



CHARLOTTE COUNTY BOARD OF COUNTY COMMISSIONERS

EVENT DEVELOPMENT PROGRAM

Guidelines and Application

OVERVIEW

The Charlotte County Board of County Commissioners Event Development Program ("BOCC-EDP") provides in-kind services and additional event funding to assist in the development of **new (first-year and second-year) events** occurring between **April 1 and December 15 of each year**, that promote Charlotte County as a tourist destination for visitors. Annual events that have been held previously in Charlotte County but have not been held for at least one year will be considered "first-year" events. For biennial events, the first biennial event will be considered a "first-year" event, and the second biennial event will be considered a "second-year" event. After the second year, events are expected to be self-sustaining and will not normally be funded by the BOCC-EDP. The BOCC reserves the rights, in exceptional circumstances as determined solely by the BOCC, to fund events in subsequent years, however, funding beyond two years will be the exception rather than the rule.

The primary objective and public purpose of the BOCC-EDP is to fund new events that contribute to the economic development and well-being of Charlotte County, for the benefit of all citizens.

The BOCC-EDP is a separate Event Development Program from the Charlotte Harbor Visitor and Convention Bureau ("VCB") Event Development Program, which is administered by the Tourist Development Council ("TDC"). The BOCC-EDP is administered by the VCB and all applications and funding requests must be approved by the Board of County Commissioners.

GENERAL REQUIREMENTS

1. BOCC-EDP funding is intended to supplement the applicant organization's other funding and budget, which must be reasonably developed.
2. Applicants may apply for both VCB Event Development Program funding and BOCC-EDP funding. The receipt of the former will not necessarily disqualify an applicant from receipt of BOCC-EDP funding, however consideration will be given by the BOCC as to whether VCB funding has been provided, and if so, in what proportion to the applicant's total budget, in determining the amount of any funding it may approve.

3. BOCC-EDP provides in-kind County services, such as permit fees and public safety services, not to exceed Fifty-Thousand Dollars (\$50,000.00), as well as additional funding for allowable uses not to exceed Fifty-Thousand Dollars (\$50,000.00) per event.
4. The total annual program budget for cash contributions is Two Hundred Thousand Dollars (\$200,000.00).
5. The BOCC reserves the right to provide event funding on a reimbursement or third-party payer basis where appropriate.
6. Applicants are strongly encouraged to review their applications with the VCB, the County Department of Public Safety, the County Department of Community Services, the County Department of Community Development or other County Departments as may be applicable, prior to submitting their final applications.
7. Persons or organizations wishing to apply for BOCC-EDP funding must complete the attached application **in full**, specifying the dollar amount requested and provide a detailed proposal regarding the use of requested funds. The application must include written estimate(s) prepared by the appropriate County Department(s) for all in-kind services requested, and written estimate(s) prepared by any other public entities (such as the Charlotte County Sheriff's Office) for other governmental services if reimbursement will be requested.
8. Applications shall be submitted to the Charlotte Harbor Visitor and Convention Bureau, 18500 Murdock Circle, B-104, Port Charlotte, Florida 33948. The VCB will forward all applications to the BOCC for consideration.
9. The deadline to submit BOCC-EDP applications is **April 1** of each year. Applications will be reviewed by the BOCC and either approved or denied at the first regularly-scheduled public meeting every April. Applicants may submit applications for events occurring in the same, or one subsequent, fiscal year.
10. Applications must state whether the event is a first- or second-year event, and separate criteria will be used for evaluation by the BOCC.
11. Resumes of all event organizers must be attached to all applications.
12. First-year Applicants must substantiate the **potential** draw of visitors to Charlotte County with a detailed regional Marketing Plan, which must be attached to the Application.
13. Second-year Applicants must substantiate the **actual** draw of visitors to Charlotte County for the prior years' event, and must provide actual figures relating to the number of event attendees, the number of room nights generated, the average

length of stay, the effectiveness of previous advertising and marketing, and a summary of press related to the event. Applicants must also submit proof of their compliance with the prior year event's Post-Event reporting requirements. Failure to provide proof of compliance with prior year Post-Event reporting will preclude presentation to the BOCC.

14. In addition, all applicants must be able to project the economic benefit to Charlotte County related to the requested event funding, including, but not limited to, factors such as the number of projected out-of-County visitors, projected length of stay, number of projected overnight visitors, projected patronage of Charlotte County restaurants and other businesses, and other factors demonstrating an economic benefit to Charlotte County.
15. Applications will be scored by individual BOCC members based on the factors noted in the Application, attached. Individual scores will be averaged to provide a final score. A **minimum final score of 70** (out of 100) is required to meet BOCC-EDP funding eligibility requirements, however eligibility does not guarantee funding. If eligible, the BOCC will approve or deny funding requests by majority vote. Neither the initial determination of eligibility, nor the BOCC's subsequent approval or denial of funding, shall be subject to reconsideration.
16. The BOCC will make every effort to approve events distributed evenly throughout Charlotte County regions and venues.
17. BOCC-EDP recipients may be required to attend a workshop on reimbursement procedures and event promoting/marketing.
18. BOCC-EDP recipients will be required to sign the County's standard funding agreement, a sample of which is attached.
19. Recipients will be required to provide proof of event insurance in an amount to be determined by the County's Risk Manager and to name Charlotte County Board of County Commissioners as an additional named insured.
20. Recipients will be required to include reference to Charlotte County Board of County Commissioners and/or Charlotte County Visitor and Convention Bureau as funding partners on all event advertising after award of funding.
21. Upon conclusion of the event, the Post Event Report, attached, must be completed and submitted to the Charlotte Harbor Visitor and Convention Bureau, 18500 Murdock Circle, B-104, Port Charlotte, Florida 33948. Failure to submit the completed Post Event Report and any other information requested by Charlotte County pursuant to the standard Funding Agreement will preclude the applicant from future eligibility and funding.

USE OF FUNDS

BOCC-EDP cash funding may be used for lawful purposes **directly related to event production and promotion, as listed by the Applicant on the Application**, attached, and as authorized by the BOCC. Allowable uses include such things as entertainer fees; venue rental; location and permitting fees; advertising, marketing, and/or event promotion; transportation for attendees to and from the event; signage; equipment rental; event insurance; police or other public safety expenses; and similar event-related expenses.

BOCC-EDP funding **may not be** used for salaries, benefits, administrative expenses, travel expenses or operating expenses of the event organizer or its staff; food, beverage or hospitality expenses for social functions of the event organizer or its staff; acquisition or modification of buildings or equipment by the event organizer not solely related to event production; legal, accounting or other consulting services for the event organizer or its staff; interest or reduction of deficits or loans of the event organizer; any other expenses of the event organizer not directly related to production of the event, and any other expenses disallowed by the BOCC.

Use of BOCC-EDP funding for any prohibited use will preclude the recipient from receiving BOCC-EDP funding in the future and may result in legal action by the BOCC to recover funds spent by the event organizer in contravention of these requirements and the County's standard funding agreement.

CRITERIA – FIRST YEAR EVENTS

Each Application for a first-year event will be evaluated by the BOCC using the following criteria.

A. Attraction of Out-of-County Visitors – 20 Points. Factors to be considered include:

1. Does the Event provide opportunities for state, regional, national and/or international exposure?
2. Is the event proposed to be advertised outside of Charlotte County? Regionally? Statewide? Nationally? Internationally?
3. Is the event proposed to be advertised using new media (Constant Contact, e-magazines or social networking)?
4. Has one person (or a committee) been established to handle publicity/media relations?
5. Is there an itemized marketing/advertising budget?
6. Are advertisements and other promotions planned sufficiently in advance to promote travel to the event and produce overnight visitors?

Score: ____ out of 20

B. Production of Room Nights – 10 Points. Factors to be considered include:

1. Does the applicant provide a well-researched Marketing Plan for attracting visitors from outside Charlotte County who will need accommodations?
2. What is the projected Room Night generation? Is it reasonable based on the Marketing Plan?
3. Has a host hotel or accommodation partnership or partnerships been established?
4. What is the event duration and what is the effect on Room Nights generated?

Score: ____ out of 10

C. Marketing Plan – 10 Points. Factors to be considered include:

1. Does the Marketing Plan include an itemized marketing/advertising budget for the proposed event?

2. Does the applicant propose co-op advertising opportunities with other Events or with the VCB or TDC?
3. How creative is the marketing plan? Is it reasonable?
4. How many potential visitors could marketing for the event be expected to reach? In what markets? In what form?
5. How effective is the marketing/advertising likely to be considering all factors?

Score: ____ out of 10

D. Event Timing, Location and Duration – 10 points. Factors to be considered include:

1. How unique is the event as compared to other events in Charlotte and surrounding counties?
2. Is the event single- or multi-day?
3. Is the event annual or biennial?
4. Does the event occur on a date when other events are already planned (i.e., a “competing event”), or when hotels are full or near full due to competing events?
5. Does the event occur on a date where it could be a supporting or companion event to another scheduled event (i.e., on a different day in the same weekend)?
6. As compared to other event locations, will this event contribute to location diversity within Charlotte County (i.e., events should be spread throughout the County)?

Score: ____ out of 10

E. Economic Impact – 50 Points. Factors to be considered include:

1. What is the projected number of event attendees?
2. What is the projected number of attendees from out-of-County?
3. How strong is the out-of-town day trip visitor impact to Charlotte County?
4. What is the projected patronage of Charlotte County businesses and other stakeholders (e.g., hotels, restaurants, shops, gas, food, entertainment, etc.)?

5. Will the event hire or otherwise utilize the services of any Charlotte County citizens or businesses (as workers, consultants, vendors, etc.)?
6. What people or organizations within the Charlotte County Community are supporting this event?
7. With what organizations, events or businesses is the event organizer collaborating?
8. Does the event already have sponsorship commitments and from whom?
9. Are any event sponsors or collaborators from out-of-County?
10. Has TDC Event Development Funding been sought and/or awarded, and if so, in what amount?
11. Does the event funding request, combined with any TDC Event Development Program funding, represent more than 50% of the total event budget?
12. How strong is the overall benefit to tourism and the economy of Charlotte County?

Score: ____ out of 50

TOTAL SCORE: _____ out of 100

Commissioner: _____

CRITERIA – SECOND YEAR EVENTS

Each Application for a second-year event will be evaluated by the BOCC using the following criteria.

A. Attraction of Out-of-County Visitors – 20 Points. Factors to be considered include:

1. Does the Event provide opportunities for state, regional, national and/or international exposure?
2. Is the event proposed to be advertised outside of Charlotte County? Regionally? Statewide? Nationally? Internationally?
3. Is the event proposed to be advertised using new media (Constant Contact, e-magazines or social networking)?
4. Has one person (or a committee) been established to handle publicity/media relations?
5. Is there an itemized marketing/advertising budget?
6. Are advertisements and other promotions planned sufficiently in advance to promote travel to the event and produce overnight visitors?
7. How does the level, type, markets and target of advertising compare to last year's event? How will the advertising be target to out-of-County visitors?
8. Has the applicant provided information as to what percentage of attendees from last year's event were from out of County? How many?

Score: ____ out of 20

B. Production of Room Nights – 10 Points. Factors to be considered include:

1. Does the applicant provide a well-researched Marketing Plan for attracting visitors from outside Charlotte County who will need accommodations?
2. What is the projected Room Night generation? Is it reasonable based on the Marketing Plan?
3. Has a host hotel or accommodation partnership or partnerships been established?
4. What is the event duration and what is the effect on Room Nights generated?

5. Has the applicant provided information as to the actual number of Room Nights generated during last year's event? How many?
6. Did the applicant establish hotel or accommodation partnerships during last year's event? Were they successful?
7. Is it reasonable to expect the same or similar out-of-County attendance or does the applicant project an increase or decrease?

Score: ____ out of 10

C. Marketing Plan – 10 Points. Factors to be considered include:

1. Does the Marketing Plan include an itemized marketing/advertising budget for the proposed event?
2. Does the applicant propose co-op advertising opportunities with other Events or with the VCB or TDC?
3. How creative is the marketing plan? Is it reasonable?
4. How effective was the marketing/advertising plan for last year's event?
5. Did last year's event generate regional, state, national or international exposure for Charlotte County?

Score: ____ out of 10

D. Event Timing, Location and Duration – 10 points. Factors to be considered include:

1. How unique is the event as compared to other events in Charlotte and surrounding counties?
2. Is the event single- or multi-day?
3. Is the event annual or biennial?
4. Does the event occur on a date when other events are already planned (i.e., a "competing event"), or when hotels are full or near full due to competing events?

5. Does the event occur on a date where it could be a supporting or companion event to another scheduled event (i.e., on a different day in the same weekend)?
6. As compared to other event locations, will this event contribute to location diversity within Charlotte County (i.e., events should be spread throughout the County)?
7. When was last year's event and was the timing and location successful?

Score: ____ out of 10

E. Economic Impact – 50 Points. Factors to be considered include:

1. What were the number of event attendees last year and what is the projected number of event attendees?
2. What was the number of attendees from out-of-County last year and what is the projected number of attendees from out-of-County this year?
3. How strong was the out-of-town day trip visitor impact to Charlotte County last year and how strong will the out-of-town day trip visitor impact be this year?
4. What is the estimated patronage of Charlotte County businesses and other stakeholders (e.g., hotels, restaurants, shops, gas, food, entertainment, etc.) last year and what is the projected patronage of Charlotte County businesses and other stakeholders this year?
5. Did the event hire or otherwise utilize the services of any Charlotte County citizens or businesses (as workers, consultants, vendors, etc.) last year, and will it do so again this year? In what amount?
6. What people or organizations within the Charlotte County Community supported the event last year and what people or organizations will support the event this year?
7. What organizations, events or businesses did the event organizer collaborate last year and what organizations, events or businesses will the event organizer collaborate with this year?
8. Does the event already have sponsorship commitments this year and from whom? How does the number and amount of sponsorships for this year's event compare to the same timeframe from last year?

- 9. Were any event sponsors or collaborators from out-of-County last year and will any be from out-of-County this year?
- 10. Has TDC Event Development Funding been sought and/or awarded this year, and if so, in what amount?
- 11. Does the event funding request, combined with any TDC Event Development Program funding, represent more than 50% of the total event budget?
- 12. How strong was the overall benefit to tourism and the economy of Charlotte County generated from last year's event? Is a similar level of economic benefit reasonable to expect this year?
- 13. Did the applicant comply with the Post-Event reporting requirements last year in a manner acceptable to the County?
- 14. Has the second-year applicant included an audited financial statement of last year's event with the application?

Score: ____ out of 50

TOTAL SCORE: _____ out of 100

Commissioner: _____

APPLICATION

Please check one:

_____ **FIRST YEAR EVENT**

_____ **SECOND YEAR EVENT**

I. APPLICANT INFORMATION

Entity Legal Name: _____

Entity FEID #: _____

Is the Entity a Florida corporation or registered to do business in the State of Florida?

See <http://www.sunbiz.org/> Yes: No:

Is the Entity a Not-For-Profit or 503(c) Charitable organization?

Yes: No:

Application completed by: _____

Title/relationship to Entity named above: _____

Telephone No.: _____

Mailing Address: _____

Email Address: _____

II. EVENT INFORMATION

Event Title: _____

Date(s): _____

Event Location(s): _____

Hotel/Accommodation Partner (if applicable), Contact Person, Telephone Number:
(Attach separate sheet if necessary.) _____

Projected number of local attendees/participants (not overnight): _____

Projected number of out-of-County attendees/participants (not overnight): _____

Projected number of out-of-County attendees/participants (overnight): _____

Projected number of Room Nights: _____

Explain how you arrived at these projections. Use information from event survey if applicable. (Attach separate sheet if necessary.) _____

Attach your marketing and promotional plan. Include: Media and size (if applicable) cost, run dates and area targeted. (*Examples:* Newspaper, 1/8 page, \$475, July 1, Tampa Bay area, OR, Facebook boosted post, \$200, June 25 until budget is reached. Attach separate sheet if necessary.) _____

Please review the application scoring criteria included with your application for either a first- or second-year event, and provide **any and all** additional information you believe is relevant to each criteria section and questions. Failure to include this information may result in your application being ineligible for funding. (Attach separate sheet if necessary.)

What are the demographics of the potential attendees of the proposed Event?

How will the effectiveness of the promotion of the event be measured? What metrics will you use? (Attach separate sheet if necessary.)

III. LIST EXPENSES TO BE FUNDED THROUGH THE BOCC EVENT DEVELOPMENT PROGRAM

IMPORTANT: Funds must be used exactly as specified. Any deviation must be approved in writing by the BOCC. Please attach an itemized budget for the *entire* event. (Attach separate sheet if necessary.)

| Item | Costs |
|----------------|-------|
| | |
| | |
| | |
| Total Expenses | \$ |

Total Amount Requested: _____

Total Event Budget: _____

Percent of Total budget represented by EDP funding: _____

IV. SIGNATURE/DISCLAIMER

On behalf of _____, I certify that I have completed this Event Sponsorship Application and attest that all information provided herein and attached hereto is true and accurate. I agree that if approved, funding received from Charlotte County BOCC will be used only for the purposes provided herein and approved by the BOCC. I understand that any other use of EDP funds will disqualify my organization from EDP funding in the future and may subject my organization to legal process.

Authorized Signature

Title

Date

ROOM NIGHT CERTIFICATION FORM

(May be used for Post-Event Reporting or in conjunction with Second-Year Event Applications. Duplicate form if necessary for multiple hotels.)

TO: Accommodation General Manager and/or Director of Sales

The purpose of this form is to quantify the actual number of room nights utilized in Charlotte County for a specific Event. Your cooperation in documentation of these room nights is very important to the Board of County Commissioners and our Event Marketing efforts. Thank you in advance for your assistance. Please provide the following information.

Hotel/Location: _____

| | TRACKED ROOM NIGHTS | | | | | |
|------------------|---------------------|--|--|--|--|--|
| GROUP NAME | | | | | | |
| EVENT | | | | | | |
| DATE | | | | | | |
| PAID ROOM NIGHTS | | | | | | |
| COMP ROOM NIGHTS | | | | | | |

Please provide any comments:

Signature

Title

Date

**POST-EVENT REPORT
(Required for First- and Second-Year Events)**

Event: _____

Organization: _____

Please provide the following:

1. Copies of all receipts, purchase orders or signed contracts for all BOCC-EDP funded expenses.
2. Documentation (hotel affidavits or survey results) that show room nights generated by the event.
3. Evidence of local partnerships, if applicable.
4. A summary of *placed* advertising.
5. Results of an event survey, if applicable.
6. Attendance estimates and the process used to determine attendance numbers, e.g., ticket sales, aerial photos, law enforcement estimates, etc.
7. A summary of all relevant media coverage. This may be done in an excel spreadsheet to include:
 - Type of media (print, radio, television, etc.);
 - If social media, include stats for the event page;
 - Circulation or audience reach estimates;
 - Geographic coverage of each placement – local, regional, national or international.
8. Any other documentation requested by Charlotte County or Charlotte County Clerk for audit purposes pursuant to the Standard Funding Agreement, including an audited financial statement.

Send documents to:

Charlotte Harbor Visitor & Convention Bureau
18500 Murdock Circle, B-104
Port Charlotte, FL 33948

Within **90** days after conclusion of the event.

EVENT FUNDING AGREEMENT
BETWEEN CHARLOTTE COUNTY
and

SECTION I – GENERAL PROVISIONS

1. PARTIES

This Agreement is between CHARLOTTE COUNTY, a political subdivision of the State of Florida, 18500 Murdock Circle, Port Charlotte, Florida 33948, (the "County"), and _____, (the "Event Organizer").

2. PURPOSE

The County has an interest in promoting travel and tourism in the County and in encouraging leisure and business activities for individuals, families and groups, all of which promote Charlotte County as a destination and strengthen the local economy, for the benefit of all citizens. The County has the authority to expend County funds to promote tourism, events and attractions.

The Event Organizer has applied to the Charlotte County Board of County Commissioners ("BOCC") pursuant to the BOCC's Event Development Program ("BOCC-EDP") and has met all of the program criteria. On _____, the BOCC determined that providing funding for the event served a public purpose and voted to approve funding in the amount of _____. The purpose of this Agreement is to set forth the terms and conditions associated with provision and receipt of BOCC-EDP funding.

3. TERM OF AGREEMENT

This Agreement will be effective upon execution by both parties and will last for a period of one (1) year.

4. RENEGOTIATION

The County reserves the right to renegotiate and amend this Agreement if revisions of any applicable laws, regulations, or budget allocations make changes in this Agreement necessary or desirable.

5. TERMINATION

Either party upon thirty days written notice may terminate this Agreement. Any violation by the Event Organizer of any provision of this Agreement or any applicable County, State or Federal regulations shall be considered a breach of this Agreement and County may choose to terminate this Agreement immediately. In the event of termination by either party, the Event Organizer will return to the County all unused or unencumbered funds remaining on the date of termination.

6. ASSIGNMENT

This Agreement may not be assigned in whole or in part without the prior written consent of County.

SECTION II –EVENT SPONSOR’S OBLIGATIONS

1. USE OF FUNDS

The Event Organizer shall use the funding provided by the County pursuant to this Agreement solely for the purposes outlined herein and which were approved by the BOCC. Any use of Charlotte County funds for purposes not specifically authorized by the BOCC will preclude the recipient from eligibility for future BOCC-EDP funds, and may result in legal action by the BOCC to recover funds spent by the Event Organizer in contravention of these requirements.

2. MASTER FILE

A master file of documents pertaining to the Event Organizer’s organization must be submitted to the Contract Manager, below, within 60 days of the effective date of this Agreement.

The Master File shall include:

1. The last audited or unaudited financial statement;
2. The latest Annual Report, if applicable;
3. A copy of Florida Dept. of State Div. of Corporations Annual Report; and
4. Evidence that the Event Organizer is currently classed under IRS as a 501(c)3, if applicable.

Event Organizer accepts responsibility for updating information no later than thirty days following any changes.

3. FINANCIAL REPORTS

The Event Organizer agrees to furnish to the County, within one-hundred-eighty (180) days after the close of the Event Organizer’s fiscal year, such Annual Reports and audited Financial Statements as are required herein or as may be requested by the County as necessary to fairly and accurately document the performance of services pursuant to this Agreement and the value and impact upon the residents of Charlotte County, Florida.

4. AUDITING, RECORDS AND MONITORING

The Event Organizer, its agents, assigns or other organizations acting on its behalf, shall maintain books, records, documents and other evidence and shall follow generally accepted accounting principles, which properly reflect all revenue and direct and indirect costs of any nature received or expended in the performance of this Agreement. These records shall be subject at all times to inspection, review, or audit by personnel duly authorized by County, subject to any applicable confidentiality laws.

The Event Organizer shall have an annual audit of all its activities related to the event conducted by an independent Certified Public Accountant in accordance with generally accepted accounting principles after the conclusion of the event. The audit statement will include a management letter than contains comments on internal control. The audit or statement shall be submitted to County after the end of the Event Organizer’s fiscal year, with their annual report. Failure to comply with this requirement may, at County’s option, result in denial or termination of future agreements. A copy of the audited financial statement of the event must also be included with any application for second-year event funding, should the Event Organizer apply for second-year funding.

All reports or other information required by this Agreement shall be submitted to:

Charlotte Harbor Visitor and Convention Bureau
18500 Murdock Circle, B-104
Port Charlotte, FL 33948

5. RETENTION/OWNERSHIP OF RECORDS

The Event Organizer agrees to retain all books, records and other documents relative to this Agreement for five (5) years after termination of this Agreement. Persons duly authorized by County shall have full access to and the right to examine any materials during said period, subject to applicable confidentiality laws. These materials may also be subject to Chapter 119, Florida Statutes, the Florida Public Records Act, unless the materials meet a Florida statutory exemption or are confidential pursuant to state or federal law. Event Organizer agrees to comply with the requirements of Chapter 119 of the Florida Statutes to the extent that it may apply.

6. NON DISCRIMINATION

By signing this Agreement, the Event Organizer certifies that it complies with the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, as amended, and the Florida Civil Rights Act. Specifically, the Event Organizer agrees that:

No person shall, on the grounds of race, color, sex, religion, age, disability or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any event, program or activity funded through this Agreement.

The Event Organizer will not discriminate against any employee or applicant for employment, contractor or volunteer, because of race, color, religion, sex, age, disability, or national origin.

In all solicitations or advertisements regarding the event, the Event Organizer shall state that all Event activities are open to all persons regardless of race, color, religion, sex, age, disability, or national origin, and provide a mechanism for persons with disabilities to request reasonable accommodation.

The County may require the Event Organizer to submit reports as may be necessary to indicate non-discrimination. County officials will be permitted access to the Event Organizer's books, records, accounts and other sources of information and its facilities as may be pertinent to ascertain compliance with non-discrimination laws.

It is expressly understood that County shall have the right to terminate this Agreement and deny any future funding agreements upon receipt of evidence of discrimination.

7. COMPLIANCE WITH APPLICABLE LAWS

By signing this Agreement, the Event Organizer certifies that it complies with all applicable statutes, ordinances, rules, orders, regulations, and requirements of the federal, state, county and city governments, and of all governmental agencies. The Event Organizer shall provide copies of all executed permits or licenses applicable to the event from all regulatory agencies immediately upon request by the County.

8. INDEPENDENT CONTRACTOR

By signing this Agreement, the Event Organizer certifies that under the provisions of this Agreement, it shall be considered an independent contractor for which County assumes no responsibility for the means or manner in which the Event Organizer's activities are provided or

persons are employed. For \$10.00 and other good and valuable consideration, the receipt of which is acknowledged, the Event Organizer agrees to defend, indemnify and save County harmless from any damage whatsoever arising from the performance of any of the activities under this Agreement and to defend, indemnify and hold County harmless from any claims made by or on behalf of its clients, agents, servants, volunteers and employees involved in work under this Agreement.

The Event Organizer will promptly report to the Charlotte County Visitor and Convention Bureau any claim or suit against it or the County arising from action in furtherance of this Agreement. The Event Organizer agrees to pay County all damages, expenses, costs, attorney's fees, and judgments incurred or assessed against County by reason of any claim or suit arising from the Event Organizer's negligent or intentional acts or default in the performance of this Agreement.

The Event Organizer shall maintain event, general liability, property damage and/or other insurance in amounts approved by County and reasonably estimated to discharge its obligations under this Agreement, and will include in its event-related contracts a provision requiring the same of its contractors or agents. Within 30 days of written request from County, the Event Organizer shall submit to the Charlotte County Visitor and Convention Bureau a copy of the event insurance contract and a policy and/or certificate of insurance showing County (and its officers, employees, agents, and volunteers) as an additional insured.

9. SCHEDULE

The Event is expected to occur _____. Post Reporting responsibilities are to occur as stated herein and as stated in the Post-Event Report attached to the BOCC-EDP application.

SECTION III – COORDINATION BETWEEN EVENT ORGANIZER AND COUNTY

1. CONTRACT MANAGERS

The Contract Manager for County is _____. The Contract Manager for the Event Organizer is _____. In the event that different representatives are designated by either party after execution of this Agreement, notice of the name and address of the new representative will be rendered in writing to the other party within thirty (30) days of such change.

2. NON-DUAL SERVICE

No employee of the Event Organizer may be an employee of County, unless approved by the Charlotte County Administrator.

SECTION IV – COUNTY'S OBLIGATION

1. PAYMENT AND FUNDING

County shall pay the total amount of _____ to the Event Organizer or on its behalf, for the following purposes and in the following manner:

Any payments that are to be made directly to third parties on behalf of the Event Organizer must be supported by documentation substantiating the cost incurred by the Event Organizer from the third party. Such documentation must include copies of the contract between the Event Organizer and third party, if applicable; the quotation or proposal for services from the third party to the Event Organizer, if applicable; an itemized invoice from the third party to the Event Organizer showing

costs actually incurred by the Event Organizer; or other documentation sufficient to show actual cost to the Event Organizer.

No other payments are to be made, nor are they expected by the Event Organizer during the term of this Agreement without prior written agreement of the parties, and no oral representation made by the County or any of its employees, officers or agents shall constitute a valid Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement in Charlotte County, Florida.

**BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA**

By: _____
Chairman

Date: _____

Attest:
Barbara T. Scott, Clerk of Circuit
Court and Ex-Officio Clerk to the
Board of County Commissioners

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
County Attorney

EVENT ORGANIZER

Witness:

By: _____

By: _____

Title: _____

Date: _____