

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u>07/12/10</u>		Item Number: <u>C-4</u>	
CITY COUNCIL AGENDA ITEM: Adoption of a Resolution Granting a Permit to the Culver City Exchange Club to Conduct a Beer and Wine Garden in Veterans' Memorial Park During the City's 2010 Fiesta La Ballona Celebration.			
Contact Person/Dept.: Pam Robinson, Acting PRCS Director		Phone Number: (310) 253-6655	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (Email) Meetings and Agendas – City Council (07/07/10); Fiesta La Ballona Committee (07/07/10); Culver City Exchange Club (07/07/10).			
Department Approval: Pam Robinson (06/30/10) (by P. Mooney)		City Attorney Approval: Carol Schwab (by H. Baker) (07/21/10)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (07/21/10)		City Manager Approval: P. Lamont Ewell (07/22/10)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a Resolution granting a permit to the Culver City Exchange Club to conduct a Beer and Wine Garden (BWG) in Veterans' Memorial Park during the City's 2010 Fiesta La Ballona Celebration (Attachment 1). <u>BACKGROUND:</u> Culver City Municipal Code (CCMG) 3.03.025(A) grants the City Council authority to issue a permit for a beer and wine garden at the City's Fiesta La Ballona event (Fiesta). A copy of CCMC Section 3.03.025(A) is provided as Attachment 2. The BWG has been a part of the Fiesta for the last five (5) years (2005 – 2009). According to the Culver City Police Department, there have been no reported incidents directly or indirectly related to the BWG operation. The Culver City Lion's Club was the permittee for the BWG in 2005 and 2006 and the Culver City Exchange Club has been the permittee for the BWG since 2007. The Exchange Club is a well know local non-profit organization that has sponsored and managed many events, including the Annual Fourth of July Fireworks Show, the "Crusin' Back to Culver City" Car Show, the Disability Carnival and Search for Talent events. The City co-sponsors the Car Show, Fourth of July Fireworks and the Disability Carnival with the Exchange Club.			

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DISCUSSION:

The Fiesta Committee would like to offer a BWG for Fiesta 2010. The Fiesta Committee is once again recommending the Culver City Exchange Club (Exchange Club) as the BWG vendor. The Exchange Club desires to sponsor the BWG for Fiesta 2010 under similar conditions of the approval imposed by the City for Fiesta 2009. The attached proposed Resolution is substantively the same as previous Resolutions for Exchange Club sponsored Beer and Wine Gardens, with the exception of an adjustment to the Event space fee, which is now a flat fee of \$600, as well as an adjustment to the insurance and indemnification provisions to make them consistent with the City's standard contractual insurance requirements. The major considerations for providing a BWG in the past have been 1) liability insurance; 2) hours of operation; and, 3) profitability.

Liability and Insurance Requirement

The insurance requirement for the BWG is one million dollars (\$1,000,000) general liability insurance, per occurrence, including liquor liability. According to the terms of the Agreement, the Exchange Club must submit the required evidence of insurance at least two weeks prior to the Fiesta event. The City Attorney's Office will review the insurance policy and verify that, in addition to coverage for general liability, the policy includes liquor liability coverage and has added the City of Culver City and the Fiesta Committee as additional insureds.

The BWG Hours of Operation

The Exchange Club is requesting that the hours of operation of the BWG be similar to those approved for Fiesta 2009. This year, those hours would be: Friday, August 27, 2010 – 6:30 p.m. to 8:30 p.m. (or earlier, depending upon level of participation), Saturday, August 28, 2010 – 12:00 p.m. to 9:00 p.m., and Sunday, August 29, 2010 – 12:00 p.m. to 7:00 p.m. (or earlier, depending upon level of participation).

Other Conditions

The Exchange Club is willing and able to comply with all of the other conditions imposed during previous Fiestas. The other conditions deal with issues pertaining to enforcement regarding minors and safety procedures. The Exchange Club will have its volunteers trained in applicable laws regarding liquor sales and provide the necessary supervision required to ensure laws are enforced. The location and size of the BWG is proposed to be unchanged from Fiesta 2009.

FISCAL ANALYSIS:

The adoption of the proposed Resolution will not result in any direct fiscal impact to the City's General Fund or other Funds.

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ATTACHMENTS:

1. Proposed Resolution
2. Culver City Municipal Code 13.03.025(A)

MOTION:

That the City Council:

Adopt a Resolution granting a permit to the Culver City Exchange Club to conduct a Beer and Wine Garden in Veterans' Memorial Park during the City's 2010 Fiesta La Ballona Celebration.