

City of Dade City

AGENDA MEMO

To: Honorable Mayor and Members of the City Commission
From: William Poe, City Manager
Subject: Request for State Road Closure for the Pasco County Sheriffs Office Law Enforcement Memorial, May 1, 2009
Date: March 17, 2009

It is requested that the City Commission consider the following information and recommendations:

BACKGROUND:

In order for special events to be conducted in the City that utilize State road rights-of-way, permits must be submitted to the Florida Department of Transportation (FDOT) by the sponsoring entity. These *Request for Temporary Closing/Special Use of State Road* applications, which contain provisions for assumption of responsibility for alternative traffic control and other provisions, must have the concurrence and endorsement of the City.

ISSUES:

We are submitting an application from Pasco County Sheriffs Office Law Enforcement Memorial, May 1, 2009

We are also asking for Commission approval to allow Staff, under the direction of the City Manager and/or the Chief of Police, to temporarily close other City streets, not included in the permit to FDOT.

ALTERNATIVES:

The Commission may approve, direct changes to or reject this application. It should be noted that the City accepts oversight activities and responsibility relating to the street closings by approving these permit applications.

RECOMMENDATION:

It is recommended that the Commission approve the above noted *Request for Temporary Closing/Special Use of State Road* permit application for submittal to FDOT.

It is further requested that the Commission allow Staff, under the direction of the City Manager, to temporarily close other event-associated City streets.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
REQUEST FOR TEMPORARY CLOSING/SPECIAL USE OF STATE ROAD

850-040-65
 MAINTENANCE
 03/06
 Page 1 of 2

- Instructions: 1. Obtain signatures of local law enforcement and city/county officials.
 2. This form must be submitted by the local governmental authority to FDOT to obtain written approval. Allow adequate time for the review.
 3. Attach any necessary maps or supporting documents.

NAME OF ORGANIZATION Pasco Sheriff's Office		PERSON IN CHARGE Captain Mike Schreck		DATE 17 March 2009
ADDRESS OF ORGANIZATION 8700 Citizen Drive New Port Richev. Florida 34654			TELEPHONE NUMBER 727-844-7713	
TITLE OF EVENT 2009 Pasco Law Enforcement Officers Memorial Service				
DATE OF EVENT 01 May 2009	STARTING TIME OF EVENT 1730 Hours	DURATION OF EVENT (APPROX.) 1 hour	ACTUAL CLOSING TIME (INCLUDING SETTING UP BARRIERS, ETC.) 1730 Hours	
PROPOSED ROUTE (INCLUDE STATE ROAD NUMBER, SPECIFIC LOCATION, ETC. - INCLUDE MAPS)				
Meridian Avenue, between 6th and 7th Avenues				
DETOUR ROUTE (INCLUDE ALTERNATE ROUTES - INCLUDE MAPS)				
Normal egress around single block of Meridian Avenue				
NAME OF DEPT. RESPONSIBLE FOR TRAFFIC CONTROL, ETC. (CITY POLICE, SHERIFF'S DEPT., FLORIDA HWY. PATROL, ETC.)(INCLUDE PRECINCT NO.)				
Captain David Duff - Dade City Police Department				
SPECIAL CONDITIONS				
Block Meridian Avenue in Dade City for parked police cars from Federal, state, and local agencies and crossing of Honor Guard.				
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)		SIGNATURE OF CHIEF OF LAW ENFORCEMENT AGENCY		DATE SIGNED
Phillip A. Thompson, Police Chief Ray Velboom, Police Chief				
TYPED NAME AND TITLE OF CITY/COUNTY OFFICIAL		SIGNATURE OF CITY/COUNTY OFFICIAL		DATE SIGNED
Harold R. Sample, City Manager William C. Poe, Jr., City Manager				

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: CAPTAIN MICHAEL SCHAECK Place Corporate City of Dade City
 Permittee
Art [Signature] Signature and Title _____ Attested

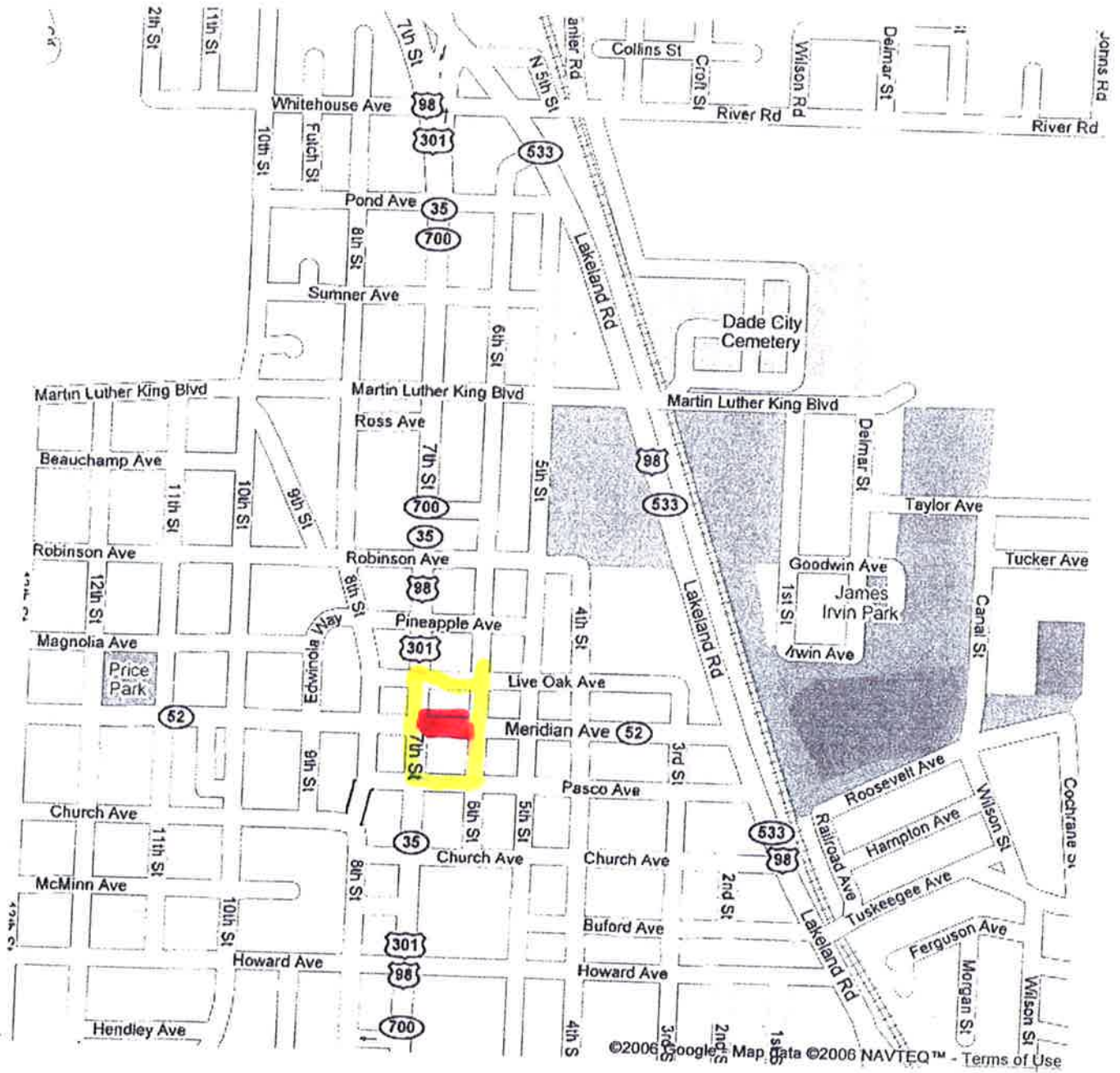
Department of Transportation Approval: This Request is Hereby Approved



Recommended for approval _____ Title _____ Date _____

Approved by: _____ Date _____
District Secretary or Designee

DISTRIBUTION: Original - Permittee
1st copy - District Maintenance Office
2nd copy - Local Maintenance Engineer

Dade City, FL



 Detour
 DOT Closure