

City of Culver City, California
City Council Agenda Item Report

Meeting Date: <u>12/22/08</u>		Item Number: <u>A-3</u>	
AGENDA ITEM: Consideration of a Request from Mr. Dan Silberstein, dba Drink:Eat:Play, to Hold a BBQ Festival in Veterans' Memorial Park on a Weekend (to be determined) in September 2009.			
Contact Person/Dept.: Pam Robinson, Recreation Manager		Phone Number: (310) 253-6632	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Master Email Notification List (12/17/08); Postcard mailing to residents within 500 feet of Veterans' Memorial Park (12/11/08); Mr. Dan Silberstein of Drink:Eat:Play (12/17/08).			
Department Approval: Pam Robinson (12/11/08)		City Attorney Approval: Carol Schwab (by H. Baker) (12/16/08)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (12/16/08)		City Manager Approval: Jerry B. Fulwood (12/17/08)	

RECOMMENDATION:

Staff recommends the City Council consider a request from Mr. Dan Silberstein, dba Drink:Eat:Play, to hold a BBQ Festival in Veterans' Memorial Park on a weekend (to be determined) in September 2009.

BACKGROUND:

The Parks, Recreation and Community Services Department currently has policies and City Council approved fees in place that allow for the rental of City parks. These policies and fees take into consideration rentals for resident groups and non-resident groups for events such as private family gatherings and picnics. In addition, there are provisions that allow parks to be rented to resident, non-resident and non-profit organizations for sports activities. The Council has also adopted fees for filming in parks. However, there is no fee category or adopted fee in place for events in City Parks that are open to the public.

Over the past few years, commercial organizations have periodically approached the City to rent Veterans' Memorial Park for open to the public events. These potential customers have moved on to locations in other cities based on the lack of policies and/or fees in place in Culver City relating to this type of rental agreement. In addition, these organizations were aware of the significant amount of time it would take to establish fees and policies should the City decide they wanted to begin to rent their parks for open to the public events.

On September 22, 2008, Mr. Dan Silberstein addressed the City Council and requested authorization to rent Veterans' Memorial Park for a BBQ Festival in

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September 2009. City Council requested that staff investigate this request and come back with a recommendation.

Parks, Recreation and Community Services Commission Recommendations

In order to make a recommendation on this issue to the City Council, on November 6, 2008 the Parks, Recreation and Community Services Commission considered Mr. Silberstein's request to rent Veterans' Memorial Park for a BBQ Festival. During the discussion, many issues related to this item were considered, including the proposed date of the event, the potential impact upon the surrounding neighborhood and staff's current workload. One prevailing concern expressed by the Commission was the current lack of a policy and related procedures/fees regarding holding open to the public events in City parks. As noted in the draft meeting minutes (Attachment 1), after much discussion and thoughtful consideration, the Commission recommended that Council deny Mr. Silberstein's request. In addition, the Commission recommended that Council consider the possibility of developing and adopting a policy regarding holding open to the public events in Culver City parks. If Council determines that such a policy should be developed, the Commission requested that the matter be referred back to the Commission for follow-up and future recommendation of a draft policy to City Council.

Public Notification

At the November 6, 2008 Commission meeting, there was consensus that the residents around Veterans' Memorial Park should be notified when large events at the Park, such as that requested by Mr. Silberstein, are a topic of consideration. With this in mind, staff noticed the item at this evening's meeting by mailing postcards on December 11, 2008 to 628 residents within a 500 foot radius of Veterans' Memorial Park. In addition to the 500 foot radius, the notification area was extended to the end of the block when feasible. It has been estimated that the cost of a City postcard mailing (including postage) is \$0.50 per postcard. Using this estimate, the cost to the City for public notification was \$314.00 (excluding staff time).

DISCUSSION:

Mr. Silberstein's Proposal

Mr. Silberstein is requesting to rent Veterans' Memorial Park for a BBQ Festival from 12:00 noon to 7:00 p.m. on Saturday and Sunday, the second or third weekend in September 2009. The proposal (Attachment 2) states that the perimeter of the field will have approximately forty (40) 10' x 10' vendor tents and the field itself, probably the baseball infield, will have about twenty to thirty (20-30) vendor tents. There will also be about ten (10) grills/smokers (with ash and coal disposal) and a performance stage similar to the Fiesta stage. It is proposing to park several large refrigerated

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trucks for meat on the basketball courts. It is expected up to ten-thousand (10,000) persons will attend over the course of the two days. The set up will take place on the Friday before the event and the teardown will take place on the Monday after the event.

As Mr. Silberstein states in his proposal, this event took place on the Santa Monica Pier in 2008. A copy of the budget for that event is included as a part of the proposal (Attachment 2).

As a part of the BBQ Festival, Mr. Silberstein is requesting that he be allowed to sell alcohol. Culver City Municipal Code (CCMC) Section 3.03.025 prohibits the consumption of alcoholic beverages in public parks, except in conjunction with the City's Fiesta La Ballona event upon the issuance of a permit by the City Council. Staff requests Council direction as to its preference for handling the issue of allowing alcohol in City Parks with relation to this BBQ Festival and future events of this type.

Other Considerations

Although there are policies in place for the use of the City's parks for picnics and sports events, the proposed BBQ Festival is of such a magnitude it would impact a number of City Departments as well as increase the wear and tear on the turf and park facilities (particularly, in this case, since the event would take place so soon after the Fiesta La Ballona).

In addition to the above, the City Council should also consider the potential impacts of increasing the availability of the City's public parks for privately organized events. As mentioned above, currently the only open-to-the-public event held in a City park is the annual Fiesta La Ballona. Planning for such an event involves significant allocation of staff resources. While a privately planned event may reduce the amount of staff time needed compared to the Fiesta, such events will still require the allocation of staff resources.

In addition to the planning of such events, the City has traditionally limited alcohol-related events in City Parks exclusively to the Fiesta La Ballona. Events which involve the sale of alcohol will increase the need for adequate security and oversight of the event by the Police Department.

FISCAL ANALYSIS:

Should Council approve Mr. Silberstein's request to rent an area in Veterans' Memorial Park to hold a commercial open to the public BBQ Festival in September 2009 that includes the sale and use of alcohol, staff will bring a recommendation for a fee for the event based on (1) the cost to the City and, (2) what the market can bear for an event of this type. Additional information, such as the estimated amount of staff time required from PR&CS and other affected departments and the cost of

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any non-personnel related resources if needed, will also be mentioned to reflect a more complete financial outlook of how much it will cost the City to assist with this event.

ATTACHMENTS:

1. Excerpt of the draft November 6, 2008 Parks, Recreation and Community Services Commission meeting minutes
2. BBQ Festival proposal from Mr. Dan Silberstein

MOTIONS:

That the City Council:

1A. (Commission Recommendation) Deny the request to rent an area in Veterans' Memorial Park to hold a commercial, open to the public event in September, 2009 that includes the sale and use of alcohol.

OR

1B. Tentatively approve the request to rent an area in Veterans' Memorial Park to hold a commercial, open to the public event in September, 2009 that includes the sale and use of alcohol subject to the approval of a license agreement to be presented to the City Council at a future meeting and subject to the approval of an ordinance amending the CCMC to allow for alcohol in a City park upon the issuance of a permit by the City Council.

AND

2A. (Commission Recommendation) Direct staff to work with the Parks, Recreation and Community Services Commission to develop a policy and fee structure for non-City sponsored open to the public events (both commercial and non-commercial);

OR

2B. Determine that no policy or fee scheduled changes are necessary related to open-to-the public events in the City's parks.