



EVENT PERMIT

Ordinance 17-08

Hurricane Heroes All-Star Concert

PERMIT NUMBER: TMP2023-01068

Date(s) of Event: October 7, 2023

Property Owner: LEE COUNTY

Applicant: Tracy Bettermann
2395337670

Description: Charity Concert on October 7, 2023 at Century Link Sports Complex from 4:00PM until 10:00PM

Location of event: 14100 BEN C PRATT SIX MILE CYPRESS PKWY, FORT MYERS, FL 33912
Century Link Sports Complex

Will the event be attended by 1000 or more people ? Yes

Will the event be held on County Owned Property ? Yes

Will there be alcohol consumed or sold at the event ? Sold and Consumed

Will a bond be posted for this event ? No

Permit Conditions:

- * Applicant must meet all event application requirements, including requirements of the sign-off agencies.
- * The premises is to be left in the same condition as it was prior to the event.
- * The permit is to be readily available for inspection during the entire event.
- * If this approval includes the sale or consumption of alcoholic beverages, no alcoholic beverages may be consumed 1 1/2 hours prior to the conclusion of the event and vacating the facility/property.

Board of County Commissioners
Lee County, Florida

County Manager / Date

[Signature]
9/14/2023



Lee County
Southwest Florida

Event Application

Special Event

Use of
County
Property

Alcohol
within Lee
County
Facilities

Film, Video
&
Photography

Hurricane Heroes All-Star Concert

TMP2023 - 01068

Lee County Event Permit Application



Event Application

Check the appropriate box(es) below:

- SPECIAL EVENT PERMIT
- USE OF COUNTY PROPERTY PERMIT
- PERMIT TO SELL AND CONSUME ALCHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES
- FILM PERMIT

Section I - GENERAL INFORMATION (All Permit Types)	
Title of Event / Name of Production	Hurricane Heroes All-Star Concert
Date(s) of Event / Production:	10/7/2023
Location(s) of Event:	Hammond Stadium
Name of Applicant:	Kaufy Baseball
Applicant Address:	14400 6 Mile Cypress Fort Myers FL 33914
Applicant Phone Number:	239-768-4210
Contact Person: (If different from applicant)	Tracy Bettermann/Judd Loveland
Contact Phone Number: (If different from applicant)	239-533-7670
Email Address:	tbettermann@mightymussels.com/jloveland@mightymussels.com
Estimated Attendance:	8000
Event Description: Include each activity, when activities take place, etc.	Charity Concert
Hours of Operation:	4pm- 10pm
STRAP # of Parcel:	
Owner of Premises*:	Lee County

*Notarized statement from the property owner specifically consenting to the proposed use required.

Lee County Event Permit Application



What is the Zoning Classification of the premises? _____

Are any temporary structures to be installed for the event? Yes No Type: _____

Do you have the appropriate permits for the temporary structures? Yes No

* For a 'Special Event' and 'Use of County Property' permit, submit a site plan with all proposed facilities and activities identified, including all parking areas.

Insurance Company Insuring the Event: Hays Companies

Note: Certificate of Insurance must be submitted at time of application

Surety Company Bonding this Event (Name and Address): _____

Will Vehicles be Used as Part of This Event?

Yes No

If yes, automobile coverage must be included on the certificate of insurance.

Will Food be Available at this Event?

Yes No

If yes, products liability coverage must be included on the certificate of insurance.

Will Alcoholic Beverages be served/consumed at this Event?

Yes No

If yes, liquor liability coverage must be included on the certificate of insurance.

Name & Address of Organization Providing Food: Summertime Concessions

Type of Food being Served: Ballpark/Concessions food

Section II - USE OF COUNTY PROPERTY PERMIT

Organization Sponsoring the Event: Charity Pros

Section III - SALE/CONSUMPTION OF ALCHOLIC BEVERAGES PERMIT

Is alcohol being sold/consumed on County Property? Yes No

If Yes, then a "Lee County Alcohol Permit" is required. Only non-profit organizations can sell alcohol on County Property.

Non-profit certificate/registration number:

(Required if alcohol is to be **SOLD** at the event)

Please note: A permit from the State of Florida Division of Alcoholic Beverages and Tobacco may also be required; please call (239) 344-0885 for further details

Lee County Event Permit Application



Type of Production (choose all that apply):

- TV Movie or Special
- TV Series / Pilot
- TV Commercial
- Still Photos
- Public Service Announcement
- Industrial / Documentary
- Other: Video

Will any of the following be needed or included*?

- Street Closure Yes No
- Traffic / Crowd Control Yes No
- Fire or Burning Yes No
- Explosives or Pyrotechnics Yes No
- Animals, Large or Small Yes No
- Construction of Any Kind Yes No
- Large and/or Numerous Vehicles Yes No
- Helicopters, Boats, etc. Yes No
- Stunts Yes No
- Other Yes No

* For any marked Yes, provide further details below:

Traffic control for entry and egress of concert

Special Parking Requirements:

NA

City or County Services Required: (Personnel, equipment, facilities, etc.)

LCSO and Southtrail. Already in contact with Judd Loveland.

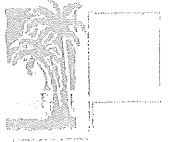
The following information is required for local and state records on production in Florida to track the economic impact of the industry. If exact figures are not available, please estimate as closely as possible.

Number in Cast: _____ Number in Crew: _____ Number of locals hired: _____

Total budget: _____ Estimate amount spent in Lee County: _____

Hotel room nights: _____ Number of shooting days: _____
number of rooms x number of nights

Lee County Event Permit Application



SECTION I - SAFETY

The Applicant agrees to provide adequate traffic and crowd control, emergency medical services and any other items, at the Applicant's expense, required by Lee County to protect the health, safety and welfare of the public. Lee County shall have the power to review the proposal and require, as necessary, detailed plans, diagrams, and explanations to clearly outline to Lee County, exactly what the Applicant is proposing.

SECTION II - INSURANCE

The Applicant, at its sole expense, agrees to procure and maintain in force during the entire term of the application, liability insurance in the amounts determined by Lee County Risk Management to protect against damages or other claims arising from use of County property by the applicant or its guests. Other limits may also be established by Lee County Risk Management for events which will be serving or consuming alcoholic beverages at approved County property. The insurance policy must also include coverage for Applicant's contingent liability on damages, claims or losses. "Lee County Board of County Commissioners" must be named as "additional insured" on the Certificate of Insurance, and the Certificate must be delivered to Lee County prior to Applicant's use of the property. The Insurance may not be canceled during the term of the event, if this occurs, the County has the right to revoke approvals related to use of the County property for the event, without recourse by the applicant.

SECTION III - INDEMNIFICATION

The Applicant agrees to indemnify, release and save harmless Lee County against any and all claims, costs, demands, damages, judgments or injuries of any nature arising from the conduct or management of, or from any work or thing whatsoever done in or about said Lee County property or any building or structure appurtenant thereto or equipment thereof during the term of this Permit, or arising during such term from any act of negligence of the Applicant, Applicant's agents, contractors, or employees, or arising from any accident, injury, or damage whatsoever, however caused, to any person or persons, or to any property of any person, persons, corporation or corporations, occurring during the term of this agreement on, in, or about said Lee County property, and from and against all costs, attorney's fees, expenses and liabilities occurring in connection with any such claim or any action or proceeding brought thereon.

For film permit applicants: The permittee shall have on-site a responsible representative empowered with authority over the filming director, filming crews, participants and filming operation. Permittee shall indemnify, defend and hold harmless the county, its officers, agents and employees from and against all claims, suits, actions, damages, liabilities, expenditures or causes of action of any kind arising out of or occurring during the activities of the permittee, and resulting or occurring from any negligent act, omission or error of permittee, resulting in or relating to injuries to body, life, limb or property sustained in, about or upon the permitted premises or improvement thereto, or arising from the use of the premises.

SECTION IV - DELIVERY, ACCEPTANCE AND SURRENDER OF PREMISES

The Applicant agrees to accept the County property on possession as being in a satisfactory state of repair and in sanitary condition.

The Applicant must surrender the premises to Lee County in the same condition as when Applicant takes possession, allowing for reasonable use and wear, and damage by acts of God. Applicant agrees to remove all business signs or symbols placed on the premises by the Applicant before redelivery of the premises to Lee County, and restore the premises to the condition in which it existed before their placement. Any signs and markings created or used in connection with this event must be temporary and removable; painting roadways, trees or any other fixed object is strictly prohibited. Applicant agrees to clear the Lee County property of litter at the close of the event.

Lee County Event Permit Application



SECTION V - AGREEMENT

The Applicant agrees that Lee County can, at its sole discretion, terminate and cancel its permit to use Lee County property at any time without prejudice. Applicant further agrees to waive, release, save and hold harmless Lee County from any and all claims, demands or cause of actions based upon Lee County's cancellation or termination of said permit.

The Applicant agrees that the Lee County permit does not provide Applicant with any property rights in the County property in question or in the permit itself.

The applicant does acknowledge and hereby affirms that any and all information is accurate to the best of his/her knowledge.

A handwritten signature in black ink, appearing to read "Judd Loveland", is written over a horizontal line.

Signature of Applicant

Judd Loveland/General Manager

Print Name of Applicant and Title

8/1/2023

Date

A handwritten signature in blue ink, appearing to read "Tracy Bettermann", is written over a horizontal line.

Witness

Tracy Bettermann

Print Name of Witness

8/1/2023

Date

Lee County Event Permit Application



LEE COUNTY SHERIFF'S DEPARTMENT
14750 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33912
(239) 477-1199

Check the appropriate box(es) below:

- SPECIAL EVENT PERMIT
- USE OF COUNTY PROPERTY PERMIT
- PERMIT TO SELL AND CONSUME ALCOHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES
- FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Parking:

All parking must be in authorized areas. There will be LCSO deputies as well as parking attendants on site to assist guests with getting in and out of the parking lot safely and efficiently to minimize any traffic back-ups.

Deputies (How Many?):

LCSO will staff extra duty details for traffic control as well as security and presence. There will be an Incident Commander and detail supervisors scheduled to oversee event. LCSO will work in conjunction with Suncoast Security and ball park staff to maintain public safety.

Fee for Services:

Contact LCSO Details Unit for further information.

Special Arrangements:

Promoter/vendor will be responsible for monitoring all amplified sound throughout the entire event to ensure that it does not exceed the decibel levels set forth by Lee County Noise Ordinance Chapter 24 1/4.

Print Name:

P. Cummins

Signature:

[Handwritten Signature]

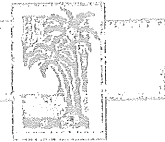
Title:

Support Services

Date:

9.7.23

Lee County Event Permit Application



FIRE DEPARTMENT

The Fire Department serving the area where the event is to be held signs this form. Please see User's Guide for contact information and Fire District Map.

Check the appropriate box(es) below:

- SPECIAL EVENT PERMIT
- USE OF COUNTY PROPERTY PERMIT
- FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Fire Guards (How Many?)	32 certified crowd managers requires. Due to private security and LCSO on scene for event, I will accept 20 copies of crowd manager certification from security company. Please provide copies of valid certificates to be emailed to nburlev@southtrailfire.org
Fee for Services:	Plan review and inspection paid. Please contact Assistant Chief Bollen for fees and staffing requirements for required FD standby
Flammable Vegetation:	NA
First Aid Equipment:	STFD and LCEMS to have crews on stand by for event as discussed during pre planning meetings
Fire Extinguishing:	Stage area to have required extinguishers on site
Special Arrangements:	Contact Inspector Rich Reed at 239-841-9123 for stage and on field seating inspection. This inspection must occur no less than 4 hours prior to event opening to public. Please contact Assistant Chief Bollen to secure staffing as required for the event.

Print Name: Nate Burley

Signature: Nate Burley Digitally signed by Nate Burley
Date: 2023.09.05 09:20:08 -04'00'

Title: Division Chief - Fire & Life Safety

Date: September 5, 2023

Lee County Event Permit Application



EMERGENCY MEDICAL SERVICES / PUBLIC SAFETY
2000 Main St., Suite #100
FORT MYERS, FL 33901
(239) 533-3911

Check the appropriate box(es) below:

- [X] SPECIAL EVENT PERMIT
[X] USE OF COUNTY PROPERTY PERMIT
[X] PERMIT TO SELL AND CONSUME ALCOHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES
FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Treatment Facilities: The first aid room/treatment room will be manned with LCEMS and/or STFD personnel.
Medical Personnel: Two ambulances w/ LCEMS crews and an EMS Supervisor will be required to be on site. This will be provided at your expense by LCEMS, in addition to requirements that South Trail Fire and Rescue has set forth.
Medical Supplies / Equipment: None necessary.
Safety Requirements: Applicants shall follow all CDC and FDOH directives, and the Florida Governor's Executive Orders concerning health and safety, especially with regards to COVID-19 and the number of people congregating at the event.
Fee for Services: ALS Ambulance with crew: \$100/hr plus 1/2 hr set-up and 1/2 hr demobilization x (2 Crews)
EMS Supervisor: \$40.00/hr plus 1/2 hr set-up and 1/2 hr demobilization x (1 Supervisor)
Special Arrangements: Please follow the communications plan that will be set up by on-site personnel in the event of an emergency. It is stipulated that medical coverage requirements by LCEMS are subject to change, should STFD change their coverage or should any other part of the plan change.

Print Name: Douglas B. Higgins
Signature: Douglas B. Higgins
Title: Captain, EMS Operations
Date: August 22, 2023

Digitally signed by Douglas B. Higgins
DN: cn=Douglas B. Higgins, o=Lee County Emergency Medical Services, ou=EMS Operations, email=DHiggins@leegov.com, c=US
Date: 2023.08.22 16:58:15 -0400

Lee County Event Permit Application



DEPARTMENT OF TRANSPORTATION
1500 MONROE STREET
FORT MYERS, FL 33901
(239) 533-8580

Check the appropriate box(es) below:

- SPECIAL EVENT PERMIT
- USE OF COUNTY PROPERTY PERMIT
- PERMIT TO SELL AND CONSUME ALCOHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES
- FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Parking:

No event parking is permitted in Lee County maintained road right of ways.

Ingress and Egress:

Please use all established means of ingress and egress.

Special Arrangements:

Please use Lee County Sheriff's office for assistance with traffic control.

Print Name: Nathaniel Thoman

Signature: Nathaniel C. Thoman

Digitally signed by Nathaniel C. Thoman
Date: 2023.08.07 07:27:32 -04'00'

Title: Project Manager

Date: 08/07/2023

Lee County Event Permit Application



LEE COUNTY PARKS AND RECREATION
3410 PALM BEACH BOULEVARD
FORT MYERS, FLORIDA 33916
(239) 533-7275

Check the appropriate box(es) below:

- SPECIAL EVENT PERMIT
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- FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Illumination:

Event organizer will provide special stage lighting. Stadium lights will be used for safety lighting.

Parking Areas:

Work with the on-site parks staff to ensure event is set up to provide the safety of the patrons entering the parking and stadium facility. Event organizer must provide adequate staff and traffic control devices to ensure patrons move in and out of the event area safely.

Special Arrangements:

Event organizer will coordinate with the on-site parks staff to ensure event area has proper safety and security measures under control and that the event area is cleaned of all trash and debris before leaving.

Print Name: Alise Flanjack

Signature:

Alise Flanjack

Title:

Deputy Director

Date:

8/7/2023

Hurricane Heroes Concert
10/7/2023 4pm - 10pm
LC Sports Complex

Lee County Event Permit Application



LEE COUNTY RISK MANAGEMENT
COUNTY ADMINISTRATION BUILDING - 4TH FLOOR
2115 SECOND STREET
FORT MYERS, FLORIDA 33901
(239) 533-2221

Check the appropriate box(es) below:

- SPECIAL EVENT PERMIT
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- PERMIT TO SELL AND CONSUME ALCOHOLIC BEVERAGES WITHIN LEE COUNTY FACILITIES
- FILM PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Insurance Requirements:

Commercial general liability insurance with minimum limits of One Million Dollars (\$1,000,000) per occurrence to protect against bodily injury and/or property damage relative to applicants use of aforementioned event within Lee County.

Certificate Must Read As:

Lee County, a political subdivision and Charter County of the State of Florida, its agents, employees, and public officials are automatic additional insureds and includes an automatic waiver of subrogation with regard to general liability. The certificate holder is an additional insured on a primary and noncontributory basis with regards to general liability.

Special Arrangements:

A Certificate of Insurance shall be submitted as evidence of the required coverage listing Lee County, a political subdivision and Charter County of the State of Florida, P.O. Box 398, Fort Myers, FL 33902 as the certificate holder and as an additional insured as listed above.

Subject to proof of insurance.

Print Name: Mike Figueroa

Signature:

Title:

Risk Program Manager

Date:

August 7, 2023



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/24/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hays Companies, Inc. 60 South 6th Street Suite 700 Minneapolis MN 55402	CONTACT NAME: Malkou Lor or Kathy Beatty	
	PHONE (A/C No. Ext): (612) 333-3323 FAX (A/C No.): (612) 373-2720	
INSURED Kaury Baseball LLC dba Mighty Mussels 14400 Six Mile Cypress Pkwy Ft Myers FL 33912	E-MAIL ADDRESS: malkou.lor@bbrown.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Arch Insurance Company	11150
	INSURER B: RetailFirst Insurance Company	10700
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 2023-2024 REVISION NUMBER:

THIS IS TO CERTIFY THAT 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, LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INBR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	WARRANTY	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Participant Legal Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y	Y	SSCGL0022302	01/08/2023	01/08/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 5,000,000 Participant Legal Lib. \$ 1,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			SSAUT0017702	01/08/2023	01/08/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			SSFXS0016602	01/08/2023	01/08/2024	EACH OCCURRENCE \$ 6,000,000 AGGREGATE \$ 6,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in FL) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	Y	N/A	06/15/2023	06/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Liquor Liability			SSLIQ0015102	01/08/2023	01/08/2024	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 161, Additional Remarks Schedule, may be attached if more space is required)

Lee County, a political subdivision and Charter County of the State of Florida P.O. Box 398 Fort Myers, Florida 33902 and Minnesota Twins Baseball 14400 Six Mile Cypress Parkway Fort Myers FL 33912 are certificate holders.

Lee County, a political subdivision and Charter County of the State of Florida, its agents, employees, and public officials are additional insureds as respects the general liability policy where required by written contract, subject to the policy terms and conditions. Waiver of subrogation applies in favor of the additional insureds as respects the general liability policy where required by written contract, subject to the policy terms and conditions.

OK 08/07/2023

CERTIFICATE HOLDER	CANCELLATION
 , a political subdivision and Charter County of the State of Florida PO Box 398 Fort Myers FL 33902	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE

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Tracy Bettermann

From: Pigott, Tamara <TPigott@leegov.com>
Sent: Friday, August 11, 2023 1:53 PM
To: Tracy Bettermann
Cc: Judd Loveland; Dotson, Miriam
Subject: RE: Mighty Mussels Special event Permit for 10.7.2023
Attachments: Lee County Special Events Permit Request 8.4.2023.pdf

Tracy,

Based on your response, there would be no requirement for a VCB to sign off for a film permit.

Thank you,

Tamara Pigott, CDME, CPM, CGSP
Executive Director



Lee County Visitor & Convention Bureau
2201 Second Street, Suite 600
Fort Myers, Florida 33901-3086
Office: 239-338-3500
Toll Free: 800-237-6444
Direct: 239-533-6715
Cell: 239-850-2117

The Fort Myers area in Southwest Florida includes: Sanibel Island, Captiva Island, Fort Myers Beach, Fort Myers, Bonita Springs, Estero, Cape Coral, Pine Island, Matlacha, Boca Grande & Outer Islands, North Fort Myers, Alva, Buckingham, and Lehigh Acres.

From: Tracy Bettermann <tbettermann@mightymussels.com>
Sent: Friday, August 4, 2023 12:33 PM
To: Pigott, Tamara <TPigott@leegov.com>
Cc: Judd Loveland <jloveland@mightymussels.com>; Dotson, Miriam <MDotson@leegov.com>
Subject: [EXTERNAL] RE: Mighty Mussels Special event Permit for 10.7.2023

Tamara,

Any filming/photography will be general concert filming/photography that the band/promoter may use in their marketing. There is no filming/photography for tv/commercial production or resale to the best of my knowledge.

Thank you,



Lee County Parks & Recreation
 3410 Palm Beach Blvd.
 Fort Myers, FL. 33916
 Phone: (239) 533-7275

Invoice Number: _____

This permit entitles holder to exclusive use of the following facilities during the hour and date shown below. This permit also serves as a bill. All reservations must be paid for in advance. A nonrefundable ten-dollar (\$10.00) cancellation fee will be applied to facility rental transfers or cancellations received at least 72 hours prior to the facility rental date. Any cancellation made less than 72 hours prior to the facility rental date will not be entitled to any refund. Exceptions to this policy will be made at the discretion of the Parks and Recreation administration staff based on circumstances surrounding the cancellation.

Date issued: 7-10-2023

Name: Mighty Mussels		Type of Activity: Concert	
Address: 14100 Six Mile Cypress Pkwy		Organization/Team:	
City/State/Zip: Ft. Myers, FL. 33912		Phone Number: 239-768-4210	
		Times	
Date: 10-6-2023 Set Up Day- Flooring as late as possible	From: 8am	To: 8pm	
Date: 10-7-2023 Concert-follow sound ordinance	From: 7am	To: midnight	
Name of Facility: Lee County Sports Complex		Bldg. / Field #: Stadium and parking lots and softball fields	
Other Comments: 10-8-2023 will be tear down. Need to have everything off the field by noon. Work with County staff to make sure everything run			
Hours:	Rate:	Total Fee: Any damages will be charged	

Approved by: R.K. Blasingim Title: Manager Date: 7-10-2023

Event Waiver/Release of Liability Form

In consideration of the opportunities afforded me and/or my group by this Event Form, I, the undersigned Applicant, freely agree to and make the following contractual representations and agreements:

1. **WAIVER AND RELEASE.** I, the Applicant, do hereby knowingly, freely, and voluntarily assume all risk and liability for any damage or injury that may result from my and/or my group's use of the County facility and/or my or any person's participation in this Event, identified herein during the time period I and/or my group are using the County facility and/or participating in this Event, and further agree to release, waive, discharge, and covenant not sue Lee County, its officers, agents, employees, and volunteers (all for the purposes herein referred to as "Releasees") from any and all liability or claims that may be sustained by me or any member of my group, participants, and spectators, directly or indirectly in connection with, or arising out of, my group's use of the County facility or participation in this Event as described herein, whether caused in whole or in part by the negligence of Lee County or the Releasees.

2. **INDEMNIFICATION.** I, the Applicant agrees to indemnify, release and save harmless Lee County against any and all claims, costs, demands, damages, judgments or injuries of any nature arising from the conduct or management of, participation in any event or from any work or thing whatsoever done in or about said Lee County property or any building or structure appurtenant thereto or equipment thereof during the term of the Event, or arising during such term from any act of negligence of the Applicant, members of Applicant's group, any



Lee County Parks & Recreation
 3410 Palm Beach Blvd.
 Fort Myers, FL. 33916
 Phone: (239) 533-7275

Invoice Number: _____

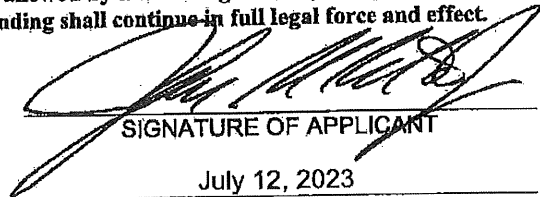
participant in this Event, any spectator, Applicant's agent, contractors, or employees, or arising from any accident, injury or damage whatsoever, however caused, to any person or persons, or to any property or any person, persons, corporation or corporations, occurring during the Event on, in, or about said Lee County property, and from and against all costs, attorney's fees, expenses and liabilities occurring in connection with any such claim or any action or proceeding brought thereon.

3. **INSURANCE.** The Applicant, at its sole expense, agrees to procure and maintain in force during the entire time of the Event, general liability insurance in the amounts determined by Lee County Risk Management to protect against damages from negligence, gross negligence willful and wanton acts or other claims arising from the use of County Property by the Applicant or its guests. Other limits may also be established by Lee County Risk Management for events which will be serving or consuming alcoholic beverages at approved County property. The insurance policy must also include coverage for Applicant's contingent liability on damages, claims or losses. "Lee County Board of County Commissioners" must be named as "additional named insured" on the Certificate of Insurance, and the Certificate must be delivered to Lee County prior to Applicant's use of the property.

4. **PARTICIPANT'S GENERAL LIABILITY INSURANCE COVERAGE. - APPLICANT WILL CONFIRM GENERAL LIABILITY COVERAGE INCLUDES COVERAGE FOR PARTICIPANTS AND SPECTATORS.** This Participant's general liability coverage will be primary before Lee County's self-insured liability or any insurance procured by Lee County. The insurance may not be canceled during the time of the Event, if this occurs, the County has the right to revoke approvals related to use of the County property for the event, without recourse of the Applicant.

I agree that I have read this form, fully understand its terms, and understand that I, or anyone who may claim to have rights on my behalf, have given up substantial rights by signing it and have signed it freely and without any inducement or assurance of any nature and intend to be a complete and unconditional release of any and all liability to the greatest extent allowed by law and agree that, if any portion of this contract is held to be invalid, the balance notwithstanding shall continue in full legal force and effect.

 John Martin
 APPLICANT'S NAME


 SIGNATURE OF APPLICANT

 FORM OF I.D. PRESENTED

July 12, 2023
 DATE

ALCOHOLIC BEVERAGES ARE NOT ALLOWED IN PARKS OR FACILITIES



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/24/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hays Companies, Inc. 80 South 8th Street Suite 700 Minneapolis MN 55402	CONTACT NAME: Maikou Lor or Kathy Beatty	
	PHONE (A/C, No, Ext): (612) 333-3323 FAX (A/C, No): (612) 373-2720	
INSURED Kaufy Baseball LLC dba Mighty Mussels 14400 Six Mile Cypress Pkwy Ft Myers FL 33912	E-MAIL ADDRESS: maikou.lor@bbrown.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Arch Insurance Company	11150
	INSURER B: RetailFirst Insurance Company	10700
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 2023-2024 REVISION NUMBER:

THIS IS TO CERTIFY THAT 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. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Participant Legal Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		Y	SSCGL0022302	01/08/2023	01/08/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 1,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ 5,000,000 Participant Legal Liab. \$ 1,000,000
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY			SSAUT0017702	01/08/2023	01/08/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			SSFXS0016602	01/08/2023	01/08/2024	EACH OCCURRENCE \$ 6,000,000 AGGREGATE \$ 6,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N	52061271	06/15/2023	06/15/2024	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Liquor Liability			SSLIQ0015102	01/08/2023	01/08/2024	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Lee County, a political subdivision and Charter County of the State of Florida P.O. Box 398 Fort Myers, Florida 33902 and Minnesota Twins Baseball 14400 Six Mile Cypress Parkway Fort Myers FL 33912 are certificate holders.

Lee County, a political subdivision and Charter County of the State of Florida, its agents, employees, and public officials are additional insureds as respects the general liability policy where required by written contract, subject to the policy terms and conditions. Waiver of subrogation applies in favor of the additional insureds as respects the general liability policy where required by written contract, subject to the policy terms and conditions.

CERTIFICATE HOLDER

Lee County, a political subdivision and Charter County of the State of Florida
 PO Box 398
 Fort Myers FL 33902

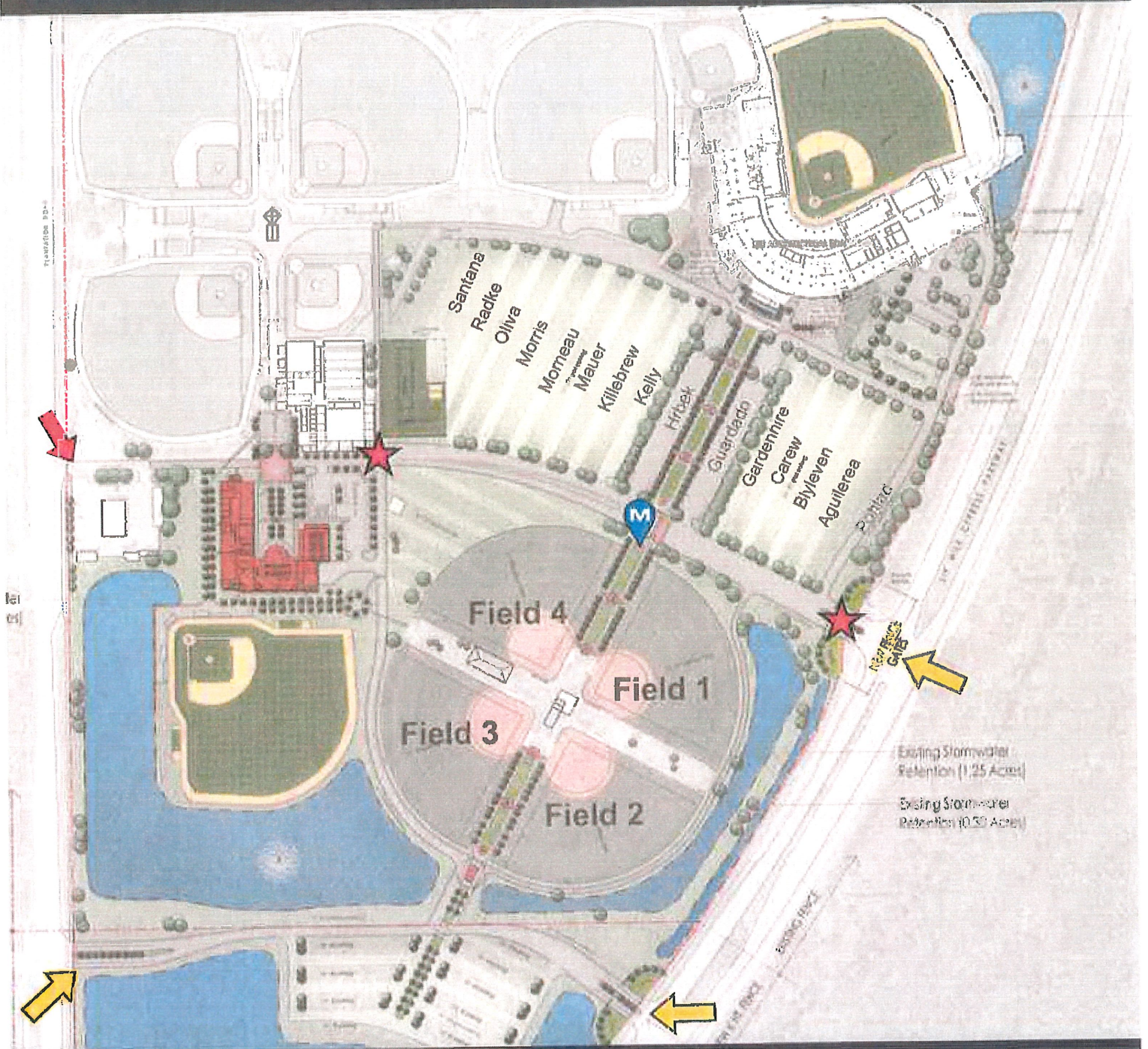
CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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HURRICANE HEROES CONCERT



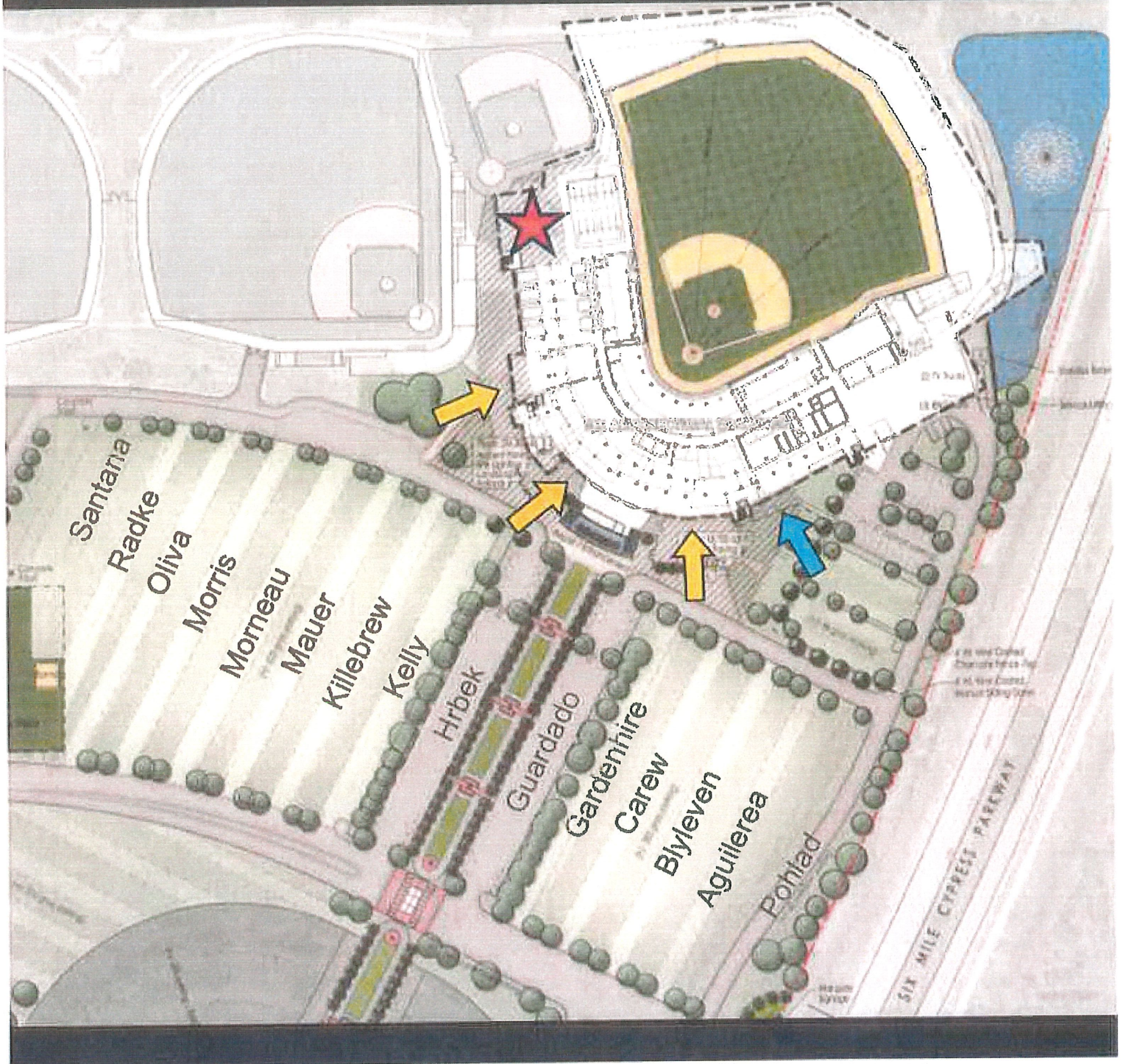
 **Motorcycle Parking**

 **Uber Dropoff/
Pickup**

 **Public Entrance**

 **Service & Delivery
Vehicles Only**

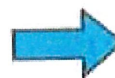
HURRICANE HEROES CONCERT







VIP Entrance



Public Entrance



Employee Entrance

 : Restrooms
 : Entrance/Exit
 : Emergency Exits
 : VIP Entrance

