

RESOLUTION NO. 4354

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD APPROVING
A TEMPORARY USE PERMIT SUBMITTED BY
OLDTOWN SOLEDAD BEAUTIFICATION ASSOCIATION TO CLOSE
SOLEDAD STREET BETWEEN FRONT STREET AND MONTEREY STREET
FOR A WEEKLY FARMER'S MARKET FROM
MAY 21, 2009 TO SEPTEMBER 17, 2009**

WHEREAS, the Oldtown Soledad Beautification Association ("OSBA") requested that Soledad Street be closed between Front Street and Monterey Street in order to operate a Farmer's Market; and

WHEREAS, the Farmer's Market will operate between May 21, 2009 and September 17, 2009; and

WHEREAS, OSBA shall agree and comply with the duties and expectations as required in the attached Conditions of Approval (Exhibit A); and

WHEREAS, Staff recommends that the City Council approve the request for the closure of Soledad Street between Front Street and Monterey Street.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad as follows:

1. The City Council hereby finds that approving the request by OSBA to close Soledad Street between Front Street and Monterey Street for a Farmer's Market will not, under these particular circumstances, be detrimental to the health, safety, morals, comfort or general welfare of the people residing or working in the neighborhood this event, or to the general welfare of the City.

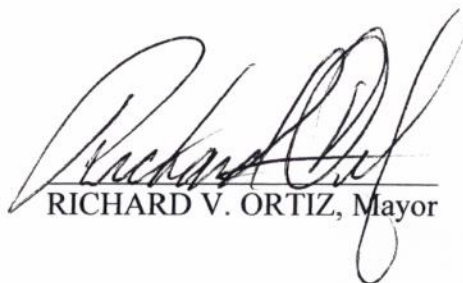
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Soledad duly held on the 15th day of April 2009 by the following vote:

AYES, and in favor thereof, Councilmembers: Richard J. Perez, Juan Saavedra, Patricia Stephens, Mayor Pro Tem Martha Camacho, Mayor Richard Ortiz

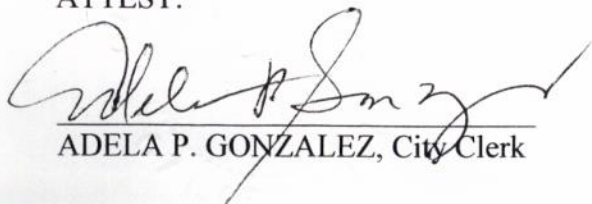
NOES, Councilmembers: None

ABSTAIN, Councilmembers: None

ABSENT, Councilmember: None


RICHARD V. ORTIZ, Mayor

ATTEST:

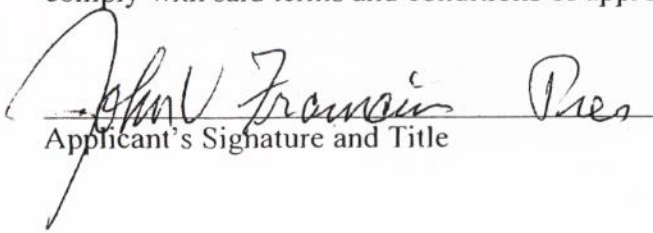

ADELA P. GONZALEZ, City Clerk

"EXHIBIT A"

CONDITIONS OF APPROVAL TO A TEMPORARY USE PERMIT FOR A WEEKLY FARMERS MARKET HELD BY THE OLDTOWN SOLEDAD BEAUTIFICATION ASSOCIATION May 21, 2009 to September 17, 2009

1. The Farmers Market shall follow the event layout map provided by OSBA.
2. The Farmers Market shall operate one day per week on a Thursday evening from May 21, 2009 to September 17, 2009, set-up between the hours of 4:00 p.m. to 9:00 p.m. and open from 5:00 p.m. to 8:00 p.m.
3. OSBA shall apply for a Special Events permit with the City and be subject to any special security requirements of the Police Department.
4. OSBA shall erect and remove all City of Soledad barricades made available for the Farmers Market and store in an appropriate location and/or return to the Public Works Department – City Yard.
5. OSBA applicant shall assume responsibility to repair and/or replace lost, damaged or stolen City of Soledad property attributed to the Farmers Market.
6. OSBA shall submit a cleaning deposit of \$500 to assure the market area is cleaned during and after each Farmers Market.
7. OSBA shall be responsible for the management of all recycling containers and trash containers provided by the City. OSBA shall also be responsible for emptying all recycling containers and trash containers including the proper storage of the containers.
8. OSBA shall provide the City with proof of insurance, in an amount deemed suitable to the City Manager and City Attorney, naming the City, its elected and appointed officers and officials, employees and agents as additional insured.
9. The applicant agrees to indemnify and hold the City, its elected and appointed officers and officials, employees and agents harmless from any and all claims, demands, causes of action, damages, costs, expenses, losses or liabilities, in law or equity, of every nature and kind whatsoever arising out of the use of the City's property for the purpose described herein, except for liability arising out of the concurrent or sole negligence of the City, its officers, officials, employees, and agents.
10. OSBA shall agree to obtain approval by the City of Soledad City Council prior to any change, modification or addition made to these Conditions of Approval.

This Temporary Use Permit is hereby accepted upon the express terms and conditions herein, and shall have no force or effect unless and until agreed to, in writing, by applicant and property owner(s). The undersigned hereby acknowledge the approved terms and conditions and agrees to conform to and comply with said terms and conditions of approval of the Temporary Use Permit.


Applicant's Signature and Title

5/6/09
Date