

# CONSENT AGENDA



**INDIAN RIVER COUNTY, FLORIDA**  
**AGENDA ITEM**  
**Assistant County Administrator /**  
**Department of General Services**

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**Date:** August 4, 2017

**To:** The Honorable Board of County Commissioners

**Thru:** Jason E. Brown, County Administrator

**Thru:** Michael C. Zito, Assistant County Administrator

**From:** Beth Powell, Parks Division

**Subject:** Request for Approval of Circus Pages License Agreement for Use of the Indian River County Fairgrounds for Event on September 8, 2017

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**BACKGROUND:**

Circus Pages Inc. has been performing annually at the Indian River County Fairgrounds since 2007. In March of 2016, the Board of County Commissioners approved an updated Operational Policy Manual and Template License Agreement for the Fairgrounds. Since the template license agreement has been modified to require additional terms and conditions for the Applicant, it is respectfully submitted for Board Approval.

**ANALYSIS AND ALTERNATIVES:**

In an effort to minimize concern over activities unique to circus acts, including protection of the public and the humane treatment of animals, the Parks Division Staff, in consultation with the County Attorney's Office and the Indian River County Humane Society has added additional terms and conditions to the template license agreement to include the following precautionary measures:

- Additional insurance to include \$2M General Aggregate and \$1M per occurrence.
- Documented proof that all elephants have tested free of tuberculosis within the last 12 months.
- A written plan for emergency situations involving dangerous or large animals approved by the Risk Manager, which includes emergency sedation, recapture or lethal immobilization if necessary.
- Disclosure of any previous incidents of specific dangerous, unpredictable or aggressive behavior of any animals used during the event.
- Disclosure of ages, names and health records of all animals utilized or on-site.
- Disclosure of principals', officers' and directors' criminal history regarding animal related felonies or misdemeanor convictions.
- Review of any citations against applicant (including employees and subcontractors of applicant) from the USDA under the Animal Welfare Act of inappropriate provision of veterinary care, inappropriate handling of animals causing stress or trauma and/or inappropriate provision of food, water, shelter or space.
- Compliance of all applicable Federal and State law and licensure at the time of the event.
- Review of any official notices of alleged violations or any stipulations, consent decrees or settlements entered into with the USDA within the last 5 years.

- An informed consent provision by providing written information explaining that wild animals will be present and that there may be a risk of injury or death to the property owner, persons neighboring the property and individuals entering the site during the event.
- Review of a plan for emergency veterinary care.

**RECOMMENDATION:**

Staff respectfully requests that the Board approve the attached Indian River County Fairgrounds License Agreement with authorization for Chairman to sign on behalf of the Board of County Commission. In addition, staff respectfully requests that the Board authorize the Assistant County Administrator to execute agreements for future circuses so long as such agreements are substantially similar to the attached agreement and has the signature of the County Attorney, or his designee, approving such document as to form and legal sufficiency.

**ATTACHMENTS:**

License Agreement with Exhibits