

ATTACHMENT 2

RESOLUTION NO. 2019-R_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, GRANTING AN ALCOHOL USE PERMIT FOR A BEER AND WINE GARDEN TO BE CONDUCTED IN VETERANS' MEMORIAL PARK DURING THE 2019 FIESTA LA BALLONA EVENT.

WHEREAS, pursuant to Culver City Municipal Code § 13.03.025.A, the City Council has determined to issue an alcohol use permit to the Culver City Exchange Club to conduct a beer and wine garden at the 2019 Fiesta.

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

1. This Alcohol Use Permit is hereby issued to the Culver City Exchange Club ("Permittee") to conduct a beer and wine garden (the "Event") in Veterans' Memorial Park on August 23, 24, and 25, 2019 as part of the City's Fiesta La Ballona activities, subject to the following conditions set forth in City Council Policy Statement: *Alcohol Use Permits for City-Produced and City-Sponsored Special Events*, adopted by City Council Resolution No. 2019-R014:

a. Permittee, Culver City Exchange Club, acknowledges and certifies that it is a not-for-profit 501(c) 3 Culver City organization, and that funds raised at the Event will be used for local charities. "Local Charities" shall mean a Culver City organization set up to provide help and raise funds for those in need.

b. The Event shall be held on the following three days during these specified hours only: (1) Friday, August 23, 2019 from the hours of 4:30 p.m. to 10:00 p.m., last call will be at 9:15 p.m. and no drinks will be served past 9:30

1 p.m.; (2) Saturday, August 24, 2019 from the hours of 10:00 a.m. to 10:00 p.m.,
2 last call will be at 9:15 p.m. and no drinks will be served past 9:30 p.m.; and,
3 (3) Sunday, August 25, 2019 from the hours of 10:00 a.m. to 7:00 p.m., last call
4 will be at 6:15 p.m. and no drinks will be served past 6:30 p.m.

5 c. By and on behalf of Permittee in consideration of the request for
6 and the granting of this Permit, Permittee shall and does hereby indemnify, hold
7 harmless and defend City and each of its officers, employees and
8 representatives ("Indemnitees") from any and all liability claims, damages,
9 judgments, demands, including attorney fees and court costs, whatsoever,
10 which may arise against any or all Indemnitees by reason of any real or
11 personal property damage, personal injury or death arising or resulting directly
12 or indirectly from Permittee's activities related to the issuance of this Permit.
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14 d. Without limiting any other obligation set forth in this Permit,
15 Permittee shall submit to the City an occurrence based Comprehensive General
16 Liability ("CGL") policy (including liquor liability), at least as broad as ISO Form
17 CG 0001, in the minimum amount of One Million Dollars (\$1,000,000) each
18 occurrence, with not less than Two Million Dollars (\$2,000,000) in annual
19 aggregate coverage. The CGL policy shall have the following requirements:
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21 (i) The policy shall provide coverage for personal injury, bodily
22 injury, death, accident and property damage and advertising injury, as those
23 terms are understood in the context of a CGL policy. The coverage shall not be
24 excess or contributing with respect to City's self-insurance or any pooled risk
25 arrangements;
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1 (ii) The policy shall provide \$1,000,000 combined single limit
2 coverage for owned, hired and non-owned automobile liability;

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

7 (iv) The Policy shall not exclude coverage for Completed
8 Operations Hazards or Athletic or Sports Participants; and
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10 (v) The City of Culver City, and officers, agents, and
11 employees will be named as additional insureds in an endorsement to the
12 policy, which shall be provided to the City and approved by the City Attorney.

13 The required evidence of insurance shall be submitted to the City
14 at least two weeks prior to the Event.
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16 e. Permittee shall obtain the necessary State of California Alcoholic
17 Beverage Control Board alcohol sales event permit for the Event, which shall be
18 posted at all times. Permittee shall comply with any and all federal, state and
19 local laws regarding the sale of beer and wine. Permittee shall also obtain any
20 and all required Los Angeles County health permits, which shall be made
21 available upon request.
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23 f. The size and location of the Event shall be consistent with the
24 configuration as approved by the Fiesta La Ballona Committee. The perimeters
25 of the Event shall be bound by fencing or other physical barrier (the "Event
26 Area"). The physical barrier shall not obstruct visibility into the Event Area.
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1 g. There shall be only one entrance to and one exit from the Event
2 Area. All persons must enter the Event Area from the designated entrance
3 point and leave the Event Area from the designated exit point. Permittee shall
4 retain licensed security guard(s) to be posted at each entrance and exit to
5 ensure that all persons in attendance at the Event, including Permittee's
6 employees, agents and volunteers, are in compliance with the conditions of this
7 Permit.
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9 h. Permittee's employees, agents and volunteers who are working
10 the Event ("Event Staff") shall assist City facilities staff and Culver City Police
11 Department with crowd control in and around the Event Area during any ingress
12 and egress of vehicular traffic adjacent to the Event Area, as requested by City
13 representatives.
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15 i. The Event shall be limited to the sale of beer and wine only.

16 j. No alcohol shall be removed from or consumed outside of the
17 Event Area. A sign shall be posted at the exit stating "No Liquor Beyond This
18 Point."
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20 k. No alcohol, other than alcohol being sold at the Event, shall be
21 permitted in the Event Area.

22 l. All alcohol shall be served only in reusable or compostable
23 containers. All alcoholic beverages shall be served in a single serving container
24 that complies with the following guidelines: 16-ounce cup or smaller for beer;
25 and 5-ounce cup or smaller for wine.

26 m. There shall be a two (2) drink maximum at one time.
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1 n. Event Staff shall not serve any alcohol to visibly intoxicated
2 individuals in accordance with applicable laws.

3 o. Event Staff shall stop serving alcohol at the designated Event
4 closing times as set forth in Section 1.b of this Alcohol Use Permit.

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

7 q. Licensed private security guard(s) shall be present to check
8 identification for the purposes of verifying that people entering the Event Area
9 are 21 years of age or older. No person shall be granted access to the Event
10 Area without presenting a valid driver's license that displays a photograph and
11 date of birth evidencing that the person is at least 21 years of age. All persons
12 under the age of 30 years shall present, in addition to a valid driver's license, a
13 second form of identification that displays the person's name and signature or
14 name and picture. Each time a person enters or re-enters the Event Area, that
15 person's age shall be verified with identification.
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17 r. Event Staff shall issue colored wrist bands (that cannot be
18 replaced once removed) to all persons prior to entering the Event Area. No
19 person shall be admitted to the Event Area that is not wearing said wrist band.
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21 s. Event Staff shall issue each carnival ride operator a wrist band of
22 a different color than Event participants. No carnival ride operator shall be
23 admitted into the Event Area.
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25 t. The capacity of the Event Area shall not exceed sixty (60) persons
26 at any given time. Licensed private security guard(s) shall be present at each
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entrance and exit to count occupancy. An accurate crowd count at all time must be readily available to City representatives.

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

v. Event Staff and licensed private security guard(s) shall not consume alcohol during the Event.

w. No persons, including members of the Culver City Exchange Club, shall receive complimentary beer or wine.

x. Distribution or display of any beer and/or wine product advertising or promotional items shall be limited to the Event Area. With the exception of beer and/or wine product advertising and promotional items relating to the products served at the Event, only Culver City Exchange Club materials may be distributed or displayed in the Event Area.

y. Event Staff and licensed private security guard(s) shall monitor the alcohol consumption and behavior of all Event participants.

z. Permittee shall ensure that the Event Area is cleaned of all trash and debris throughout the Event and, at the conclusion of the Event, shall ensure the Event Area is left in the same condition it was prior to the Event each night.

aa. Permittee acknowledges and understands that the City of Culver City reserves the right to shut down the Event at any time at the discretion of Culver City Police Department or other authorized City Official.

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

4 cc. Within 10 days after the adoption of this Resolution, Permittee
5 shall pay to the City's Fiesta La Ballona Committee ("Committee") the Event
6 space fee of Eight Hundred Dollars (\$800.00).

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

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

14 ff. Permittee shall provide for designated transportation pick-up/drop-
15 off areas, as approved by the Public Works Department. Permittee shall
16 advertise these locations to Event participants, and also provide information
17 regarding public transportation to and from the Event.

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

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22 APPROVED and ADOPTED this 12th day of August 2019.

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MEGHAN SAHLI-WELLS, MAYOR
City of Culver City, California

25 ATTEST:

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APPROVED AS TO FORM:

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JEREMY GREEN, City Clerk
28 A19-00516

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CAROL A. SCHWAB, City Attorney