

CITY OF CUPERTINO  
**Community Festival  
Information & Application**



**CUPERTINO**

*Submit Applications to:  
Cupertino Parks and Recreation Department  
Attention: Events Recreation Coordinator  
10185 N. Stelling Road, Cupertino, CA 95014  
Telephone: (408) 777-1308  
Email: [Christinal@Cupertino.org](mailto:Christinal@Cupertino.org)  
Website: [cupertino.org/festivalapplication](http://cupertino.org/festivalapplication)*

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## ***I. FESTIVALS AND CRITERIA FOR CONSIDERATIONS***

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Thank you for considering Cupertino as a location for your community festival. Cupertino is well known for hosting a variety of cultural and community festivals throughout the year and encourages events that benefit the community. The information requested in this application will be used to determine your eligibility based on applicable policies, resolutions, and ordinances which are set by City Council. City staff will work closely with festival organizers so that events like the one you are proposing are successful.

**Definition of Community Festivals (per policy) are events that may:**

- Interfere with the normal flow of pedestrian or vehicular traffic
- Require special accommodations, regulation of, or waiver of the usual traffic laws or controls
- Generate a crowd of spectators sufficient in size to obstruct, delay, or interfere with the normal flow of pedestrian or vehicular traffic
- Generate a crowd of sufficient size to restrict access to parks, recreation areas, city facilities, or other public areas
- Result in the need for police regulation, monitoring or control
- Produce debris and wear and tear on City grounds and property

**The following minimum criteria must be met for Cupertino support of a Community Festival to be considered:**

- Was the event application submitted by a local tax exempt or civic organization that provides services Cupertino residents?
- Is the application complete, and was it submitted on time?
- Will the event provide cultural, social, recreational, or educational activities for Cupertino Residents?
  - New festivals need to demonstrate that there will be a significant benefit to Cupertino Residents
- What benefits and impacts will the event create for businesses and residents in Cupertino?
- Will the event conflict with other activities planned for Memorial Park, Quinlan Community Center, Senior Center or the Civic Center, on the same the day? *\*Priority will be given to events that have annually been held on the particular date.*
- Is there a two-week period in between special events (for the turf to recover from earlier events). To the extent possible, three weeks should be allowed between events.
- How will the event benefit charitable causes in Cupertino? For returning events, what do you give to charitable causes in Cupertino?
- If this a returning event to Memorial Park, did it
  - Comply with the Community Festival Policies last year?
  - Provide cultural, social, recreational, or educational benefits to the community?

**Only complete applications will be accepted.** Applications are considered a request for **Event Approval** only; submission does not mean that the event has been approved. For an event to be approved, the event must be approved by the Director of Parks and Recreation and/or Director of Public Works. To be given a final **Event Permit**, all required permits must be obtained, and all fees and deposit(s) must be paid. Any misrepresentation in this application or deviation from the final permit conditions may result in revocation of the permit and the canceling of the current or future events and/or of the event deposit.

## ***II. APPLICATION MATERIALS***

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The Festival Organizer (Organizer) is responsible for submitting a complete Community Festival Application to the City by February for consideration in the following fiscal year from July 1 to June 30.

The following items are required to be submitted with the application:

- **City of Cupertino Community Festival Application** – This is included in this packet of information (*Attachment A*)
- **City Services Request Form** – Included in this packet of information (*Attachment B*) – This will include your request for city staff, sheriff, buildings, barricades, etc. Also included is a Community Festival Fee Matrix (*Attachment C*) which will give you an estimate on the cost of these items.
- **Tax Exempt Status -IRS Form 501c with Tax ID # and Letter of Affirmation**
- **Event Site Diagram(s) and/or Route Map** – Must submit with application and indicate the proposed layout of all equipment (food/vendor booths, alcoholic beverage sales locations, food/beverage consumption areas, tent and canopy locations, stages, first aid and lost child facilities, information or headquarters area, trash and recycle container locations, portable toilets, vendor and public parking areas, bicycle corral, fencing, etc.), proposed street closures, parking tow zones, the direction of travel of any parade, race, run or walk, and all other proposed event activities.

- **Event Parking Plan**- Written verification of event parking at De Anza College.
- **Event Description** - A brief event description (e.g. logistics, schedule, and any other relevant information)
- **Event Financial Report** - This should include a summarized expense and revenue report of the previous year's event. If this is the first year for the event, include a plan with an itemized estimate of expenses and revenue to be generated by the event.
- **Community Letters of Support (New Events Only)** - New events to Cupertino must submit letters of support along with an application.
- **Event Application Fee (New Events Only)** – New events must pay a \$75 application fee at Quinlan Community Center during business hours in person or by phone. (see Item XXII Contact Reference Guide).

### III. FEE WAIVERS/SPONSORSHIP

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Organizers may request City sponsorship, through waiving a portion of or all the associated fees (with the exception of deposits). Waiving of festival fees is a separate process from event approval and requires City Council approval. The Organizer should be available at any requested Council meetings to respond to questions. Approval for fee waiver is generally finalized in June for the following fiscal year (See Item VI. Timeline for Festival/Fee Waiver Approval).

*Note: Fee waivers for Community Festivals are separate from Community Funding. Festivals receiving funding through festival Fee Waivers may not apply for funding through the Community Funding Grant Process for the same festival.*

### IV. FEES AND SECURITY DEPOSIT

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#### Fees

See **Community Festival Fee Matrix (Attachment C)** for estimated fees and charges for services commonly required for festivals.

*Note: Fee schedules are reviewed annually by staff and City Council. Any changes are generally approved in May and effective in July.*

#### Security Deposit

A security deposit is due at a minimum of 30 days prior to the festival date. Deposit should be paid at the Quinlan Community Center front office (see XXII Contact Reference Guide). The security deposit is fully refundable, as long as an organization adheres to the conditions of use requirements as outlined in this packet. A portion of the security deposit could be withheld for things such as damage to City property, unauthorized vehicles on grass, fields, or pathways, insufficient trash removal, lack of adherence to hours of permitted use, inadequate parking monitors, etc.

Forfeiture of the entire security deposit could result if a festival producer or its vendors violate park or City ordinances, including the noise ordinance (See Item XII Amplified Sound); or if a festival producer misrepresents factual information about an event, fails to provide required documentation or secure required permits.

### V. EVENT APPROVAL AND EVENT PERMIT

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Once a proposed festival application has been finalized and approved by the Director of Parks and Recreation and/or the Director of Public Works, the City issues an **Event Approval** notification to the Organizer via email. This allows the Organizer to begin planning and obtaining external permits. Once all the required permits are obtained and submitted to the City, an **Event Permit** will be issued.

*Note: Neighbors of the event area may be notified and will be given an opportunity to provide feedback in advance of any proposed new festival.*

### VI. TIMELINE FOR FESTIVAL APPROVAL AND FEE WAIVER APPROVAL

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Timeline for Festival Event Approval and Event Permit is as follows:

- January - Festival Applications Distributed
- February - Applications due to City for consideration in the following fiscal year (July 1 to June 30)
- February - Event Approval Issued
- June - City Council approves festival fee waivers as part of the Budget Adoption. **Festival Fee Waiver Approval Notification** sent to the Organizer.

Final City issued Festival **Event Permit** will be issued when all required permits, documentation, and information are submitted to the City.

## **VII. PRE-EVENT AND POST-EVENT MEETINGS**

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Once the Organizer receives **Event Approval** notification, the first **Pre-Event Meeting** with the Organizer and representatives from City departments will be scheduled. For new festivals, the meeting will be scheduled a minimum of 90 days prior to the festival. For established festivals, the meeting will be scheduled 30-45 days prior to the festival.

The Organizer must attend pre-event meetings. At the meetings, City staff will advise and approve an event plan that meets public health and safety standards, provides for the delivery of City services, and addresses the concerns of the community. The Organizer will be informed of all needed permits, required fees, conditions of use, and insurance requirements.

*Note: City staff may require several pre-event meetings.*

The City will also conduct a mandatory **Post-Event Meeting** to evaluate and review the festival with the Organizer held within 30 days after the event. Event evaluation notes will be taken into consideration as to whether to approve future events, and/or in setting conditions of use for future event and facility permits. The evaluation will also consider if the Organizer complied with City policies and if the festival provided cultural, social, recreational, or educational benefits to the community (see Attachment H Community Festival Evaluation).

## **VIII. PERMIT AND LICENSES**

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The Organizer is responsible for obtaining all necessary permits required but not limited to those outlined below. All contacts are also listed on the Contact Reference Guide (See Item XXII).

- For Facilities: City staff will coordinate facility permits for specific buildings and venues. A final **Event Permit** will be issued once all information and permits are submitted
- For Fire Permit: [Santa Clara County Fire Department Permit](#)
- For Food Served or Food Trucks: [Santa Clara County Health Permit](#) from the Santa Clara County Department of Environmental Health
- [Cupertino Business License](#) from Cupertino Finance Department
- For Sale of Alcohol (Beer and Wine only): [Department of Alcoholic Beverage Control \(ABC\) Permit](#)
- For Temporary Seller's Permit: [California Department of Tax and Fee Administration](#)

## **IX. PERMIT AND LICENSE REQUIREMENTS**

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Temporary food booth operators must comply with **Santa Clara County Fire Department** regulations and **Santa Clara County Environmental Health Services** regulations for operation of food booth(s) and/or food trucks. Santa Clara County Fire Department inspects food booths for compliance with public safety requirements, and Environmental Health Services regulates food preparation and handling as well as food booth construction. The Organizer is responsible for obtaining and submitting permit applications and fees to **Santa Clara County Fire Department** and to **Santa Clara County Environmental Health Services**.

Any organizers or vendors selling items at the festival must have a Cupertino Business License and a seller's permit.

- To obtain a one-day Cupertino license (\$11.95/per day license):
  1. Email business names to [finlist@cupertino.org](mailto:finlist@cupertino.org)
  2. Call Finance to provide credit card payment over the phone (408) 777-3218
  3. Receive email receipt for payment.
- To obtain a temporary seller's permit:
  1. Visit the [California Department of Tax and Fee Administration](#) website
  2. Register all vendors
  3. Pay for permits; Receive email receipt for payment

## **X. INSURANCE REQUIREMENTS**

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Festival Organizers shall procure and maintain for the duration of the event, including any time required for setup or takedown of the event, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the event arising from work or activities performed by the Festival Organization, its agents, representatives, employees, or subcontractors.

**See Attachment E for Insurance Requirements**

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**XI. NEIGHBORHOOD NOTIFICATION**

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Notifications to nearby residents must be sent out by Festival Organizer by distributing a mailer that includes event information: dates, street closures, traffic detours, etc. A draft notification letter must be submitted to City for approval before distribution. City will approve the letter and provide the organizers with mailing labels for the residents of the Commons approximately 30 days before the event.

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**XII. AMPLIFIED SOUND**

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Amplified sound is any sound that is enhanced by mechanical or electronic means. Noise levels above 70 dBA (decibels) at the neighborhood property line are prohibited. City staff will take periodic decibel readings throughout the event and may place additional restrictions on the decibel output or on the hours allowed for any amplified sound request. Event organizers are required to comply with City staff or sheriff directions regarding amplified sound during an event. Failure to do so could result in forfeiture of the event deposit and denial of future event proposals. Amplified sound must not go past 8 p.m. (Ord 10.48.052A)

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**XIII. PARKING AND ALTERNATIVE TRANSPORTATION PLAN**

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**Parking**

All festivals at Memorial Park must obtain written permission to use De Anza College parking lots. An event parking plan must be submitted. Memorial Park events with 500 or more attendees are required to obtain written permission to use the De Anza College Parking Lot (see Item XXII Contact Reference Guide). Events at the Civic Center with 500 or more attendees should speak with City staff about parking options.

Event Organizers must have designated parking lot monitors for restricted access parking areas including but not limited to City parking lots, unloading/loading zones, and residential parking areas. Parking monitors are required from the beginning of vendor arrivals to the end of vendor pickups. Monitors must be 18 years and older.

**Alternative Transportation**

The City encourages the use of alternate transportation to the automobile and has developed and implemented a network of bicycle lanes and bicycle routes throughout the City. Event Organizers should encourage event attendees to travel via bicycle or by using alternative transportation methods. Providing bicycle corrals and/or valet bike checks is one way to encourage alternative transportation methods. The Cupertino Bikeways Map can be found here: [Cupertino Bikeways Map](#).

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**XIV. STREET CLOSURES**

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The Organizer must specify the location and times for vendor unloading and loading. Adjacent residents and businesses must be taken into consideration. If the public normally parks vehicles within the closed area, a tow zone must be established. "No Parking" signs are provided by the City's Public Works Department and posted on barricades by City Staff. "No Parking" signs are posted 72 hours prior to establishing a tow zone. Applicable fees will be incorporated into the event charges (see Attachment C Community Festival Fee Matrix). ***\*The final schedule and traffic plan will be determined by the City.***

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**XV. SHERIFF DEPUTIES**

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Any closure of public streets will require Sheriff Deputies on site to ensure public safety. The City will determine the appropriate number of Sheriff's needed for the event and arrange the placement of Sheriff Deputies. The cost of the Sheriff's will be added to the total event cost. The final payment will be invoiced to the festival organizer, if applicable.

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**XVI. PORTABLE TOILETS**

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**Portable Toilets**

Organizer shall be responsible to provide portable toilets and hand washing facilities. Layout shall indicate that all portable toilets are located on level sites with appropriate clear path-of-travel (minimum of 48" wide, not on grass) to the toilet entrance. One ADA toilet must be in each grouping of portable restrooms.

- Organizer must provide copies of rental agreements for commercial portable toilets and their designated location(s).

## **XVII. GREEN EVENT REQUIREMENTS**

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State legislative mandate AB2176 requires large venues and events run by local agencies to put in place waste reduction practices. All events held on City property must offer recycling, composting, and trash collection services. In order to achieve this, Recology provides trash, recycling, and composting bins for rental. All materials generated or provided by vendors and event organizers must meet the following guidelines:

- No polystyrene (Styrofoam) on City property.
- Create a central waste collection area to consolidate materials.
- Place containers side-by-side in the same order for each station. (Compost>Recycle>Landfill) Ensure signage is visible so that event attendees can identify materials to be placed in trash, recycling, and composting bins.
- Organizer should designate a material monitor to oversee each waste station for the event duration.
- Organizers will be asked to provide copies of rental agreements for commercial dumpsters and their designated location(s).

*Note: Contact Cupertino's Environmental Programs Division with any questions (See Item XXII Contact Reference Guide).*

## **XVIII. CLEANUP**

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The Organizer must prepare an event cleanup plan. The plan must indicate: 1) sufficient staff/volunteers to handle cleanup throughout the day and after the event; and 2) sufficient equipment placed in effective locations (dumpsters, trash receptacles, hot coal barrels, and grease barrels). Insufficient clean-up could result in forfeiture of the event deposit and denial of future festival applications.

- Booths, stages, and other equipment must be removed. In most cases, cleanup should be completed by 9 a.m. the following day.
- Organizer will be asked to provide copies of rental agreements for booths, stages, generators, and/or equipment placed on-site.

## **XIX. VENDOR GUIDELINES**

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In order to ensure public safety, protect City property, and minimize impacts on adjacent neighbors, festival vendors must adhere to vendor guidelines. It is the Organizers responsibility to not only comply with all vendor guidelines, but also monitor and ensure compliance by the vendors. Failure to do so may warrant a citation and possible fines. Organizers must provide each vendor a copy of Festival Vendor Guidelines (Attachment G) and Park Regulations (Attachment F).

- Vendor set-up shall begin no earlier than 7 a.m. (Ord. 13.04.190A) and takedown shall not extend beyond agreed takedown time.
- Vehicles in violation of the parking restrictions will be towed away at owner's expense.
- Food vendors must protect all pavements to ensure prevention of grease soiling and spatter. Food grease must be disposed of properly. **IMPROPER DISPOSAL OF FOOD GREASE MAY RESULT IN CITATION AND FORFEITURE OF DEPOSIT.**
- Tents will be secured using water barrels or concrete blocks. No stakes will be driven into the ground. Inflatables may be the only exception to this policy.
- Booth spaces may only be marked with water-soluble material.
- Day of event promotional signs may be displayed in the interior of the event area. Signs may not be placed on the sidewalk or in the public right-of-way. **Signs may not be staked into the ground.**
- Vending activity will be limited to the event site area approved by the City. Vending activity must not block or impede pedestrian movement, access to business or residential properties, cause congestion, or create any public hazard.
- Each vendor must clean his/her area of operation and remove all goods and equipment at the close of the event.
- Vendors must extinguish all coals before dumping them in a designated receptacle.
- Vendors of taxable goods or services must have a seller's permit and a Cupertino Business License.

### **Park Specific Guidelines**

- Organizer/Vendors are not allowed to drive a vehicle into the park for any purpose, including unloading of supplies and equipment (Ord. 13.04.150). All unloading must be done curbside.
- Golf carts may be used to transport supplies and equipment through parks. A licensed driver over 18 years of age must drive golf carts.
- Parking and unloading/loading is prohibited on Christensen Drive.
- Parking is prohibited at the Cupertino Sports Center.

### **Booth Vendor Unloading Instructions**

- Vendors will be permitted to unload/load supplies and equipment from designated locations and during designated times. It is imperative that vendors unload their vehicle and immediately move their vehicle before transporting their supplies to their booth. Specific times and locations will be set by City staff for each event based on approved traffic plan, safety, and crowd control considerations.

## **XX. MARKETING**

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### **Sponsorship**

If any fees are waived by the City, Festival Organizers will be required to list the City of Cupertino as a sponsor in all marketing material.

### **City of Cupertino Logo**

Organizers must comply with brand guidelines for use of the City of Cupertino logo. City staff can provide Organizer with guidelines upon request

### **Banner Locations**

Organizers may request a marketing banner, supplied by the organizer, to be displayed at City-operated locations. There are three City-operated banner locations:

1. Quinlan Community Center (corner of N. Stelling and Alves)
2. Memorial Park (Corner of Anton and Stevens Creek Blvd.)
3. Across Stevens Creek Blvd. (Between Portal Ave. and Perimeter Rd.)

For Quinlan Community Center and Memorial Park:

- Approval will be on a case-by-case basis.
- The maximum time a banner may be hung is fourteen (14) days prior to festival date. This time may be reduced if there are scheduling conflicts. City staff will hang the banner.
- Size guidelines for Quinlan Community Center and Memorial Park locations: Banners must be between 6' and 12' in length. Banner height may be a maximum of six feet. **The ideal size is 4' x 12' with wind slits.**
- The City is not responsible for damage done to a banner by wind or weather.

For Stevens Creek:

- Banners hung across Stevens Creek Boulevard may be requested through the Public Works Department (see Item XXII Contact Reference Guide) – *Additional fees are associated with this location* (see Attachment C Community Festival Fee Matrix).

## **XXI. BILLING**

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After the event, if applicable, City departments will finalize the amount owed to the City covering labor, vehicle and equipment use, and any other costs incurred in providing event support which have not been approved for fee waivers. The City will prepare and email a final invoice to the Organizer within 14 days after the event. Final billing may be higher or lower than the cost estimates.



## XXII. Contact Reference Guide

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### City of Cupertino

#### **Parks and Recreation Department Office**

Event/Festival Coordinator  
Christina Lopez | (408) 777-1308

#### **Cupertino Public Works Department**

Traffic Equipment/Coordination  
(408) 777-3269

#### **Cupertino Finance Department**

Business License  
[finlist@cupertino.org](mailto:finlist@cupertino.org) | (408) 777-3218

#### **Cupertino Environmental Programs Division**

Green Event Requirements  
[environmental@cupertino.org](mailto:environmental@cupertino.org) | (408) 777-3236

### Regulatory Agencies

#### **County of Santa Clara Dept. of Environmental Health**

[Mobile Food Facilities](#) | (408) 918-3400

#### **Santa Clara County Fire Department**

Tent/Special Event Permits  
[www.sccfd.org](http://www.sccfd.org) | (408) 378-4010

#### **Department of Alcoholic Beverage Control**

Beer & Wine License  
[www.abc.ca.gov](http://www.abc.ca.gov) | (408) 277-1200

### Parking for Memorial Park

#### **Abundant Life Church**

[www.alagonline.com](http://www.alagonline.com) | (408) 252-2668

#### **De Anza College**

[www.deanza.edu/parking](http://www.deanza.edu/parking) | (650) 949-7313

### Other Vendors

#### **Recology South Bay**

[www.recology.com](http://www.recology.com) | (408) 725-4020

**Attachment A**

**CITY OF CUPERTINO COMMUNITY FESTIVAL APPLICATION- FY 2023/2024** *(To be Returned to City Representative)*

Community Festivals shall be approved only for local tax exempt or civic organizations that provide services to residents of Cupertino.

**ORGANIZATION:** \_\_\_\_\_

**NON-PROFIT TAX ID NO.:** \_\_\_\_\_ **WEBSITE:** \_\_\_\_\_

**Request for Fee Waivers?**  Yes  No

**ADDRESS:** \_\_\_\_\_  
Street City State Zip

**PROPOSED EVENT TITLE:** \_\_\_\_\_

**TYPE OF EVENT** (i.e., festival, walkathon, street fair, parade) \_\_\_\_\_

**EVENT ORGANIZER:** (Primary contact must be a member of the tax exempt or civic organization)

Name Phone Email

**EVENT ORGANIZER – SECONDARY:**

Name Phone Email

**PROPOSED EVENT DATE(S):** \_\_\_\_\_ **Event Start Time:** \_\_\_\_\_ **Event End Time:** \_\_\_\_\_

**Setup date/time:** \_\_\_\_\_ **Clean up date/time:** \_\_\_\_\_

No earlier than 7 a.m. Friday

No later than 9 a.m. following event day

**PROPOSED LOCATION(S):**

- Memorial Park (10185 N Stelling Rd.)
- Quinlan Community Center (10185 N Stelling Rd.)
- Cupertino Senior Center (21251 Stevens Creek Blvd.)
- Civic Center Plaza (10350 Torre Ave.)
- Library Field (10350 Torre Ave.)
- Community Hall (10350 Torre Ave.)

**Alcoholic Beverages Sold?**  Yes  No If yes, list beer, wine, or both?: \_\_\_\_\_

**Food Sold?**  Yes  No If yes, list the types: \_\_\_\_\_

**Estimated Number of Vendor Booths:** \_\_\_\_\_ **Types of Vendor Booths:** \_\_\_\_\_

**Total Estimated Event Attendance:** \_\_\_\_\_  
Staff, Volunteers, Vendors, Guests

**Amplified sound:** \_\_\_\_\_ **Start time:** \_\_\_\_\_ **End time:** \_\_\_\_\_  
Description No earlier than 10 a.m. No later than 8 p.m.

**Street Closure location(s):** \_\_\_\_\_ **Time:** \_\_\_\_\_  
Attach map. Street closures require traffic control officers.

AS AN AUTHORIZED REPRESENTATIVE OF THE ORGANIZATION CONDUCTING THIS EVENT, I HEREBY DECLARE THAT:  
I have read the Community Festival Application and Information Packet. The information contained in this application and attachment(s) is true and correct to the best of my knowledge.

**Applicant Name (print)** \_\_\_\_\_ **Applicant Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Attachment B**

**CITY SERVICES REQUEST FORM- FY 2023/2024** (To be Returned to City Representative with Application)

City Services Request Form	Please fill in date and time your event is requesting access to city facilities, and equipment.							
	Date	Setup Time	Event Day, Day 1		Event Day, Day 2		Clean Up	
			Date	Time	Date	Time	Date	Time
<b>Quinlan Community Center</b>								
Cupertino Room (280/240 cap.)								
Cupertino Room Kitchen								
Social Room (80 cap.)								
Conference Room (20 cap.)								
Craft Room (40 cap.)								
Gazebo								
<b>Memorial Park</b>	Date	Setup Time	Event Day, Day 1		Event Day, Day 2		Clean Up	
			Date	Time	Date	Time	Date	Time
Memorial Park- Full Park Access								
Memorial Park- half park (Stevens Creek side <u>ONLY</u> )								
Memorial Park- half park (Field behind the Quinlan Community Center <u>ONLY</u> )								
Amphitheater								
Electrical Power Access								
Non-Potable Water Access								
<b>Cupertino Senior Center</b>	Date	Setup Time	Event Day, Day 1		Event Day, Day 2		Clean Up	
			Date	Time	Date	Time	Date	Time
Reception Hall (200/175 cap.)								
Reception Hall Kitchen								
Bay Room (40 cap.)								
Arts and Crafts Room (40 cap.)								
Class Room (26 cap.)								
Conference Room (10 cap.)								
<b>Cupertino Civic Center</b>	Date	Setup Time	Event Day, Day 1		Event Day, Day 2		Clean Up	
			Date	Time	Date	Time	Date	Time
Community Hall (170/152 cap.)								
Library Field								
Civic Center Plaza								
<b>Public Works Equipment List</b>	Amount	Date Needed	Date Returned	Staging Location	Description of Use			
Standard Barricade								
K-Rail Barricade (needed for road closures)								
Traffic Cones								

**Attachment C**

**COMMUNITY FESTIVAL FEE MATRIX 2023**

FACILITY USE with COSTS	Cupertino Non-Profit		Non-Resident Non-Profit	
	Setup/Clean Up Before 5 p.m. Fri.	Event Day After 5 p.m. Fri.	Setup/Clean Up Before 5 p.m. Fri.	Event Day After 5 p.m. Fri.
<b>New Event Application Fee</b>	\$ 75			
<b>City Staff Support</b>	Actual Cost (\$17 to \$70/hour/staff)			
<b>Public Safety Officers/Sheriff's</b>	Actual Cost (\$121 to \$156/hour/officer)			
<b>Security Deposit (Refundable)</b>	\$ 1000			
<b>Quinlan Community Center</b>	<b>10185 North Stelling Road</b>			
Cupertino Room (280/240 cap.)	\$30/ hour	\$80/ hour	\$48/ hour	\$128/ hour
Social Room (80 cap.)	\$20/ hour	\$60/ hour	\$32/ hour	\$96/ hour
Conference Room (20 cap.)	\$10/ hour	\$25/ hour	\$16/ hour	\$40/ hour
Craft Room (40 cap.)	\$24/ hour	\$39/ hour	\$30/ hour	\$48/ hour
Gazebo	\$55/ 2 hours		\$75/ 2 hours	
<b>Memorial Park</b>	<b>21121 Stevens Creek Boulevard</b>			
Memorial Park Special Event Permit	\$ 2000 full park / \$1000 half park		\$ 2000 full park / \$1000 half park	
Picnic Area	\$113/ day		\$154/ day	
Amphitheater	\$55/ 2 hours		\$75/ 2 hours	
Gazebo	\$55/ 2 hours		\$75/ 2 hours	
<b>Cupertino Senior Center</b>	<b>21251 Stevens Creek Boulevard</b>			
Reception Hall (200/175 cap.)	\$30/ hour	\$80/ hour	\$48/ hour	\$140/ hour
Bay Room (40 cap.)	\$22/ hour	\$36/ hour	\$27/ hour	\$45/ hour
Arts and Crafts Room (40 cap.)	\$22/ hour	\$36/ hour	\$27/ hour	\$45/ hour
Classroom (26 cap.)	\$20/ hour	\$32/ hour	\$24/ hour	\$40/ hour
Conference Room (10 cap.)	\$10/ hour	\$25/ hour	\$16/ hour	\$40/ hour
<b>Cupertino Civic Center</b>	<b>10300 Torre Avenue</b>			
Community Hall (170/152 cap.)	\$30/ hour	\$80/ hour	\$48/ hour	\$128/ hour
Library Field	\$10/ hour		\$30/ hour	
Civic Center Plaza	\$ 1,000		\$ 1,000	
<b>Public Works Equipment Rental Fees (for reference—Staff will calculate based on application)</b>				
Banners across Stevens Creek	\$525			
Standard Barricade	\$0.24/ day			
Traffic Cone	\$22.92/day/ per 100			
Encroachment Permit	\$394 - \$678 (depending on location)			
Temp. Traffic Control Sign & Stand	\$2.73/ day			

These are the common costs associated with special events. Fees may vary depending on the event plan, timeline, building use outside of rooms on the fee scheduled as well as City services requested and required.

## **Attachment D**

### **FESTIVAL PLANNING CHECK LIST & TIMELINE**

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#### **Due to City in February for Approval for the following fiscal year (July 1 to June 30)**

Submitting Application Includes:

- Completed City of Cupertino Community Festival Application (See Attachment A)
- City Services Request Form (See Attachment B)
- Tax Exempt Status (IRS Letter with Tax ID #)
- Event Site Diagram and/or Route Map
- Event Parking Verification for De Anza College (Memorial Park Festivals)
- Event Description
- Event Financial Report from previous year
- Community Letters of Support (New Events Only)
- Event Application Fee (New Events Only)

#### **30 to 60 DAYS PRIOR TO FESTIVAL**

- Pre-event meeting(s) scheduled with City
- Secure required permits from appropriate departments or agencies:
  - Santa Clara Department of Environmental Health Permit
  - Santa Clara County Fire Department Permit
  - California Board of Equalization Seller's Permit
  - Cupertino Finance Department Business License
  - Alcoholic Beverage Control (ABC) Daily License (If serving alcoholic beverages-Beer and Wine Only)
- Submit Banner Request to City
- Send draft notification letter for neighboring residence to City Staff for approval (45 days prior to event) and send final notification letter directly to residences within the perimeter of event (30 days prior)

#### **30 DAYS PRIOR TO FESTIVAL**

Submit:

- Finalized off-site parking plan, including parking monitor locations
- Street closure/lane closure/traffic flow plan (Final plan determined by City Staff)
- Clean-up plan
- Security deposit to the City at Quinlan Community Center front desk
- Green Event Plan

#### **14 DAYS PRIOR TO FESTIVAL**

- Submit copies of all applicable permits to the City
- Submit proof of insurance to the City
- Submit proof of portable toilet and Recology arrangements
- Submit copies of rental agreements for booths, stages, generators, equipment

#### **7 DAYS PRIOR TO FESTIVAL**

- Submit final vendor list and locations
- Submit final event entertainment/activities schedule
- Pre-event site walkthrough with City Staff
- Receive final Event Permit from City once all items such as permits, proof of insurance, proof of portable toilets, and proof of Green event requirements are submitted

#### **POST-EVENT**

- Receive final invoice for City services for fees that were not waived (Within 14 days after event)
- Meet with Organizer and City Staff (Within 30 days after event)
- Submit payment in full for City services (Within 30 days of invoice)

## Attachment E INSURANCE REQUIREMENTS

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Event Organization shall procure and maintain for the duration of the event, and for any time required for setup or takedown of the event, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the event arising from work or activities performed by the Event Organization, its agents, representatives, employees, or subcontractors.

### **Minimum Scope of Insurance**

Coverage shall be *at least as broad as*:

1. Insurance Services Office Form CG 0001 covering Commercial General Liability on an “occurrence” basis.

### **Minimum Limits of Insurance**

Event Organization shall maintain limits no less than:

1. **General Liability:** (Including operations, products and completed operations.)  
**\$1,000,000** per occurrence for bodily injury, personal injury, and property damage. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

2. **Deductibles and Self-Insured Retentions**

Any deductibles or self-insured retentions must be declared to and approved by the City. The City may require the Festival Organization to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

### **Other Insurance Provisions**

The general liability policy is to contain, or be endorsed to contain, the following provisions:

1. **The City of Cupertino, its City Council, Boards and Commissions, Officers, Officials, Employees, Agents, Servants, Volunteers and Consultants** with respect to liability arising out of work or operations performed by or on behalf of the Event Organization including materials, parts or equipment furnished in connection with such work or operations. Policy language or endorsement must be at least as broad as ISO Form CG 20 10, 11 85 edition or 07 04 revisions.
2. For any claims related to this project, the Festival **Organization’s insurance coverage shall be primary** insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Event Organization’s insurance and shall not contribute with it.

### **Acceptability of Insurers**

Insurance is to be placed with insurers with a current A.M. Best’s rating of no less than A:VII, unless otherwise acceptable to the City.

### **Verification of Coverage**

Festival Organization shall furnish the City with original certificates and amendatory endorsements verifying coverage required by this clause. All certificates and endorsements are to be received and approved by the City before the setup for the event begins. However, failure to obtain the required documents prior to setup or the event shall not waive the Festival Organization’s obligation to provide them. The City reserves the right to require complete, certified copies of all insurance policies and endorsements required by these specifications at any time.

### **Waiver of Subrogation**

Festival Organization hereby grants to City a waiver of any right to subrogation which any insurer of said Festival Organization may acquire against the City by virtue of the payment of any loss under such insurance. This provision applies regardless of whether or not the City has requested or received a waiver of subrogation endorsement from the insurer.

### **Special Risks or Circumstances**

City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

## Attachment F PARK REGULATIONS – CITY OF CUPERTINO

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### 13.04.120 Use of Park Property.

No person in a park shall do any of the following:

- A. Willfully mark, deface, disfigure, injure, tamper with or displace or remove any buildings, bridges, tables, benches, fireplaces, railing, paving or paving material, water lines or other public utilities or parts or appurtenances whatsoever, either real or personal;
- B. Litter, soil or defile restrooms. No person over the age of six years shall use restrooms and washrooms designed for the opposite sex;
- C. Dig or remove any soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency. It is unlawful to gather firewood or to collect within the park any type of plant material for the purpose of building a campfire;
- D. Construct or erect any building or structure of whatever kind, whether permanent or temporary in character, or run or string any public service utility into, upon or across such lands, except on special written permit issued under this chapter;
- E. Go upon any lawn or grass plot, where prohibited by the parks and recreation department, and where such prohibition is indicated by proper and legible signs;
- F. Damage, cut, carve, transplant or remove any tree or plant, or injure the bark, or pick the flowers or seeds of any tree or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant. No person shall dig in, or otherwise disturb any grass area, or in any way injure or impair the natural beauty or usefulness of any areas;
- G. Climb any tree or walk, stand or sit upon any monuments, vases, fountains, railing, fences, or upon any other property not designated or customarily used for such purposes;
- H. Hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile, or bird; nor shall any person remove or have in his possession the young of any wild animal, or the eggs or nest or young of any reptile or bird. Exception to the foregoing is made in that snakes known to be deadly poisonous, such as rattlesnakes, or other deadly reptiles may be killed on sight;
- I. Use any system for amplifying sounds, whether for speech or music or otherwise, unless an exclusive use permit is first secured.

(Ord. 531, § 12, 1972)

### 13.04.130 Behavior of Persons in Parks.

No person in a park shall do any of the following:

- A. Bring to a park any alcoholic beverages, and no person may drink alcoholic beverages at any time in a park, except picnickers, who may bring to a park, and drink, beer or wine with their picnic meal, so long as they conduct themselves in an orderly manner;
- B. Enter or remain in a park while under the influence of intoxicating liquor or any drug;
- C. Have brought, or have in his possession, or set off, or otherwise cause to explode or discharge or burn, any firecrackers, torpedoes, rockets, or other fireworks or explosives of inflammable material, or discharge them or throw them into any such area from land or any highway adjacent thereto. This prohibition includes any substance, compound, mixture or article that, in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints;
- D. No person having the control or care of any dog, shall suffer or permit such dog to enter or remain in a park or sport field, unless posted for such use, and then only if it is led by a leash of suitable strength not more than six feet in length, unless it is permitted to be off-leash by the City as part of a City-authorized event or program; and the owner and the attendant shall be responsible for any damage caused, in any event, by such dog, even if on leash;
- E. Lead, ride, drive, keep or let loose any animal, reptile or fowl of any kind, without a permit to do so from the Director of parks and recreation;
- F. Make or kindle a fire for any purpose, except at places provided for such purpose, unless prior special permission be obtained therefor from the Director;
- G. Enter an area posted as "Closed to the Public," and no person shall use, or abet the use of, any area in violation of posted notices;
- H. Play or bet at or against any game which is played, conducted, dealt, or carried on for money, chips, shell, credit or any other representative of value, or maintain or exhibit any gambling table or other instrument of gambling or gaming, or play any game prohibited by any other ordinance of the City;
- I. Sleep, or protractedly lounge, on the seats, benches, or other areas, or engage in loud, boisterous, threatening, abusive, insulting, or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace;

## Attachment F PARK REGULATIONS – CITY OF CUPERTINO continued

- J. Use, carry, or possess firearms of any description, or air rifles, spring guns, bow and arrows, slings or any other forms of weapons potentially dangerous to wildlife or to human safety. Shooting into park areas from beyond park boundaries is prohibited;
- K. Solicit alms or contributions for any purpose, whether public or private, without prior permission from the City Council;
- L. Use or allow the use of powered model airplanes except in areas so designated by the department of parks and recreation;
- M. Play or practice golf or use golf clubs in any area of the park not designated for such use;
- N. Indulge in riotous, boisterous, threatening or indecent conduct.
- O. No person shall skate or rollerblade in a manner that causes damage to park amenities or threatens the safety or well being of park patrons. Skating or rollerblading is prohibited on raised surfaces where signed.
- P. Feeding Waterfowl Prohibited. No person shall feed or in any manner intentionally provide food to any waterfowl (geese, ducks, or coots) in any City park.

(Ord. 13-2105, § 2, 2013; Ord. 12-2101, § 1 (part), 2013; Ord. 1945, 2004; Ord. 1886, (part), 2001; Ord. 531, § 13, 1972)

### 13.04.140 Sanitation Requirements.

No person in a park shall do any of the following:

- A. Throw, discharge or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or any tributary, stream, storm sewer or drain flowing into such waters, any substance, matter or thing, liquid or solid, which will or may result in the pollution of such waters;
- B. Dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, refuse or trash on the grounds thereof. Such items shall be placed in the proper receptacles where these are provided; and, where such receptacles are not provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

(Ord. 531, § 14, 1972)

### 13.04.150 Vehicle Requirements.

No person in the park shall do any of the following:

- A. Fail to comply with all applicable provisions of the Vehicle Code of the state in regard to equipment and operation of vehicles, together with such regulations as are contained in this chapter and any other ordinances of the City regulating traffic;
- B. Fail to obey all traffic officers and park employees who are hereafter authorized and instructed to direct traffic in the parks in accordance with the provisions of this chapter and such supplementary regulations as may be issued by the Director;
- C. Fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking and all other signs posted for proper control and to safeguard life and property;
- D. Ride or drive a vehicle at a rate of speed exceeding fifteen miles an hour, except upon such roads as the City may designate by posted signs for speedier travel;
- E. Drive any vehicle on any area except paved roads or parking areas, or such other areas as may be specifically designated as temporary parking areas by the department of parks and recreation;
- F. Park a vehicle in other than an established or designated parking area, and such use shall be in accordance with the posted directions there, and with the instructions of any attendant who may be present;
- G. Ride a motorcycle, motor bike, or similar vehicle in any park, except where used to transport invalid persons;
- H. Ride a bicycle on other than a paved road or path. Notwithstanding the foregoing, no person may ride a bicycle on a paved road or path where such activity is prohibited by posted signage. A bicyclist may wheel or push a bicycle by hand over any grassy area, wooded trail, or over any other area in which bicycle riding is otherwise prohibited;
- I. Ride a bicycle other than on the righthand side of the road paving as close as conditions permit, and bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their machine with reasonable regard to the safety of others, signal all turns, pass to the left of any vehicle they are overtaking and pass to the right of any vehicles they may be meeting;
- J. Ride any other person on a bicycle, except where the bicycle is built for operation by more than one person;
- K. Leave a bicycle in a place other than a bicycle rack where a bicycle rack is provided and there is space available;
- L. Leave a bicycle lying on the ground or paving, or set against trees, or in any place or position where other persons may trip over or be injured by it. (Ord. 2014, 2008; Ord. 531, § 15, 1972)



## Attachment G VENDOR GUIDELINES

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### Vendor Guidelines to be given to each vendor for the day of Event:

- Vendor set-up shall begin no earlier than 7 a.m. (Ord. 13.04.190A)
- Vendor takedown shall not extend beyond agreed takedown time.
- Vehicles in violation of the parking restrictions will be towed away at owner's expense.
- Food vendors must protect all pavements to ensure prevention of grease soiling and spatter. Food grease must be disposed of properly. IMPROPER DISPOSAL OF FOOD GREASE MAY RESULT IN CITATION AND FORFEITURE OF DEPOSIT.
- Tents will be secured using water barrels or concrete blocks. Absolutely no stakes will be driven into the ground. Inflatables may be the only exception to this policy.
- Booth spaces may only be marked with water-soluble material.
- Day of event promotional signs may be displayed in the interior of the event area. Signs may not be placed on the sidewalk or in the public right-of-way. Signs may not be staked into the ground.
- Vending activity will be limited to the event site area approved by the City. Vending activity must not block or impede pedestrian movement, access to business or residential properties, cause congestion, or create any public hazard.
- Each vendor must clean his/her area of operation and remove all goods and equipment at the close of the event.
- Vendors must extinguish all coals before dumping them in a designated receptacle.
- Vendors of taxable goods or services must obtain a seller's permit.

### Park Specific Guidelines

- Organizer/Vendors are not allowed to drive a vehicle into the park for any purpose, including unloading of supplies and equipment. (Ord. 13.04.150) All unloading must be done curbside.
- Golf carts may be used to transport supplies and equipment through parks. A licensed driver over 18 years of age must drive golf carts.
- Parking and unloading/loading is prohibited on Christensen Drive.
- Parking is prohibited at the Cupertino Sports Center.

### Booth Vendor Unloading Instructions

- Vendors will be permitted to unload/load supplies and equipment from designated locations and during designated times. It is imperative that vendors unload their vehicle and immediately move their vehicle .

## Attachment H COMMUNITY FESTIVAL EVALUATION

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**Estimated Attendance:** \_\_\_\_\_

**Event provided cultural, social, recreational, and/or educational activities that benefited the community:** Yes No  
Comments: \_\_\_\_\_

**Event organizer complied with the City policies, applicable laws, ordinances, and regulations:** Yes No  
Comments: \_\_\_\_\_

**Event organizer submitted complete paperwork on time:** Yes No  
Comments: \_\_\_\_\_

**The traffic plan was effective (including alternative transportation methods):** Yes No  
Comments: \_\_\_\_\_

**The parking plan for festival participants was effective:** Yes No  
Comments: \_\_\_\_\_

**Amplified sound at acceptable range: Decibel Range:** \_\_\_\_\_ Yes No  
Comments: \_\_\_\_\_

**City equipment returned in good working order:** Yes No  
Comments: \_\_\_\_\_

**Event organizer applied green event practices:** Yes No  
Comments: \_\_\_\_\_

**Event site clean throughout event:** Yes No  
Comments: \_\_\_\_\_

**Event site clean post-event:** (Clear of debris, litter, food and grease debris was properly disposed) Yes No  
Comments: \_\_\_\_\_

### Vendors:

Vendor setup plan and timing was effective: Yes No  
Comments: \_\_\_\_\_

Vendors cleaned up booth area: Yes No  
Comments: \_\_\_\_\_

Vendor parking plan was effective: Yes No  
Comments: \_\_\_\_\_

Equipment Rental Company (tents, tables, chairs): Adhered to Vendor Guidelines: Yes No  
Comments: \_\_\_\_\_

Carnival Rides: Adhered to Vendor Guidelines: Yes No  
Comments: \_\_\_\_\_

Booth Vendors: Adhered to Vendor Guidelines: Yes No  
Comments: \_\_\_\_\_

Food Vendors: Adhered to Vendor Guidelines: Yes No  
Comments: \_\_\_\_\_

**The marketing plan was effective:** Yes No  
Comments: \_\_\_\_\_

**Community engagement was effective:** Yes No  
Comments: \_\_\_\_\_

### STAFF COMMENTS:

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