

RESOLUTION NO. 980812

PASSED November 23, 1998

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA; AUTHORIZING THE MAYOR AND CLERK OF THE COMMISSION TO EXECUTE THE APPLICATION OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, WHICH REQUESTS THE TEMPORARY CLOSING OF TWO STATE ROADS FOR THE 1998 "DOWNTOWN COUNTDOWN" NEW YEAR'S EVE CELEBRATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Gainesville's Department of Cultural Affairs is sponsoring a Downtown Countdown New Year's Eve Celebration which will utilize Southeast 1st Street between East University Avenue and Southeast 2nd Avenue as well as Southeast 1st Avenue between South Main Street and Southeast 3rd Street; and

WHEREAS, the above road closures for the event will also require the temporary closing of the left turn lane on East University Avenue at its intersection with Southeast 1st Street and the temporary closing of the left turn lane on South Main Street (SR 329) at its intersection with Southeast 1st Avenue for approximately seven hours, commencing at 6:00 p.m. on Thursday, December 31, 1998; and

WHEREAS, the temporary closing of a State Road in municipal corporate limits requires a municipal government to execute an application of the State of Florida Department of Transportation which provides the city police will manage all the details involved in the administration of the event; and

WHEREAS, the City Commission of the City of Gainesville finds that the temporary closing of the left turn lane on State Road 26 and the left turn lane on State Road 329 are necessary for the event to take place in downtown Gainesville;

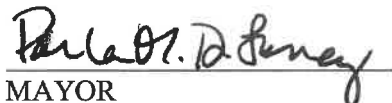
NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:


Section 1. The Mayor and the Clerk of the Commission are authorized to execute the application of the Florida Department of Transportation which requests the temporary closing of the left turn lane on East University Avenue at its intersection with Southeast 1st Street, as well as the temporary closing of the left turn lane on South Main Street at its intersection with Southeast 1st Avenue in the City of Gainesville, Florida, a copy of which is attached hereto as Exhibit "A".

Section 2. It is acknowledged that the City of Gainesville assumes all responsibility for traffic control.

Section 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED this 23rd day of November 1998.


MAYOR
PAULA DELANEY

APPROVED AS TO FORM AND LEGALITY
BY: 
MARION J. RADSON, CITY ATTORNEY
CITY OF GAINESVILLE, FLORIDA
NOV 25 1998

ATTEST:


CLERK OF THE COMMISSION
KURT M. LANNON

APPROVED AS TO FORM AND CONTENT

BY _____

CLERK OF SUPERIOR COURT

CITY OF CHICAGO

REQUEST FOR TEMPORARY CLOSING/SPECIAL USE OF STATE ROAD

INSTRUCTIONS: OBTAIN SIGNATURES OF LOCAL LAW ENFORCEMENT AND CITY/COUNTY OFFICIALS PRIOR TO SUBMITTING TO DEPARTMENT OF TRANSPORTATION. ATTACH ANY NECESSARY MAPS OR SUPPORTING DOCUMENTS.

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|---|---------------------------------------|---|--|-------------------------------------|
| NAME OF ORGANIZATION Department of Cultural Affairs | | PERSON IN CHARGE Kent Knox, Events Coordinator | | DATE 10/28/98 |
| ADDRESS OF ORGANIZATION 302 NE 6th Avenue, Gainesville, FL 32601 | | | | TELEPHONE NUMBER 334-5064 |
| TITLE OF EVENT 2nd Annual Downtown Countdown New Year's Eve Celebration | | | | |
| DATE OF EVENT 12/31/98 | STARTING TIME OF EVENT 9 pm | DURATION OF EVENT (APPROX.) 4 hours | ACTUAL CLOSING TIME (INCLUDING SETTING UP BARRIERS, ETC.) 6 pm to 1 am | |
| PROPOSED ROUTE (INCLUDE STATE ROAD NUMBER, SPECIFIC LOCATION, ETC. - INCLUDE MAPS) Closure of left turn lane on East University Avenue (SR 26) at intersection with SE 1st Street and closure of left turn lane on South Main Street (SR 331) at intersection with SE 1st Avenue. | | | | |
| DETOUR ROUTE (INCLUDE ALTERNATE ROUTES - INCLUDE MAPS) | | | | |
| NAME OF DEPT. RESPONSIBLE FOR TRAFFIC CONTROL, ETC. (CITY POLICE, SHERIFF'S DEPT., FLORIDA HWY. PATROL, ETC.) (INCLUDE PRECINCT NO.) Gainesville Police Department and Traffic Engineering Division. | | | | |
| SPECIAL CONDITIONS: | | | | |
| THIS SECTION IS TO BE COMPLETED WHEN PERMITTING SPECIAL USE OF A STATE ROAD FOR FILMING. | | | | |
| LICENSED PYROTECHNICS OPERATOR _____ LICENSE NO. _____ | | | | |
| APPROVAL OF LOCAL FIRE DEPARTMENT _____ | | | | |
| LIABILITY INSURANCE CARRIER _____ POLICY EFFECTIVE DATE _____ | | | | |
| COVERAGE AMOUNT _____ (\$1,000,000 MINIMUM) | | | | |
| LENGTH OF COVERAGE _____ DAYS | | | | |
| FEDERAL AVIATION ADMINISTRATION APPROVAL FOR LOW FLYING FILMING _____ | | | | |
| ADDITIONAL LIABILITY INSURANCE AMOUNT _____ (\$5,000,000 MINIMUM) | | | | |
| TYPED NAME AND TITLE (INCLUDE BADGE NO. IF APPROPRIATE) Donald Shinnamon Chief of Police | | SIGNATURE OF CHIEF OF LAW ENFORCEMENT AGENCY <i>Donald L. Shinnamon, Sr.</i> | | DATE SIGNED 10/30/98 |
| TYPED NAME AND TITLE OF CITY/COUNTY OFFICIAL Chala DeLaney Mayor | | SIGNATURE OF CITY/COUNTY OFFICIAL <i>Pegunt Hamalera</i> | | DATE SIGNED |
| APPROVED AS TO FORM AND LEGALITY BY <i>[Signature]</i> MARION J. RADSON, CITY CLERK CITY OF GAINESVILLE, FLORIDA | | | | |

NOV 25 1998

AUTHORITIES: CHAPTER 14-65, FLORIDA ADMINISTRATIVE CODE; RULES OF THE DEPARTMENT OF TRANSPORTATION; TEMPORARY CLOSING AND SPECIAL USE OF STATE ROADS. SECTIONS 337.406(1), 496.06 AND 316.008, FLORIDA STATUTES.

The Permittee, shall indemnify, defend, and hold harmless the Department and all of its officers, agents and employees from any claim, loss, damage, cost, charge or expense arising out of any acts, actions, neglect or omission by the Permittee, its agents, employees, or subcontractors during the performance of the Contract, whether direct or indirect, and whether to any person or property to which the Department or said parties may be subject; except that neither the Permittee nor any of its subcontractors will be liable under this Article for damages arising out of the injury or damage to persons or property directly caused or resulting from the SOLE negligence of the Department or any of its officers, agents or employees.

Contractor's obligation to indemnify, defend, and pay for the defense or at the Department's option, to participate and associate with the Department in the defense and trial of any damage claim or suit and any related settlement negotiations, shall be triggered by the Department's notice of claim for indemnification to Contractor. Contractor's inability to evaluate liability or its evaluation of liability shall not excuse Contractor's duty to defend and indemnify within seven days after such notice by the Department is given by registered mail. Only an adjudication or judgment after highest appeal is exhausted specifically finding the Department SOLELY negligent shall excuse performance of this provision by Contractor. Contractor shall pay all costs and fees related to this obligation and its enforcement by the Department. Department's failure to notify Contractor of a claim shall not release Contractor of the above duty to defend.

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the State's right, title and interest in the land to be entered upon and used by the Permittee, and the Permittee will, at all times, assume all risk of and indemnify, defend, and save harmless the State of Florida and the Department from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise or attempted exercises by said Permittee of the aforesaid rights and privileges.

During the event, all safety regulations of the Department shall be observed and the holder must take measures, including placing and display of safety devices, that may be necessary in order to safely conduct the public through the project area in accordance with the Federal Manual on Uniform Traffic Control Devices (MUTCD), as amended, and the Department's latest Roadway and Traffic Design standards.

In case of non-compliance with the Department's requirements in effect as of the approved date of this permit, this permit is void and the facility will have to be brought into compliance or removed from the R/W at no cost to the Department.

Submitted by: Holly K. Peterson
Permittee

Place Corporate Seal

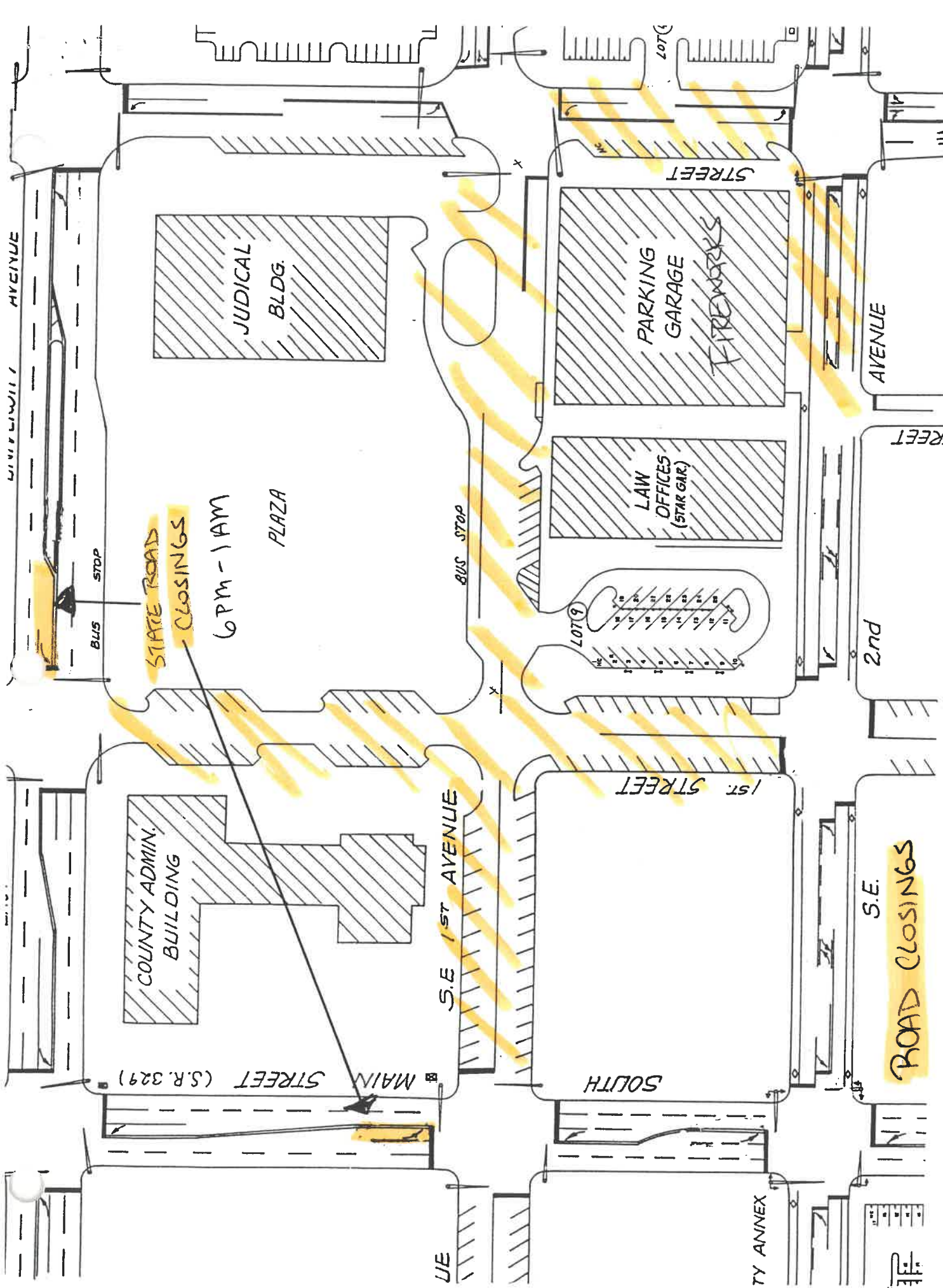
Holly K. Peterson Events Coord.
Signature and Title

[Signature]
Attested

Department of Transportation Approval: This Request is Hereby Approved

Recommended for approval _____ Title _____ Date _____

Approved by: _____ Date _____
District Secretary or Designee



STATE ROAD CLOSINGS

6 PM - 1 AM

PLAZA

ROAD CLOSINGS

2ND ANNUAL DOWNTOWN COUNTDOWN NEW YEAR'S CELEBRATION

12/31/98

9 PM - 1 AM

