward Lighting are prohibited at all times. *Copy available upon request.

Applicant Signature: Alisha Buesing

Print Name: Alisha Buesing

PERMIT #

Please indicate sign size, type, and locations of directional signs (Non-Profit Organizations only):

Yard signs 18x24 around walking path.

NUMBER OF VENDORS: 0 Note: Overnight Parking Fee of \$25 per vehicle, per event, for vendors camping overnight on City properties.

TEMPORARY STRUCTURES (Including arches, tents (specify number of tents and tent size), chairs, tables, etc.):

tents 10x10 approx. 40 40 tables 80 chairs

Tents exceeding 120 square feet require a tent permit (per tent) from the Building Department and a fire inspection. The applicant is responsible for contacting the Sanibel Fire Control District at (239) 472-5525 to schedule a fire inspection.

TRAFFIC CONTROL PLAN: Please attach traffic control and parking plan for events requiring off-site parking or pedestrian street crossing.

A Business Tax Receipt or Business Registration is required to work in the City of Sanibel. Please provide your Business Tax Receipt Number or Business Registration Number # 13-1788491

Are Police Services, such as Traffic/Pedestrian Control or Event Security requested? [] Yes [X] No

NUMBER OF OFFICERS: 0 DATE: 0 TIME:

The rate is \$135 for a 3-hour minimum shift, per staff member and \$40, per staff member, per hour thereafter. In the interest of public safety, the Sanibel Police Chief may require an applicant retain Police Services as a condition of granting a Special Events Permit, in which case, applicant is responsible for payment of fees as described above.

Will amplified music be played? [X] Yes [] No

If yes, applicant must adhere to Noise standards set forth in Sanibel Code Chapter 30, Article III.

Will City property, public right-of-way or other public property (beach parks, community parks, etc.) be utilized?

[X] Yes [] No

If yes, please identify right-of-way and/or public property/park name:

EVENTS HELD AT COMMUNITY PARK - SMOKING IS PROHIBITED at Community Park. Applicant is responsible for ensuring compliance with this policy. Failure to do so will be in violation of this permit, may lead to forfeiture of deposit, and may constitute a violation of City Policy. Spot maintenance will be provided at Community Park by the City of Sanibel Public Works Department between the hours of 8 a.m. to 5 p.m., daily. In addition, for overnight events, applicant is responsible for bathroom maintenance (emptying trash containers, stocking of toilet paper and paper towels) between the hours of 5 p.m. and 8 a.m.

EVENTS HELD ON CITY PROPERTY: Liability Insurance in the amount of \$1,000,000 listing the City of Sanibel as an additionally insured party may be applicable for certain events held on City property. Proof of insurance must be provided before application is approved.

NOTE: If event is held on City property, such as a City Park or City Hall, alcohol is prohibited unless approved by City Council. A rental fee and deposit is applicable for use of certain City Properties. Please contact the City Manager's Office at (239) 472-3700 for information regarding fees and deposits.

Will alcoholic beverages be served or sold? [] Yes [X] No

If yes, please attach copy of liquor license. If liquor license is not attached, applicant must provide license to the City prior to issuance of a Special Event Permit. To find out if you are required to obtain a liquor license, please contact the Division of Alcoholic Beverages and Tobacco at (239) 278-7195

Will food and/or drink be served or sold? [] Yes [X] No (Appropriately rated fire extinguishers required)

If this is an outdoor event, vendor may require a Lee County Department of Health Permit or a License from the Division of Business and Professional Regulation. To find out if you need a Health Department Permit or license, please call the Lee County Health Department at (239) 690-2100 or Division of Business and Professional Regulation at (850) 487-1395.

PERMIT #

**--FOR CITY USE ONLY--
DEPARTMENT COMMENTS**

FEE BY DEPARTMENT:

Planning

\$

Planning

Police

\$

Police

Public Works

\$

Public Works

Building

\$

Building

Tent Standards attachment required? Yes No

Finance

\$

Finance

Natural Resources

\$

Natural Resources

Beach Standards attachment required? Yes No

Recreation

\$

Recreation

\$

TOTAL

Comments/Permit Conditions:

City Manager Approval

Date