

APPROVED

APR 02 2020

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 20-041

DATE April 02, 2020

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: **WARNER CENTER- ADDITIONAL SPECIAL EVENTS TO SERVE ALCOHOLIC BEVERAGES**

AP Diaz _____

S. Piña-Cortez _____

H. Fujita _____

C. Santo Domingo _____

*V. Israel _____

N. Williams _____



General Manager

Approved X

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

Authorize the Department of Recreation and Parks (RAP) General Manager or designee to approve the sale, serving and consumption of alcoholic beverages at 10 events/concerts at Warner Center Park by the Valley Cultural Center during their 2020 Summer Concerts On The Green series (Summer Series) in accordance with the details set forth in this Report.

SUMMARY

Warner Center Park hosts the Valley Cultural Center's (VCC) Summer Concerts on the Green throughout the summer months of June, July and August. Concerts at the Warner Center Pavilion have been conducted since the VCC has been in existence, starting in 1975. The VCC has a 15-year contract with Recreation and Parks, which is an extension of its original contract, No. 2908, originally executed on July 30, 1999, and terminated on July 30, 2014. The current contract, with extension, will terminate on July 29, 2029. The 2020 Summer Series anticipates 11 concerts (attached as Attachment 2), and typical Park attendance for these free concerts range in the 4,000 - 7,000 persons, per event. Since admission is always free, the concerts are largely family picnics/festival seating, with a food court and community information booths. The only source of revenue for VCC is through a percentage of food sales, off-site parking, community donations and commercial sponsorship.

As part of VCC's 2020 Summer Series, pending Board of Recreation and Park Commissioners (Board) approval, a proposed beer garden will be made available for those who wish to purchase it, for all but the July 4th event (10 of the 11 concerts). The sales and service of alcohol will be allowed in a "secured alcohol area", and will meet all State and local regulations, as well as the RAP's Alcoholic Beverage Policy (Attachment 1). VCC will provide private security, as well as pay for LAPD supervision, at their own expense.

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VCC pays 20% of gross revenues of all alcohol sales to RAP, as per the RAP's Alcoholic Beverage Policy. In 2019, VCC collected a total revenue of \$9,529.00 from the sale of alcohol and remitted \$1,905.80 to the RAP. VCC is required to submit to RAP a gross sales report for each of the 10 concert events where alcohol is sold and pay applicable remittance at the close of each concert season.

RAP's Alcoholic Beverage Policy states that "The General Manager may not approve the sale or serving of alcoholic beverages at more than five public open-area events per region per year, or more than one event for anyone park per year." Any additional event wishing to allow the sales, service, and consumption of alcoholic beverages requires a special waiver of provision(s) from the Board of Recreation and Park Commissioners. The Valley-Shoreline Operations region anticipated alcohol-related events for 2019 to include the Salute to Recreation at Northridge Park, the Celebrate Israel Festival at the Cheviot Hills Recreation Center, The Watermelon Festival at Hansen Dam, and The Vegan Festival and BAI Concert at the Park, both at Woodley Park.

Councilmember Bob Blumenfield from Council District 3 and LAPD Captain Maureen Ryan, Commanding Officer of the LAPD Topanga Area have both endorsed the proposal for a beer garden for the 2020 VCC Summer Series, based on VCC's past performance and community history. Their letters of support are attached as Attachment 4 and Attachment 3, respectively.

STRATEGIC PLAN INITIATIVES AND GOALS

Approval of this Board Report advances RAP's Strategic Plan by supporting:

Goal No.1: Provide Safe and Accessible Parks

Outcome No. 4: Angelenos connected to increased and diverse cultural programs in the Park system.

FISCAL IMPACT STATEMENT

There is no fiscal impact to RAP's General Fund as the event organizer will incur all expenses related to the events. In addition, 20% of the sales of alcoholic beverages will go to RAP.

Report prepared by Charles Singer, Superintendent, Recreation Services Branch, Valley Region.

LIST OF ATTACHMENTS:

- 1) RAP's Alcoholic Beverage Policy
- 2) 2020 Concert Season Schedule
- 3) Copy - Letter of Support from LAPD
- 4) Copy - Letter of Support from Council District 3
- 5) Copy – Itemized accounting of 2019 event attendance, sales and income

DEPARTMENT OF RECREATION AND PARKS
ALCOHOLIC BEVERAGE POLICY
 SALE, SERVING AND CONSUMPTION OF ALCOHOLIC BEVERAGES
 (BEER & WINE ONLY) REVISED APRIL 1986

The provisions set forth within this policy govern the sale, service and/or consumption of alcoholic beverages in all Department operated parks and recreation facilities with the exception of those facilities where ongoing alcoholic beverage sales have been authorized by the Board pursuant to a written concession agreement or separate board policy. The major factors to be considered in determining approval of alcoholic beverage sales on Department property are patron safety, property protection, and prevention of minors' consumption of alcoholic beverages. For the purposes of this policy the term "alcoholic beverages" refers only to beer and wine. The sale, serving and/or consumption of any other type of liquor is not permitted on Recreation and Parks Department property except at specific locations where permission is granted by contract or separate Board Policy (i.e. Friendship Auditorium).

All persons and/or agencies wishing to sell, serve or consume alcoholic beverages on Department property must either comply with the provisions listed herein or apply for and obtain a special waiver of provisions(s) from the Board of Recreation and Park Commissioners. Department staff shall notify the Los Angeles Police Chief's Office of the date of Board consideration of any request to waive this policy or any of its provisions.

1. Department Authority for Approval

The General Manager is responsible for approving or disapproving requests for alcohol consumption in Department parks and recreation facilities within the parameters of this policy, and to issue instructions to Department employees in connection with the enforcement of this policy.

The criteria to be considered in the General Manager's determination for approval includes but are not limited to, the following: applicant's past performance under similar conditions; expected community involvement in proposed event and/or community sensitivity or resistance to alcohol consumption in proposed area; capability and availability of City resources to support event; proposed utilization of revenues generated by sales; applicant's experience, resources, and ability to appropriately conduct alcoholic beverages sales or service; possible interruption of Department sponsored programs or previously scheduled events; Department experience with similar events; general interference with or disruption of the public's normal enjoyment of Department facilities; etc.

If the General Manager determines that a permit should not be issued because the conditions of this policy have not or cannot be complied with, the General Manager shall so inform the applicant by delivering a brief written statement explaining the reason(s) for denial.

The General Manager may not approve the sale or serving of alcoholic beverages at more than five public open-area events per region per year, or more than one event for any one park per year. However this limitation does not pertain to events conducted exclusively within Department buildings provided that the number of persons in attendance shall not exceed the occupancy load established by the Fire Department and the Department of Building and Safety; or to small private gatherings which are conducted during weekdays in remote areas away from the general public and are not open to the public.

Pursuant to the General Manager's approval, considerations listed herein above, the five allowable alcoholic beverage events per year shall be determined on a first-come, first-served basis, but cannot be requested or approved prior to January 1, of the year of the proposed event.

ALCOHOLIC BEVERAGE POLICY - (continued)

Permittee shall instruct security officers to maintain order within the area, prevent ingress and egress of minors unattended by adults, prevent patrons from carrying drinks out of the area, and prevent over-consumption of alcoholic beverages. If the required security officers fail to report to duty and/or are unable to remain on duty for the duration of the event, the Department shall enlist its own security officer(s) and assess the permittee for reimbursement of their salaries. Two weeks prior to the scheduled date of the event, the permittee shall present to the General Manager a signed security contract or equivalent verification of adequate proposed security for the event.

4. Licenses and Permits

The permittee must submit in writing to the General Manager a plot plan of the controlled area, the proposed number of security guards, the security contract, and the proposed method of accounting for and verification of sales; and obtain the General Manager's written approval of same. The permittee shall also obtain the necessary licenses and permits from the California State Alcoholic Beverage Control Board, City Clerk, Fire Department, Police Department and County Health Department; and shall meet all other requirements and restrictions applicable to the special use of Department Facilities. Permittee shall present copies of all permits and required documents at least two weeks in advance of the scheduled event. The approved Department permit, ABC License, and plot plan shall remain at the sales or serving site during all hours of operation and be available for inspection upon request by a Department representative or law enforcement official.

At least thirty (30) days prior to the scheduled event, Permittee must complete and submit to the LAPD Area Division Commander, a "Request for consideration of Beer or Wine Dispensing Permit" and receive written recommendation of the Division Area Commander. (See Attached Form "Request for LAPD Consideration of Beer or Wine Dispensing Permit Form No. RP 0029.")

5. Insurance

The permittee must meet the Department's regular insurance requirements for special events. Additionally, the permittee's required insurance policy of public liability and property damage which additionally insures the Department must also include liquor liability coverage. The limits of liability must be at least \$1,000,000. The permittee's paid employees must also be covered by worker's compensation and permittee must provide the Department proof of such coverage. All necessary insurance documents must be submitted to the Department Insurance Coordinator at least two weeks prior to the event.

6. Department Permit Fees

For the privilege of selling alcoholic beverages on Department owned and/or operated facilities, the permittee shall remit to the Department an agreed upon percentage of gross receipts from all alcoholic beverage sales (which percentage shall not be less than 20%).

The Department shall designate a Department employee to be on duty at the alcohol sale or serving site at all times during the event. Permittee shall reimburse the Department for the full cost of any overtime worked by the employee during the scheduled event. Scheduling of said employee shall be at the sole discretion of the General Manager.

The permittee must also remit to the Department in advance of the event, a refundable deposit of \$150 for each day alcoholic beverages are to be sold. The deposit shall be refunded to the permittee if all provisions of the policy have been complied with and no additional expenses have been incurred as a result of the permitted



2020 Concerts on the Green Series

Date	Concert	Est. # of People
6/7	Kenny Cetera's Chicago Experience	6,000
6/14	Lily Hernandez with Las Chikas/and Tierra	5,000
6/21	"Diamond is Forever" – Tribute to Neil Diamond	6,000
6/28	Tribe – "Sixtees A to Z"	6,000
7/4	Councilman Bob Blumenfield's July 4 th Fireworks Extravaganza Presented by Keyes Motors	30,000 in the park 60,000 total
7/12	"The Long Run" – Tribute to the Eagles	6,000
7/19	"The Coma La Flor Band" – Tribute to Selena	7,000
7/26	"Surf City All Stars" – Tribute to the Beach Boys	6,000
8/2	"Fleetwood Mac vs. Heart" Mirage Vision of Fleetwood Mac – Dog and Butterfly the Heart Experience	5,000
8/9	"Steely Jam" – Tribute to Prince	5,000
8/16	Kalimba The Spirit of Earth Wind and Fire	7,500

For our complete schedule and updates, please visit us at www.valleycultural.org or on Facebook or Twitter. Hotline: 818-888-0822. Warner Ranch Park, 5800 Topanga Canyon Blvd, Woodland Hills, CA 91367.

LOS ANGELES POLICE DEPARTMENT

MICHEL R. MOORE
Chief of Police



ERIC GARCETTI
Mayor

P. O. Box 30158
Los Angeles, Calif. 90030
Telephone: (818) 756-2880
Department TDD: (877) 275-5273
Ref #: 7.8

January 21, 2020

Mr. Michael Shull, General Manager
Department of Recreations & Parks
2211 Figueroa Street, #1550
Los Angeles, CA 90012

Re: Valley Cultural Foundation - Beer Gardens

Dear Mr. Shull:

I am writing this letter to advise that we have approved the permit for the Valley Cultural Foundation to conduct beer sales at their Concerts on the Green. These permits have been approved each time that they are requested as there have been no issues with regard to the sale of beer at these concerts.

If you have any questions, please do not hesitate to contact me at (818) 756-2880.

Very truly yours,

MICHEL R. MOORE
Chief of Police

A handwritten signature in blue ink that reads "Maureen E. Ryan".

MAUREEN E. RYAN, Captain
Commanding Officer
Topanga Community Police Station

**BOB BLUMENFIELD**

Councilmember, Third District

February 4, 2020

Mr. Michael Shull, General Manager
Department of Recreation and Parks
2211 Figueroa St. #1550
Los Angeles, CA 90012

Re: Valley Cultural Center – Beer Garden

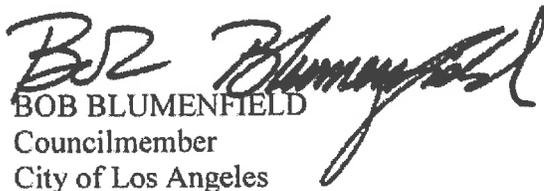
Dear Mr. Shull,

This letter is in support of Valley Cultural Center's request for permission to continue to conduct beer sales at their Concerts on the Green.

Valley Cultural Center provides many festivities and cultural opportunities for my constituents. Their request to the Department for additional beer sales helps bring in more programming. According to Topanga Division Police Department, there have been no problems associated to the sale of beer at the concerts. Additionally, there has not been any negative impact on the park or the community.

If you have any questions, please do not hesitate to contact my District Director, Michael Owens, at 818/774-4330. Thank you for your time and consideration of Valley Cultural Center's request.

Sincerely,


BOB BLUMENFIELD
Councilmember
City of Los Angeles



November 15, 2019

Mr. Charles Singer
 Superintendent of Recreations Operations, Valley Region
 L.A. City Department of Recreations and Parks
 6335 Woodley Ave
 Van Nuys, CA 91406

RE: Beer Garden – Concerts on the Green 2019

Dear Mr. Singer,

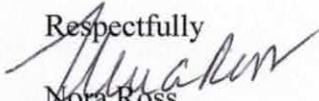
Below is the information you requested regarding the above referenced subject:

Concert Date	# of attendees	# of Beer Garden Attendees	Income Earned
6/09	5,000	63	\$ 740.00
6/16	6,500	78	\$1,390.00
6/23	6,500	77	\$1,225.00
6/30	4,000	47	\$ 824.00
7/14	7,000	63	\$1,090.00
7/21	5,000	37	\$ 600.00
7/28	6,500	75	\$1,290.00
08/04	4,000	35	\$ 390.00
08/11	7,000	78	\$1,180.00
08/18	7,000	66	\$ 800.00
Total Income			\$9,529.00

Valley Cultural Foundation collect \$9,529.00 Gross income from the Beer Garden and pursuant to our agreement owes the Department of Recreations and Parks \$1,905.80 for 20% or \$1,905.80.

Thank you for your assistance

Respectfully


 Nora Ross
 CEO

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