

FOR COUNCIL MEETING

April 24, 2007

Honorable Mayor and Members  
of the City Council  
Torrance City Hall  
Torrance, California

Members of the City Council:

**SUBJECT: Community Services – Approval of 2008 Float Design “FESTIVAL OF FLOWERS”, and construction, entry, display and operation of a float in 2008 Pasadena Tournament of Roses Parade**

**Expenditure: \$138,000 (City Contribution \$128,000 and Torrance Rose Float Association Contribution \$10,000)**

### **RECOMMENDATION**

The City Council Citizen Development and Enrichment Committee recommends that City Council:

- 1) Approve the design entitled “FESTIVAL OF FLOWERS” for the City’s float entry in the Pasadena Tournament of Roses Parade on January 1, 2008;
- 2) Approve an agreement between the City of Torrance and Fiesta Parade Floats for the design, construction, entry, display and operation of the Torrance Float in the 2008 Pasadena Tournament of Roses Parade; and
- 3) Approve the expenditure of \$138,000 for related costs.

### **Funding**

\$135,000 funding is available in the 2007-2008 General Fund.

\$ 3,000 funding is available in the Department’s Operating Budget.

Note: \$10,000 of the \$135,000 funding from General Fund will be reimbursed by the Torrance Rose Float Association.

### **BACKGROUND**

The Torrance Rose Float Association (TRFA) Float Design Committee met with representatives of Fiesta Parade Floats on March 27, 2007. Following the presentation, the committee selected and the TRFA Board of Directors unanimously approved a design by Raul Rodriguez of Raul Rodriguez Designs Company entitled “FESTIVAL OF FLOWERS.” Tim Estes and Jim Hynd of Fiesta Parade Floats will be the builders. (Attachment A)

On April 3, 2007, the Torrance Rose Float Association Board of Directors made a recommendation to present the design "Festival of Flowers" to the City Council Citizen Development and Enrichment Committee as the City's entry in the 2008 Tournament of Roses Parade. (ATTACHMENT B)

On April 10, 2007, Torrance Rose Float Association Board of Directors members met with the City Council Citizen Development and Enrichment Committee to present the Float design "FESTIVAL OF FLOWERS." (Attachment C)

## **ANALYSIS**

TRFA President, Mary Hoffman, explained to the Committee that the Association sent bid letters to all the professional float builders approved by the Pasadena Tournament of Roses. After receiving a presentation from Fiesta Parade Floats and reviewing numerous designs, the TRFA Board recommended approval of a Raul Rodriguez design with Fiesta Parade Floats as the float builder for the City of Torrance entry in the 2008 Tournament of Roses Parade. The theme of the 2008 Parade is "Passport to the World's Celebrations" and the float designed by Raul Rodriguez, "FESTIVAL OF FLOWERS" is especially unique as it recognizes the 35<sup>th</sup> anniversary of Sister City friendship between Torrance and Kashiwa, Japan. The City Council Citizen Development and Enrichment Committee reviewed the design, presented by Mary Hoffman on behalf of the Torrance Rose Float Association Board of Directors, and was in full agreement that the design was a perfect fit for the Parade theme.

Fiesta Parade Floats has indicated that, in order to maintain the quality and sophistication of float design and construction for the City of Torrance's 2008 entry into the Tournament of Roses Parade, the cost will be \$138,000. This will be funded by a General Fund contribution of \$135,000, with the additional \$3,000 funded by the Department's Operating Budget. (Attachment D) The Torrance Rose Float Association Board of Directors has committed to contribute the balance of \$10,000 to be reimbursed back to the City.

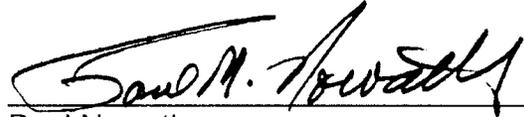
Fiesta Parade Floats will enter into an agreement with the City of Torrance for the design, construction, entry, display and operation of the City's float entry for an amount of \$138,000 to be paid, upon invoice, in three separate installments of \$46,000 each. (Attachment E)

Since the proposed float design is in keeping with the 2008 Parade theme, and considering the City's positive relationship with Fiesta Parade Floats and designer Raul Rodriguez, the Rose Float Association Board of Directors recommended acceptance of the design of "FESTIVAL OF FLOWERS" and the hiring of Fiesta Parade Floats as the contractor to design and build the City's 2008 Rose Float.

The City Council Citizen Development and Enrichment Committee concurs with the selection of the design and the contractor proposed by the Torrance Rose Float Association.

Respectfully submitted

CITY COUNCIL CITIZEN DEVELOPMENT  
AND ENRICHMENT COMMITTEE



Paul Nowatka  
Committee Chairperson



Tom Brewer  
Committee Member



Gene Drevno  
Committee Member

- Attachments:
- A) Minutes from TRFA Float Design Committee meeting of March 27, 2007.
  - B) Minutes from TRFA Board of Directors meeting of April 3, 2007.
  - C) Minutes from Torrance City Council Citizen Development and Enrichment Committee meeting of April 10, 2007.
  - D) Approval of increase of \$3,000 to cover 2008 City's Float – City Council Citizen Development and Enrichment Committee item dated April 10, 2007.
  - E) Float Construction Agreement



**TORRANCE ROSE FLOAT ASSOCIATION  
FLOAT DESIGN COMMITTEE**

**TUESDAY, 27 MARCH 2007- 7:00 P.M.  
WEST ANNEX CONFERENCE ROOM (1st FLOOR)**

**Refreshments: Bob Habel/Mary Hoffman**

1. **CALL MEETING TO ORDER**  
The meeting was called to order at 7:00 p.m. by President, Mary Hoffman. Float Design Chairperson, Kathy Thompson, chaired the meeting.
2. **ROLL CALL**  
Roy Atherton, Pam Barrett, Bob Habel, Carolyn Hannas, Jim Hill, Mary Hoffman, Linda Huthmaker, Mary Jo Kohlmiller, Linda Lescoe, Joyce Miles, Jan Staws, Sharon Tate, Cindy & Grant Wells, and Melanie White.
3. **FLAG SALUTE**  
The Flag Salute was led by Secretary, Joyce Miles.
4. **FIESTA PARADE FLOATS**  
Fiesta has designed and constructed our floats for the past eleven years. Tim Estes, President of Fiesta, spoke of our organization's good leadership and good work. Mr. Jim Hynd was also present.
5. **THEME**  
  
The theme of the 2008 Rose Parade is:  
  
**"PASSPORT TO THE WORLD'S CELEBRATIONS"**
6. **PRESENTATION OF DESIGNS**
  1. **Harvest Festival**  
A large pheasant at the front and cornucopia
  2. **Mother's Day**  
Mother cat and four kittens
  3. **Birthday Celebration**  
Birthday cake in center surrounded by gnomes
  4. **Circus Comes to Town**  
Carriage pulled by two giraffes
  5. **Rose Parade Celebration**  
Salute to Parade of long-ago, carriage pulled by "horses"
  6. **Festival of Flowers**  
Japanese flower garden with bridge and large fans

Torrance Rose Float Association  
Float Design Committee Meeting, 27 March 2007  
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7. **GENERAL DISCUSSION**

There was a general discussion by board members of the presentations and recommendations. "Festival of Flowers" was the Committee's unanimous choice to recommend to the Ad Hoc Committee. Fiesta had Raul design this float especially for us to commemorate the 35th anniversary of the relationship between Torrance and our Sister City, Kashiwa, which takes place in 2008.

8. **RECOMMENDATION**

It was decided to recommend FIESTA PARADE FLOATS as the float builder and selection of the design, "Festival of Flowers", designed by Raul Rodriguez.

9. **AD HOC COMMITTEE DESIGN PRESENTATION**

The design will be presented to the Ad Hoc Committee tentatively on April 10.

10. **CITY COUNCIL PRESENTATION**

The design will be presented to City Council on tentatively April 24.

11. **ANNOUNCEMENTS**

Mary announced that she had received an email on this date saying that Jack and Ann Williams were resigning from the Board effective immediately. The email cited health concerns as the reason for the resignation. They thanked everyone for their support through the years. Mary asked anyone interested in Jack's position to let her know by Tuesday's meeting.

12. **ADJOURNMENT**

A motion was made and seconded to adjourn at 8:05 p.m.

M/S Bob Habel/Cindy Wells

Respectfully submitted by,

Joyce K. Miles, Secretary

**MINUTES  
TORRANCE ROSE FLOAT ASSOCIATION  
BOARD OF DIRECTORS**

**TUESDAY, 3 APRIL 2007 - 7:00 P.M.  
WEST ANNEX CONFERENCE ROOM (1st FLOOR)**

**Refreshments: Mary Barta**

**1. CALL MEETING TO ORDER**

The meeting was called to order at 7:00 p.m. by President, Mary Hoffman.

**2. ROLL CALL**

All board members present with the exception of the following excused absences: Anne and Roy Atherton and Linda Huthmaker.

**3. FLAG SALUTE**

The Flag Salute was led by Secretary, Joyce Miles.

**4. INFORMAL BUSINESS**

**4.1 INTRODUCTION OF GUESTS**

No guests were present.

**4.2 CORRESPONDENCE**

No correspondence.

**5. APPROVAL OF MINUTES**

**5.1 BOARD MEETING ( 6 March 2007)**

A motion was made and seconded to approve the 6 March 2007 Board minutes.

M/S Jan Staws/Carolyn Hannas

**5.2 FLOAT DESIGN MEETING (27 March 2007)**

A motion was made and seconded to approve the 27 March 2007 Float Design Meeting minutes.

M/S Jan Staws/Sharon Tate

**6. TREASURER'S REPORT**

**6.1 TREASURER'S REPORT (February/March 2007)**

Tabled due to computer malfunction.

**6.2 PAYMENT OF OUTSTANDING BILLS**

\$150.00 Jim Hill Membership fee to Torrance Chamber of Commerce.

M/S Carolyn Hannas/Sharon Tate

**7. CITY COUNCIL LIAISON COMMENTS (Councilwoman Pat McIntyre)**

Councilwoman, Pat McIntyre was not present due to a conflict with the Torrance City Council meeting.

Torrance Rose Float Association  
 Board of Directors' Meeting, 3 April 2007  
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**8. STAFF LIAISON COMMENTS (Suzie Wand)**

Mrs. Wand reported that Gene Barnett, Community Services Director for many years, would be retiring on May 10<sup>th</sup>, with a reception on May 9<sup>th</sup> in the Toyota Meeting Room from 3:00 p.m. until 5:00 p.m. The Board voted to purchase a plaque to present to him at the reception at a cost not to exceed \$100.00.

M/S Lori Rayor/Mary Jo Kohlmiller

**9. OLD BUSINESS**

**9.1 FLOAT DESIGN REPORT**

Kathy Thompson, Float Design Chairperson, reported that the Float Design Committee was making a recommendation that "Festival of Flowers" be our suggestion for the City's 2008 Rose Parade entry to the Ad Hoc City Council Rose Float Committee. A motion was made and seconded that we recommend "Festival of Flowers" to the Ad Hoc Committee.

M/S Kathy Thompson/Carolyn Hannas

**9.2 SPRING BOUTIQUE REPORT**

Thanks to Debbie Reed for making the arrangements for us to have a booth, tables and chairs and to Pam Barrett, Carolyn Hannas, Jim Hill, Mary Hoffman, Joyce Miles, Lori Rayor, Jan Staws, Sharon Tate and Cindy & Grant Wells for staffing our booth, with Joyce & Sharon being there all day. We had total sales of \$101.00.

**9.3 ARMED FORCES DAY PARADE**

Jan Staws reported that plans are progressing to have our annual food booth in front of the Plunge.

**10.0 NEW BUSINESS**

**10.1 2006-2007 ANNUAL PRESIDENT'S REPORT**

A motion was made and seconded to accept the report.

M/S Cindy Wells/Melanie White

**10.2 2006-2007 ANNUAL TREASURER'S REPORT**

A motion was made and seconded to accept the report.

M/S Pam Barrett/Grant Wells

**10.3 PRESENTATION OF FLOAT DESIGN TO AD HOC COMMITTEE**

We will be presenting our recommendation to the Ad Hoc City Council Rose Float Committee on Tuesday, April 10<sup>th</sup> at 4:30 p.m. All members are invited to attend.

Torrance Rose Float Association  
 Board of Directors' Meeting, 3 April 2007  
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**10.4 PRESENTATION OF FLOAT DESIGN TO CITY COUNCIL**

We will be presenting the Ad Hoc's recommendation to City Council on Tuesday, April 24<sup>th</sup> at 7:00 p.m. All members are invited to attend.

**10.5 INVENTORY**

Tabled until the next meeting.

**10.6 RESIGNATION OF VICE PRESIDENT**

Mary reported that she had received an email from Jack Williams saying that he and Ann were resigning effective immediately due to health concerns. Mary suggested we have a reception for them before our next Board meeting and that we present them with a plaque to honor their many years of service to the Board. A motion was made and seconded to purchase a plaque to present to them at a cost not to exceed \$50.00.

M/S Carolyn Hannas/Grant Wells

Jan Staws placed Cindy Wells' name in nomination to replace Jack as Vice President. Carolyn Hannas seconded the motion and the Board voted unanimously to elect Cindy to replace Jack as Vice President of TRFA.

**11. OFFICERS' AND DIRECTORS' REPORTS**

**11.1 MEMBERSHIP**

Mary Jo Kohlmler reported we received memberships from 5 Individuals and 1 Couple.

**11.2 PUBLICITY**

Jim Hill asked to have 100 extra copies of the newsletter printed to be given out at the Chamber meetings.

**11.3 WAYS AND MEANS**

Jan discussed getting a holder for our various flyers at events we attend. She'll check into securing a holder.

**12. ONCE AROUND**

No discussion.

**13. ADJOURNMENT**

A motion was made and seconded to adjourn at 8:10 p.m.

M/S Jan Staws/Mary Barta

**NEXT MEETING**  
**Tuesday, 1 May 2007 - 7:00 p.m.**  
**WEST ANNEX CONFERENCE ROOM (1st Floor)**  
**Refreshments: Linda Lescoe**

Respectfully submitted by,  
 Joyce Miles, Secretary



April 10, 2007

**MINUTES OF THE CITY COUNCIL CITIZEN  
DEVELOPMENT AND ENRICHMENT COMMITTEE****1. CALL TO ORDER**

Councilman Paul Nowatka called the meeting to order in the City of Torrance, City Hall, Third Floor Assembly Room on Tuesday, April 10, 2007 at 4:30 p.m.

**2. ACCEPT AND FILE AFFIDAVIT OF AGENDA POSTING**

M/S Councilman Tom Brewer/Councilwoman Gene Drevno

**3. INTRODUCTION OF GUESTS**

Fran Fulton and Ribhalin Mukhim from the City Manager's office

**4. SELECTION OF THE FLOAT DESIGN FOR THE CITY'S FLOAT ENTRY  
IN THE 2008 PASADENA TOURNAMENT OF ROSES PARADE**

Mary Hoffman told the Committee that the theme of the 2008 Rose Parade is: "Passport to the World's Celebrations". In keeping with the theme of the Parade, the TRFA Board asked the float builders to have one of the choices be a design as a tribute to the 35th anniversary of the Sister City relationship between Torrance and Kashiwa, Japan, which takes place in 2008. She said the Rose Float Board had unanimously chosen a design from Fiesta Parade Floats to recommend for their consideration as the City's 2008 float, "Festival of Flowers" which features a Japanese garden scene. Following discussion, Councilwoman Drevno made a motion to accept the TRFA's recommendation as the City of Torrance float design for the 2008 Pasadena Tournament of Roses Parade. It was seconded by Councilman Brewer. A full color rendering will be presented to City Council on Tuesday, April 24, 2007.

**5. FINAL REPORT ON THE TORRANCE ROSE FLOAT FUND RAISING  
CAMPAIGN**

Andrew Orpe presented the final report from the 2007 fund raising campaign. In essence, he reported that while the campaign made a valiant effort to raise funds for the City's float, no businesses contacted were able to help contribute large sums of money to the City's float. Board members, Carolyn Hannas and Jim Hill, who made many of the telephone calls to the various businesses, reported that the businesses were not in a position to contribute to a project where they basically were anonymous, since Tournament rules only permit one sponsor's name per entry.

**6. FUNDING FOR THE TORRANCE ROSE FLOAT IN THE 2008 ROSE FLOAT PARADE**

John Jones presented a letter from Fiesta Parade Floats saying their costs continue to escalate and said it would cost an additional \$3,000.00 to produce the 2008 City of Torrance float, bringing the total cost of the float to \$138,000.00, with TRFA contributing \$10,000.00 toward the cost of the float. Following discussion, Councilman Brewer made a motion that the Committee asks the full Council to consider the \$3,000.00 increase in funding for the 2008 float. The motion was seconded by Councilwoman Drevno.

**7. ORALS**

Councilman Nowatka asked the TRFA Board to make another attempt to raise funds from various businesses in the City. He also suggested that the Sister City Association be advised of the float design that will be recommended to City Council. The DAILY BREEZE will be contacted to see if they will publicize the design in an effort to involve the community in a fundraising campaign.

**8. ADJOURNMENT**

A motion was made and seconded that the meeting adjourn at 5:00 p.m.  
M/S Councilwoman Drevno/Councilman Brewer

Respectfully submitted by,

Joyce Miles, Secretary

**ATTACHMENT D**

Committee Meeting of  
April 10, 2007

City Council Ad Hoc Rose Float Committee  
City Hall  
Torrance, California

Members of the Committee:

**SUBJECT: Community Services – Request for additional funding for the  
2008 Torrance Rose Float**

**RECOMMENDATION**

The Community Services Director recommends that the City Council Ad Hoc Rose Float Committee approve additional funding in the amount of \$3,000 for the 2008 Rose Parade Float entry.

**Funding**

Funding is available within the Community Services Department operating budget.

**BACKGROUND/ANALYSIS**

For many years, the City's contribution for Torrance's Rose Float entry was \$80,000. In 2006, the City Council approved an additional \$45,000 in the budget to offset increased costs incurred by the float builder. This brought the City's contribution total to \$125,000. The Torrance Rose Float Association maintained its annual contribution of \$10,000. As a result, there was sufficient funding to cover the \$135,000 cost of the 2007 float.

On April 2, 2007, staff received an e-mail communication from Tim Estes, President of Fiesta Parade Floats (Attachment A). The City of Torrance has contracted with Fiesta Parade Floats for the past several years to build Torrance's award winning Rose Parade float entries. According to Mr. Estes, the cost to build Torrance's 2008 float will be \$138,000, an increase of \$3,000 to the amount currently budgeted. In his correspondence, Mr. Estes cites a rent increase as well as increases in materials, flowers, insurance and labor.

In as much as Fiesta Parade Floats has a history of trying to hold price increases to a minimum, often maintaining the same cost to the City over a period of time, staff believe the request from Mr. Estes is reasonable and should be approved.

Respectfully submitted,

GENE BARNETT  
Community Services Director

By   
Suzie Wand  
Senior Recreation Supervisor

CONCUR:

  
Gene Barnett  
Community Services Director

  
LeRoy J. Jackson  
City Manager

Attachment: A) Tim Estes, President of Fiesta Parade Floats e-mail dated 04-02-07.

cc: Suzie Wand, Senior Recreation Supervisor  
John Jones, Recreation Services Manager

April 2, 2007

To John Jones , City of Torrance  
From Tim Estes, Fiesta Parade Floats  
Re City of Torrance 2008 Rose Parade Float

John,

Regarding the float budget for the 2008 Rose parade float for the City of Torrance, each year I strive to work with in the budget of each float. Certainly my desire is to strive and create a similar caliber float from year to year. The overall float budget for the 2007 float was \$135,000.

When Fiesta approached the designs for the 2008 parade, I felt that I could work with a similar budget as the year before, but needed to take into account the increases that all business work with each year. On an annual basis, Fiesta has a rent increase as well as increases in material, flowers, insurance and labor. Some of the materials used in the parade business are very unique, such as flowers, special formulated glues and a variety of like materials. These overall increases to Fiesta are approximately 3.3%. Overall the increase is slightly higher than the normal CPI increase which is around 2.5%.

Fiesta desires to create another spectacular float for the City of Torrance and request a CPI increase of 2.5%, which would be an increase of \$3,375. Fiesta would round this down to an increase of \$3,000.

Thank you for your time in this matter.

Respectfully,  
Tim Estes  
President  
Fiesta Parade Floats



# FLOAT CONSTRUCTION AGREEMENT

THIS FLOAT CONSTRUCTION **AGREEMENT**, made this 25<sup>th</sup> day of April, 2007 between FIESTA PARADE FLOATS, a California corporation, hereinafter called **FIESTA**, and the CITY OF TORRANCE, hereinafter called **TORRANCE**.

THAT FOR, valuable consideration the receipt of which is hereby acknowledged, IT IS AGREED AS FOLLOWS:

I. SERVICES TO BE PROVIDED BY **FIESTA**

A. **FIESTA** shall create, construct and decorate a float for **TORRANCE**.

1. To be entered in the 2008 Tournament of Roses Parade ("**PARADE**") to be held in the City of Pasadena, California on January 1, 2008.
2. In accordance with;
  - a. The designs, sketches and specifications heretofore submitted to and approved by **TORRANCE** and,
  - b. The instructions of the Pasadena Tournament of Roses Association for floats to be entered in the **PARADE**.

B. **FIESTA** shall furnish and provide.

1. All equipment, material and labor required to construct said float;
2. A float decoration supervisor to oversee the decoration of the float by a decoration crew supplied by the Torrance Rose Float Association.
3. Two capable and qualified drivers for said float on the day of the **PARADE**.
4. Any personnel required to guide the float to and in the **PARADE**.

C. Materials used in the float.

- C. Materials used in the float.
1. Materials used in the construction of the float shall be supplied by and shall remain the property of **FIESTA**.
  2. Any materials and decorations supplied by **TORRANCE** shall remain the property of and shall be returned to **TORRANCE** unless other arrangements are made.
- D. Operation of the float during and after the **PARADE**.
1. **FIESTA** shall place the completed float in the **PARADE**, operate it in the **PARADE** and maintain it during the Post Parade exhibition period at the locations set aside for this purpose.
  2. **FIESTA** shall abide by all rules, regulations, requirements and instructions of the Pasadena Tournament of Roses Association for floats entered in the **PARADE**.
  3. **FIESTA** shall assume full responsibility for and control of the operation of said float during and after **PARADE**.

## II. SPECIFICATIONS FOR THE FLOAT

- A. The design, sketches, specifications and the dimensions of the subject float have been submitted to **TORRANCE** by **FIESTA** and same are hereby incorporated herein by this reference as though set forth in full.
- B. The title, "FESTIVAL OF FLOWERS" shall appear in letters at least six inches high so as to be clearly legible to the viewing audience and television. The name "CITY OF TORRANCE" shall appear on the float in letters approximately six inches high so as to be clearly legible to the viewing audience and television.

## III. FLOAT DESIGN RELEASE

With respect to the selected design, by virtue of this signed **AGREEMENT**, **TORRANCE** understands that the right to reproduce the selected final float design shall belong to **FIESTA** and that any reproduction of the design has to be cleared by **FIESTA**, except for the following:

- A. For any nonprofit advertisement of the float that promotes **TORRANCE**, **FIESTA** or the **PARADE**.
- B. For any novelty item, in which the novelty item sales are used to promote **TORRANCE** and/or to assist **TORRANCE** in raising monies to pay for the float, related costs for the float, or as a donation to any nonprofit organization.

IV. PERFORMANCE BY SPONSOR

- A. **TORRANCE** shall pay **FIESTA** the total sum of \$138,000.00, which shall be payable as follows:
  - 1. \$46,000.00 on or before June 15, 2007 at which time all major steel work shall be completed;
  - 2. \$46,000.00 on or before August 15, 2007 at which time all art work shall be completed;
  - 3. \$46,000.00 prior to January 15, 2008.
- B. Proper costuming of personnel and/or float riders supplied by **TORRANCE**, shall be the responsibility of **TORRANCE**.

V. FAILURE OF PERFORMANCE

- A. In the event that completion and/or participation of the float is prevented by an act of God, war, fire not attributable to failure to employ reasonable precautions by **FIESTA**, or any other unforeseen cause beyond the control of **FIESTA**, **FIESTA** shall immediately cease work on the float and shall be entitled to reimbursement of ten percent (10%) of the contract price plus actual expense incurred prior to the notice to cease or the cessation of the work.
- B. "Actual Expense" shall include the amount shown on invoices for the cost of materials, sub-contract parts, designer fee and/or labor. In the event that such actual expenses are less than the amount paid to **FIESTA** on the date of cessation of work, **FIESTA** hereby agrees to refund the difference to **TORRANCE**.
- C. Difficulties experienced by **FIESTA** in obtaining material, equipment and labor shall not be considered as valid excuses for non-performance.

VI. WITHDRAWAL BY SPONSOR

In the event that **TORRANCE** should instruct or cause **FIESTA** not to complete the float or not to drive it in the **PARADE**, it is recognized that **FIESTA** can only construct a certain number of floats and in agreeing to construct the float for **TORRANCE**, it must reject the opportunity to construct other floats, and further that it is important to **FIESTA**'s business to have the opportunity to display it's work in the **PARADE**, the exact amount of which would be extremely difficult and impractical to fix. It is therefore agreed that if such instruction or causing be given after July 1, 2007 **FIESTA** is entitled to be paid its full contract price.

VII. TIME OF THE ESSENCE

It is stipulated by the parties hereto that time is of the essence and that the completed float shall be ready to be placed in the **PARADE** and shall participate therein.

VIII. INSURANCE

- A. FIRE; **FIESTA** shall obtain and maintain a policy of insurance covering loss or damage to the float by fire and so-called all risks, in an amount of no less than \$138,000.00, with loss payable to **TORRANCE** or **FIESTA** as their interest may appear.
- B. WORKMEN'S COMPENSATION; **FIESTA** shall carry said insurance in an amount adequate to cover all employees supplied by **FIESTA**, concerned with the construction and the operation of said float. Any personnel and/or float riders supplied by **TORRANCE** shall be the responsibility of **TORRANCE**.
- C. PUBLIC LIABILITY & PROPERTY DAMAGE; **FIESTA** agrees to carry said insurance during entire period of creation, operation and exhibition of said float as follows:
1. General Liability coverage not less than \$1,000,000.00 combined single limit per occurrence and in the aggregate for bodily injury and property damage.
  2. Excess following form General Liability coverage of \$4,000,000.00 per occurrence and in the aggregate for bodily injury and property damage.

3. TORRANCE named as additional insured under said policies along with the Pasadena Tournament of Roses Association and the City of Pasadena

D. FIESTA: agrees to have the insurance company writing such insurance's as listed above issue certificates of insurance to TORRANCE.

IX. RELATIONSHIPS

The performance of FIESTA's service herein under shall be in the capacity of an independent contractor and not as an officer, agent, or employee of TORRANCE.

X. EFFECTIVE DATE

The effective date of this AGREEMENT shall be the date of execution by TORRANCE.

IN WITNESS THEREOF, the parties hereto have caused this AGREEMENT to be executed this 25<sup>th</sup> day of April, 2007.

APPROVED AS TO FORM  
JOHN L. FELLOWS III  
CITY ATTORNEY

FIESTA PARADE FLOATS

BY: \_\_\_\_\_

BY: \_\_\_\_\_  
Timothy W. Estes  
President

CITY OF TORRANCE

BY: \_\_\_\_\_  
Frank Scotto  
MAYOR

ATTEST

By: \_\_\_\_\_  
Sue Herbers  
CITY CLERK

