

1 RESOLUTION NO. 2017-R_____

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 CULVER CITY, CALIFORNIA, (1) MODIFYING A PREVIOUSLY
4 GRANTED BEER GARDEN PERMIT TO ALLOW THE CULVER
5 CITY CENTENNIAL CELEBRATION COMMITTEE TO
6 CONDUCT A BEER AND WINE GARDEN IN VETERANS
7 MEMORIAL PARK DURING THE SEPTEMBER 16, 2017
8 CULVER CITY CENTENNIAL BIRTHDAY PARTY IN THE PARK
9 EVENT; AND (2) RESCINDING RESOLUTION NO. 2017-R082.

10 WHEREAS, on August 14, 2017, the City Council adopted Resolution No.
11 2017-R082, granting a permit to the Culver City Centennial Celebration Committee
12 ("CCCCC") to conduct a beer garden at the September 16, 2017 Culver City Centennial
13 Birthday Party in the Park event at Veterans Memorial Park; and

14 WHEREAS, the CCCCC has requested that the permit be modified to allow the
15 sale of wine in addition to beer.

16 NOW, THEREFORE, the City Council of the City of Culver City, California,
17 DOES HEREBY RESOLVE as follows:

18 1. A permit is hereby issued to the CCCCC ("Permittee") to conduct a beer
19 and wine garden (the "Event") in Veterans Memorial Park on September 16, 2017 as part of
20 the CCCCC's Centennial Celebration activities, under all of the following conditions:

21 a. Permittee acknowledges that funds raised at the Event will be
22 donated to the Exchange Clubs of Greater Houston for the benefit of the victims
23 of Hurricane Harvey.

24 b. The Event shall be held on the following date during these
25 specified hours only: Saturday, September 16, 2017 from the hours of 11:00
26 a.m. to 7:00 p.m. and no drinks will be served past 6:45 p.m.
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1 c. By and on behalf of Permittee in consideration of the request for
2 and the granting of this Permit, Permittee shall and does hereby indemnify, hold
3 harmless and defend City and each of its officers, employees and
4 representatives ("Indemnitees") from any and all liability claims, damages,
5 judgments, demands, including attorney fees and court costs, whatsoever,
6 which may arise against any or all Indemnitees by reason of any real or
7 personal property damage, personal injury or death arising or resulting directly
8 or indirectly from Permittee's activities related to the issuance of this Permit.

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10 d. Without limiting any other obligation set forth in this Permit,
11 Permittee shall submit to the City an occurrence based Comprehensive General
12 Liability ("CGL") policy (including liquor liability), at least as broad as ISO Form
13 CG 0001, in the minimum amount of One Million Dollars (\$1,000,000) each
14 occurrence, with not less than Two Million Dollars (\$2,000,000) in annual
15 aggregate coverage. The CGL policy shall have the following requirements:

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17 (i) The policy shall provide coverage for personal injury, bodily
18 injury, death, accident and property damage and advertising injury, as those
19 terms are understood in the context of a CGL policy. The coverage shall not be
20 excess or contributing with respect to City's self-insurance or any pooled risk
21 arrangements;

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23 (ii) The policy shall provide \$1,000,000 combined single limit
24 coverage for owned, hired and non-owned automobile liability;

25 (iii) The policy shall include coverage for liability undertaken by
26 contract covering, to the maximum extent permitted by law, Permittee's
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1 obligation to indemnify the Indemnitees as required under Paragraph 1.c. of this
2 Permit;

3 (iv) The Policy shall not exclude coverage for Completed
4 Operations Hazards or Athletic or Sports Participants; and

5 (v) The City of Culver City, and officers, agents, and
6 employees will be named as additional insureds in an endorsement to the
7 policy, which shall be provided to the City and approved by the City Attorney.
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9 The required evidence of insurance shall be submitted to the City
10 at least two weeks prior to the Event.

11 e. Permittee shall obtain the necessary State of California Alcoholic
12 Beverage Control Board alcohol sales event permit for the Event, which shall be
13 posted at all times. Permittee shall comply with any and all federal, state and
14 local laws regarding the sale of beer and wine. Permittee shall also obtain any
15 and all required Los Angeles County health permits, which shall be made
16 available upon request.
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18 f. The size and location of the Event shall be consistent with the
19 configuration as approved by the CCCCC. The perimeters of the Event shall be
20 bound by fencing (the "Event Area").
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22 g. There shall be only one entrance and one exit for the Event Area.
23 All persons must enter the Event Area from the designated entrance point and
24 leave the Event Area from the designated exit point.

25 h. Permittee shall designate a responsible adult to be posted at each
26 entrance and exit of the Event Area to ensure that all persons in attendance at
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1 the Event, including Permittee's employees, agents and volunteers, are in
2 compliance with the conditions of this Permit.

3 i. The Event shall be limited to the sale of beer and wine only.

4 j. No alcohol shall be removed from or consumed outside of the
5 Event Area. A sign shall be posted at the exit stating "No Alcohol Beyond This
6 Point."

7 k. No alcohol, other than alcohol being sold at the Event, shall be
8 permitted in the Event Area.

9 l. All alcohol shall be served in plastic cups.

10 m. There shall be a two (2) drink maximum at one time.

11 n. Permittee's employees, agents and volunteers who are working
12 the Event ("Event Staff") shall not serve any alcohol to visibly intoxicated
13 individuals in accordance with applicable laws.

14 o. Event Staff shall stop serving alcohol at the designated Event
15 closing times as set forth in Section 1.b of this Resolution.

16 p. No minors shall be permitted entrance to the Event Area. A sign
17 shall be posted at the entrance stating "No Minors."

18 q. No person shall be granted access to the Event Area without
19 presenting a valid driver's license that displays a photograph and date of birth
20 evidencing that the person is at least 21 years of age. All persons under the
21 age of 25 years shall present, in addition to a valid driver's license, a second
22 form of identification that displays the person's name and signature or name
23 and picture.
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1 r. Event Staff shall issue colored wrist bands (that cannot be
2 replaced once removed) to all persons prior to entering the Event Area. No
3 person shall be admitted to the Event Area that is not wearing said wrist band.

4 s. The capacity of the Event Area shall not exceed sixty (60) persons
5 at any given time.

6 t. Event Staff shall receive training in the laws and rules governing
7 the verification of identification, the service of alcoholic beverages, and the
8 refusal of service to intoxicated persons.

9 u. Event Staff shall not consume alcohol during the Event.

10 v. No persons, including members of the CCCCC, their contractors,
11 or volunteers, shall receive complimentary beer or wine.

12 w. Distribution or display of any alcohol advertising or promotional
13 items shall be limited to the Event Area. With the exception of alcohol
14 advertising and promotional items relating to the products served at the Event,
15 only CCCCC materials may be distributed or displayed in the Event Area.

16 x. Event Staff shall monitor the alcohol consumption and behavior of
17 all Event participants.

18 y. Permittee shall ensure that the Event Area is cleaned of all trash
19 and debris and left in the same condition it was prior to the Event.

20 z. Permittee acknowledges and understands that the City of Culver
21 City reserves the right to shut down the Event at any time at the discretion of
22 Culver City Police Department and the facility supervisor.

aa. Within 30 calendar days after completion of the Event, Permittee shall provide the City with a full financial disclosure of the operation of the Event.

bb. Permittee shall be responsible for coordinating, purchasing and acquiring all supplies and equipment necessary to support the Event including, but not limited to, beer, wine, snacks, paper products, fencing, tables, chairs and umbrellas.

cc. Committee shall be responsible for coordinating through the appropriate City departments sufficient power sources as needed for the operation of the Event.

2. Resolution No. 2017-R082 is hereby rescinded.

3. This Resolution shall take effect on the date of its adoption.

APPROVED and ADOPTED this _____ day of September 2017.

JEFFREY COOPER, MAYOR
City of Culver City, California

ATTEST:

APPROVED AS TO FORM:

JEREMY GREEN, City Clerk

CAROL A. SCHWAB, City Attorney

A17-00591