

AGENDA ITEM

FORT BEND COUNTY FY 2009
COMMISSIONERS COURT AGENDA REQUEST FORM

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: 09.09.09	Submitted By: Laura Johnson
Court Agenda Date: 09.22.09	For: Commissioner Pct. 1 Phone Number: 4556

SUMMARY OF ITEM: Take all appropriate action to authorize Scanlan Oaks Elementary School PTO to use certain streets and/or roads located in Sienna Plantation, Fort Bend County, Texas on December 5, 2009 (or rain date of December 12, 2009) for approximately 1 hour to serve a public purpose.

RENEWAL AGREEMENT/APPOINTMENT YES NO

REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES X NO

List Supporting Documents Attached:

FINANCIAL SUMMARY:

BUDGETED ITEM: YES NO

FUNDNG SOURCE: Accounting Unit: _____ Account Number: _____
Activity (If Applicable): _____

DESCRIPTION OF LAWSOM ACCOUNT: _____

Instructions to submit Agenda Request Form:

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms should be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
- All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

DISTRIBUTION:

Original Form Submitted with back up to County Judge's Office (✓ when completed)
If by E-Mail to ospindon@co.fort-bend.tx.us If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

<input type="checkbox"/> Auditor (281-341-3774)	<input type="checkbox"/> Comm. Pct. 1 (281-342-0587)
<input type="checkbox"/> Budget Officer (281-344-3954)	<input type="checkbox"/> Comm. Pct. 2 (281-403-8009)
<input type="checkbox"/> Facilities/Planning (281-633-7022)	<input type="checkbox"/> Comm. Pct. 3 (281-242-9060)
<input type="checkbox"/> Purchasing Agent (281-341-8642)	<input type="checkbox"/> Comm. Pct. 4 (281-980-9077)
<input type="checkbox"/> Information Technology (281-341-4526)	<input type="checkbox"/> County Clerk (281-341-8697)
<input type="checkbox"/> Risk Management	

RECOMMENDATION / ACTION REQUESTED:

Special Handling Requested (specify): Annual Fun Run

10-1-09 orig. ret. to Laura at Co. Attorney

July 30, 2009

Fort Bend County Attorney
301 Jackson Street, Suite 728
Richmond, Tx 77469
Attn: Laura Johnson

Dear Ms. Johnson,

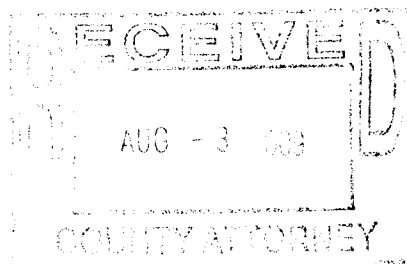
Planning is underway for our Annual Sienna Family Fit Fun Run to benefit Scanlan Oaks Elementary PTO Inc. The event will be held on Saturday, December 5, 2009 with a rain date of December 12, 2009. The street closures for the 5k portion of our race will remain the same as last year. We are submitting a request for additional street closures as we have changed the race course of our 1 mile and ¼ mile races to better ensure the safety of our kids. I have attached a map and written explanation of each race route with this letter.

Please send a Release of Liability form for us to complete for consideration by the Fort Bend County Commissioners Court.

Please let me know of any other approvals that are needed through your office. Thank you in advance for your help!

Sincerely,

Rebecca Lyders
Race Director-2009 Reindeer Run
(281)778-5329
blyders@yahoo.com



Here is the information you requested that I send to you regarding the dates and street closures for our annual Fun Run.

Dates:

December 5, 2009

December 12, 2009 -Rain Date

Road closures for the 5k will remain the same:

Start on Camp Sienna Trail, turn right on Scanlan Trace to Tahoe Basin. Turn Right on Tahoe Basin to Six Rivers. Turn Right on Six Rivers to Grand Mesa. Right on Grand Mesa to Helena Bend. Left on Helena Bend to Secret Forest. Right on Secret Forest to Camp Sienna. Left on Camp Sienna to Rue Orleans. Roght on Rue Orleans to golf cart path from 14th hole. Follow cart path along holes 14, 13, 12 ,11 where cart path exits Barrington. Exit golf course onto Scanlan trace. Proceed on sidewalk of Scanlan Trace to Camp Sienna Trail. Right on Camp Sienna to Finish Line

-5k race begins at 8am.

The 1 mile and 1/4 mile race routes have changed for this year. They are as follows:

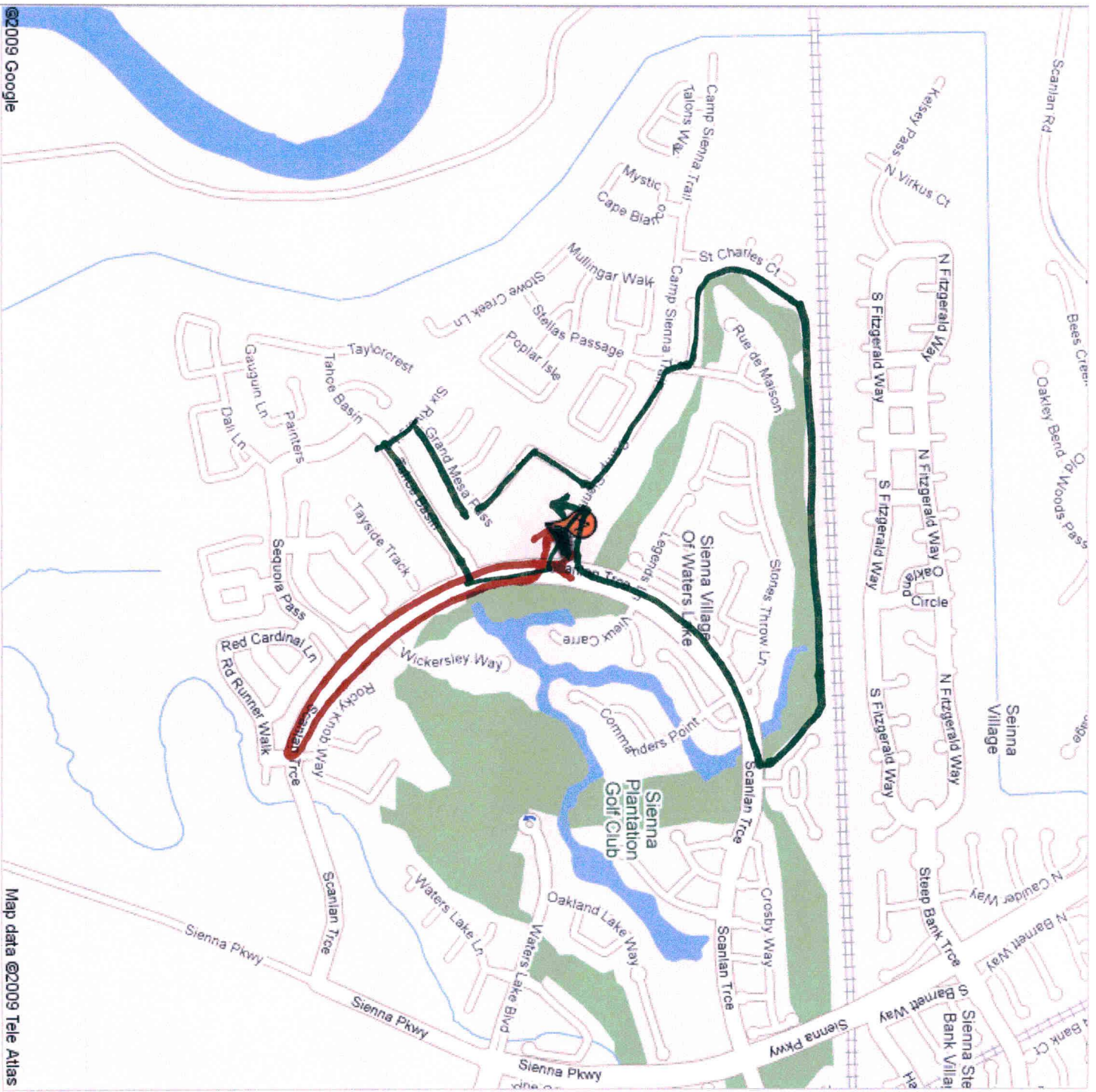
Start on the corner of Camp Sienna and Scanlan Trace. Proceed south on Scanlan Trace for approximately 1/2 mile (Road Runner Walk). The runners will turn around and head north on the opposite side of Scanlan Trace to the Finish at 9000 Camp Sienna Trail.

-1mile Race begins at 9:20am.

(1/4 mile)

Start on the corner of Camp Sienna and Scanlan Trace. Proceed south on Scanlan Trace to Tahoe Basin. The runners will turn around and head north on the opposite side of Scanlan Trace to the Finish at 9000 Camp Sienna Trail.

-1/4 mile race begins at 10am.



©2009 Google

Map data ©2009 Tele Atlas

→ : 1 mile
1/4 mile
→ : 5K race
route

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

FULL RELEASE AND AGREEMENT FOR USAGE
OF COUNTY PROPERTY

This Full Release is made and entered into by and between Fort Bend County, Texas (hereinafter referred to as “County,”) and SCANLAN OAKS ELEMENTARY SCHOOL PTO (hereinafter referred to as “PTO”); and,

WHEREAS, the County desires to permit PTO to use Fort Bend County’s property located in Sienna Plantation, Fort Bend County, Texas on Saturday, December 5, 2009 or Saturday, December 12, 2009 (rain date) for approximately 1 hour to serve a public purpose;

WHEREAS, PTO desires to fully release County of any and all claims that may be derived from the use of certain streets and/or roads; and,

WHEREAS, PTO is responsible to County for any and all damages that may occur to County property located in Sienna Plantation on December 5, 2009 or December 12, 2009;

WHEREAS, the parties agree the purpose of the release is to buy peace; and,

WHEREAS, the parties agree that the terms of this release and agreement accurately reflect their intent.

NOW, THEREFORE, in consideration of the covenants and agreement hereinafter contained and subject to the terms and conditions hereinafter stated, the parties hereto do mutually agree as follows:

AGREEMENT

1. The purpose of this Agreement is to allow PTO to use certain County property, namely County roads, located in Sienna Plantation, Fort Bend County, Texas for the 2009 Reindeer Run on December 5, 2009 or December 12, 2009.
2. PTO shall use reasonable care to prevent damage to County property.
3. PTO shall be responsible for any damage to the Property and shall reimburse County for any reasonable repairs made by PTO’s usage upon completion of the stated purpose of this Agreement.
4. PTO shall, keep in full force and affect a policy or general liability insurance in which the limits shall not be less than \$1,000,000 for each claim aggregate. The policy shall name the County as an additional ensured, and shall contain a clause that the insurer will not cancel or change the insurance without first giving County ten (10) days prior written notice. The insurance shall be in a company acceptable to the Fort Bend County Risk Management Department and a copy of the policy or certification of insurance shall be delivered to County no less than five (5) business days before the

- date of this event.
5. PTO releases does release, acquit, and forever discharge the County, its officials, agents, servants, and employees and all persons in privity with the County from any and all future claims or causes of action of any kind whatsoever, at common law, statutory or otherwise, which might arise hereafter, directly or indirectly attributable to PTO's usage of County property.
 6. PTO agrees to and shall indemnify, defend and hold harmless the County and its elected officials, officers, employees and agents, from and against any and all claims, losses, damage, causes of action, suits, and liability of any kind, including all expenses of litigation, court costs, attorney's fees, bodily injury, sickness, disease or death as a result of PTO's use of County property.
 7. PTO shall be solely responsible and at its own cost for obtaining all necessary and proper law enforcement officers to aid in traffic control.
 8. Attached hereto as Exhibit A is the 2009 Reindeer Run route and map, incorporated by reference as if set forth verbatim herein for all purposes.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

FORT BEND COUNTY, TEXAS

By: 

Robert E. Hebert, County Judge

Date: 9-22-09

ATTEST:



Dianne Wilson, County Clerk

**SCANLAN OAKS ELEMENTARY
SCHOOL PTO**

By: 

Rebecca Lyders, Race Director
2009 Reindeer Run

Date: 8/6/09

MER:lj:Sienna Plantation 2009 Reindeer Run Release:December 2009(08042009)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

8/31/2009

PRODUCER (260) 467-5690 FAX: (260) 467-5651
 STAR Insurance - Fort Wayne Office
 2130 East DuPont Road

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

Fort Wayne IN 46825

INSURERS AFFORDING COVERAGE

NAIC #

INSURED

INSURER A: NATIONAL CASUALTY COMPANY 11991

ROAD RUNNERS CLUB OF AMERICA/2009

INSURER B: NATIONWIDE LIFE 66869

AND ITS MEMBER CLUBS

INSURER C:

6434 POUND APPLE COURT

INSURER D:

COLUMBIA MD 21045

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY				EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	KRO0000000172601	12/31/2008	12/31/2009	MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> LEGAL LIAB. TO PART.		12:01 A.M.	12:01 A.M.	PERSONAL & ADV INJURY \$ 1,000,000
	\$1,000,000				GENERAL AGGREGATE \$ NONE
	GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMP/OP AGG \$ 1,000,000
	POLICY PROJ-JECT LOC				
A	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	ANY AUTO				
	ALL OWNED AUTOS	KRX0000000172601	12/31/2008	12/31/2009	BODILY INJURY (Per person) \$
	SCHEDULED AUTOS		12:01 A.M.	12:01 A.M.	BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS				PROPERTY DAMAGE (Per accident) \$
	<input checked="" type="checkbox"/> NON-OWNED AUTOS				
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
	ANY AUTO				OTHER THAN EA ACC \$
					AUTO ONLY: AGG \$
	EXCESS / UMBRELLA LIABILITY				EACH OCCURRENCE \$
	OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/>				AGGREGATE \$
	DEDUCTIBLE				\$
	RETENTION \$				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATUTORY LIMITS OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)				E.L. EACH ACCIDENT \$
	If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - EA EMPLOYEE \$
					E.L. DISEASE - POLICY LIMIT \$
B	OTHER EXCESS ACCIDENT & MEDICAL	SPX0000003566300	12/31/2008	12/31/2009	EXCESS MEDICAL \$10,000
			12:01 A.M.	12:01 A.M.	\$250 DEDUCTIBLE PER CLAIM
					AD & SPECIFIC LOSS \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED.

DATE & EVENT: 12/06/09 SIENNA PLANTATION FAMILY FUN RUN TK

INSURED CLUB: RUNNER'S HIGH CLUB, ATTN: GARY MULVIHILL; 6304 HASKELL B; HOUSON, TX 77007

CERTIFICATE HOLDER

CANCELLATION

12/06/09 FORT BEND COUNTY
 ATTN: LAURA JOHNSON
 301 JACKSON ST., STE. #728
 RICHMOND, TX 77469

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

John Lefever/JR

ACORD 25 (2009/01)

INS025 (200901)

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