

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 07/11/05		Item Number: <u>A-2</u>	
AGENDA ITEM: Consideration of: 1) Request of the Fiesta La Ballona Committee to Offer a Beer and Wine Garden in Veteran's Park During the 2005 Fiesta La Ballona Event; 2) Introduction of an Ordinance Amending Culver City Municipal Code §13.03.025 (A) to Grant the City Council Authority to Issue a Permit for a Beer and Wine Garden at the Fiesta; and 3) Adoption of a Resolution Permitting a Beer and Wine Garden at the 2005 Fiesta La Ballona Event.			
Contact Person/Dept.: Marty Nicholson		Phone Number: (310) 253-6662	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Parks and Recreation Commission (7/7/05), Veteran's Park Neighborhood Watch Association (7/7/05), Culver City Homeowner's Association (7/7/05) and Master Notification List (7/6/05)			
Department Approval: Bill LaPointe, PRCS Director 6/30/05		CAO Approval: Deborah Fancett for Jerry Fulwood 7/6/05	
Interim City Controller Approval: Marlee Chang 7/6/05			
<u>RECOMMENDATION:</u> That the City Council introduce, for first reading, an Ordinance amending Culver City Municipal Code §13.03.025 (A) to grant the City Council authority to issue a permit for a beer and wine garden at the Fiesta La Ballona Event (Attachment 1); and adopt a Resolution permitting a beer and wine garden at the 2005 Fiesta (Attachment 2). <u>BACKGROUND:</u> The Fiesta La Ballona (the "Fiesta") dates back to the 1950s as a weeklong festival in honor of the City's early settlers. During that time, the Fiesta was a celebration of the City's heritage, and included events that evoked pride and reminded residents of Culver City's beginning. Over the years, the Fiesta has changed, along with the activities offered, resulting in additional attendance and moving the Fiesta in a direction to become more fiscally viable and eventually generate enough revenue to be financially self-supporting. In 2004, in an effort to accomplish this goal, the Fiesta La Ballona Committee (the "Committee") researched revenue generating components of successful festivals in other cities and identified several cities that have successfully allowed the sale of alcohol at their festivals with no measurable problems. Most often, these activities take place in the form of a beer and wine garden.			

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The Committee presented this item for the City Council's consideration on July 12, 2004 (Attachment 3). At that meeting, Council directed the Committee to bring the item back with additional information.

DISCUSSION:

A comparison of policies used by other local cities regarding allowing alcohol consumption/sales in city-owned parks generally falls into three categories including: 1) prohibited with no exceptions; 2) allowed only with special permit approved by City Manager subject to conditions; or 3) allowed with special permit with conditions and by resolution of the City Council. Attachment 4 provides selected local cities' alcohol policies.

In addition to the benefits of including a beer and wine garden at the 2005 Fiesta, such as additional revenues for both the Fiesta and the contracted vendor, staff also recognizes the potential for negative impacts, such as alcohol related injuries, which can affect the Fiesta event, as well as the Culver City community in general. It should also be noted that such potential negative impacts can be minimized by imposing strict conditions on the operation of a beer and wine garden, such as has been done in other cities as provided in Attachment 4.

Although there are many successful festivals in California that do not allow alcohol consumption, there are equally as many festivals that include the sale of alcohol, usually through a beer and wine garden, with no measurable alcohol related problems. Staff has conducted research at several festivals offering beer and wine gardens including Temecula Balloon and Wine Festival, San Diego County Fair, La Quinta Arts Festival and the Indio Tamale Festival, and did not uncover any incidents of significance. In fact, the City of Culver City, itself, recently granted permission for a non-profit group to offer a wine tasting event at Media Park during the month of May 2005, which was conducted without incident. In addition, a number of past events held inside the Veterans' Memorial Building and the Ivy Substation, which have allowed alcohol, have been conducted with relatively few incidents. Attachment 5 provides information about other festivals that allow alcohol.

On March 1, 2005, this issue was discussed by the Parks and Recreation Commission (Attachment 6), and the Commission requested that staff bring back information regarding liability, enforcement regarding minors, safety procedures, insurance and revenue generation. These issues were researched and provided to the Commission at its June 14, 2005 meeting (Attachment 7). The Commission approved, by a vote of 3-2, a recommendation to the Council to allow a beer and wine garden to be conducted in Veterans' Memorial Park at the 2005 Fiesta. Attachment 8 is a copy of the minutes from the June 14, 2005 Commission meeting.

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At the Commission meeting, the Committee presented the Culver City Lions Club (the "Lions") as a potential provider of the beer and wine garden if the event is approved by the Council. The Lions, if allowed to host the beer and wine garden, have agreed to adhere to strict regulations relating to the operation of the event in order to minimize potential problems. The specific conditions are set forth in the proposed Resolution (See Attachment 2).

The Lions have prepared a site plan for the location of the proposed beer and wine garden (Attachment 9). In addition, the Lions have included a business plan proposal for the event as additional information for the Council's consideration (Attachment 10).

Currently, Culver City Municipal Code (CCMC) §13.03.025 (A) prohibits the consumption of alcohol within any public park (Attachment 11), but provides for certain exceptions (including the interior of Veterans' Memorial Building and the Ivy Substation). In order to allow for a beer and wine garden during the 2005 Fiesta, Section 13.03.025 (A) must be amended to allow for this additional exception, as set forth in the proposed Ordinance. The proposed Ordinance would give the City Council the authority to grant, by resolution, a permit for a beer and wine garden at the Fiesta. The proposed Resolution would grant a permit to the Lions to conduct a beer and wine garden at the 2005 Fiesta only. Thereafter, the City Council would have the authority to issue such a permit for the Fiesta on a case by case basis.

FISCAL ANALYSIS:

Adoption of the proposed Ordinance and Resolution would not result in any direct fiscal impact to the City's General Fund. However, there may be an increased need for police presence in Veteran's Memorial Park and the surrounding area during the Fiesta should existing levels of police presence during the Fiesta be determined to be insufficient.

ATTACHMENTS:

1. Proposed Ordinance
2. Proposed Resolution
3. July 12, 2004 City Council Report.
4. Selected Local Cities Alcohol Policies
5. Information on Festivals That Allow Alcohol
6. March 1, 2005 Parks and Recreation Commission Report
7. June 14, 2005 Parks and Recreation Commission Report

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8. Minutes from the June 14, 2005 Parks and Recreation Commission Meeting
9. Site Plan for Proposed Beer and Wine Garden
10. Lion's Club Business Plan for Beer and Wine Garden
11. Culver City Municipal Code § 13.03.025

MOTION:

That the City Council:

1. Introduce, for first reading, the Ordinance amending Culver City Municipal Code §13.03.025 (A) to grant the City Council authority to issue a permit for a beer and wine garden to be conducted in Veteran's Memorial Park during the Fiesta La Ballona; and
2. Adoption of the Resolution permitting a beer and wine garden at the 2005 Fiesta La Ballona Event; or
3. Deny the Fiesta La Ballona Committee's request.