

Garry Bredefeld or designee
Council District 6
5/8/2019 – 7:30 pm

**AGREEMENT TO USE THE CITY OF FRESNO STADIUM SKYBOX LUXURY SUITE NO. 6
AND FRESNO FOOTBALL CLUB TICKETS FOR CALENDAR YEAR 2019**

In consideration of the limited and revocable use rights granted by the City of Fresno ("City") for the use of the City Stadium Luxury Suite No. 6 and Fresno Football Club Tickets (collectively "Skybox"), the undersigned designated user, individually and on behalf of those using the Skybox with the permission of the Designated User (collectively "Designated User"), agrees to abide by and be responsible for the following:

1. Designated User shall comply with City Manager's Policy limiting the use of the Skybox for official City business. This Policy is attached.
2. Designated User shall be primarily responsible to the City for (i) any damage to the Skybox, and (ii) costs and expenses arising from use of the Skybox.
3. Prior to incurring any Skybox concession costs, the Designated User shall identify to the concessionaire the source of payment.
4. The City shall not be responsible for any costs, expenses, claims or liabilities arising from the use of the Skybox by the Designated User, unless otherwise required by law or consented to in writing by the City.
5. The City makes no representation or warranty regarding any disclosure and/or taxation requirements arising from the use of the Skybox, and will consult with its legal counsel, or the City Attorney's Office, as appropriate.
6. In its use of the Skybox, Designated User shall not discriminate on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, sexual orientation, ethnicity, status as a disabled veteran or veteran of the Vietnam era.
7. Designated User shall reasonably furnish to City such statements, records, reports, data, and information as City may request pertaining to use of the Skybox.
8. Designated User agrees to assume all risks inherent in using the Skybox, and shall indemnify, hold harmless and defend the City from any and all loss, liability, fines, penalties, forfeitures, costs and damages arising from the Designated User's use of the Skybox except to the extent caused by the negligence or willful misconduct of the City.

By: Chayne Zirkel Date: 5/2/2019
Signature of Designated User

Print Name:

Designated User shall complete below, to acknowledge receipt of the Fresno Football Club Tickets.

____ Place initials here to acknowledge receipt of 12 Fresno Football Club Tickets for the 2019 season.

**Agency Report of:
Ceremonial Role Events and Ticket/Pass Distributions**

A Public Document

1. Agency Name		Date Stamp	California Form 802
City of Fresno			For Official Use Only
Division, Department, or Region (If Applicable)			
Facilities Management Division			
Designated Agency Contact (Name, Title)		<input type="checkbox"/> Amendment (Must provide explanation in Part 3.) Date of Original Filing: _____ <small>(Month, Day, Year)</small>	
Robin O'Malley, Facilities Manager			
Area Code/Phone Number	E-mail		
559-621-1487	FacilitiesMgmt@fresno.gov		

2. Function or Event Information

Does the agency have a ticket policy? Yes No Face Value of Each Ticket/Pass \$ _____ **31.34**

Event Description Fresno Football Club Skybox Date(s) 05 / 08 / 19 _____
Provide Title/Explanation

Ticket(s)/Pass(es) provided by agency? Yes No If no: Fresno Football Club
Name of Source

Was ticket distribution made at the behest of agency official? No Yes If yes: O'Malley, Robin Facilities Manager
Official's Name (Last, First)

3. Recipients

• Use Section A to identify the agency's department or unit. • Use Section B to identify an individual. • Use Section C to identify an outside organization.

A. Name of Agency, Department or Unit	Number of Ticket(s)/Pass(es)	Describe the public purpose made pursuant to the agency's policy
B. Name of Individual (Last, First)	Number of Ticket(s)/Pass(es)	Identify one of the following:
		Ceremonial Role <input type="checkbox"/> Other <input type="checkbox"/> Income <input type="checkbox"/> <small>If checking "Ceremonial Role" or "Other" describe below:</small>
		Ceremonial Role <input type="checkbox"/> Other <input type="checkbox"/> Income <input type="checkbox"/> <small>If checking "Ceremonial Role" or "Other" describe below:</small>
C. Name of Outside Organization (include address and description)	Number of Ticket(s)/Pass(es)	Describe the public purpose made pursuant to the agency's policy
<u>Chabad of Fresno</u>	<u>12</u>	<u>Youth outreach</u>

4. Verification

I have read and understand FPPC Regulations 18944.1 and 18942. I have verified that the distribution set forth above, is in accordance with the requirements.

Channa Zirkind Channa Zirkind 5/2/2019 Co-director
Signature of Agency Head or Designee Print Name Title (Month, Day, Year)