



## CITY COUNCIL AGENDA REPORT

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MEETING DATE: April 16, 2013

ITEM NUMBER: CC-12

**SUBJECT: REQUEST FOR ALCOHOL SERVICE AND CONSUMPTION AT FAIRVIEW PARK FOR ANNUAL FISH FRY**

**DATE: APRIL 10, 2013**

**FROM: OFFICE OF THE CEO**

**PRESENTATION BY: DAN JOYCE, PUBLIC AFFAIRS MANAGER**

**FOR FURTHER INFORMATION CONTACT: Dan Joyce (714) 754-5667  
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### **RECOMMENDATION:**

Staff recommends that the City Council approve the Costa Mesa-Newport Harbor Lions Club's ("Club") request to sell wine and beer at the 2013 Fish Fry.

### **BACKGROUND/ANALYSIS:**

The City and Costa Mesa-Newport Harbor Lions Club Fish Fry and Carnival, one of the City's largest events, partnered last year to move the Fish Fry to Fairview Park from its longtime home at Lions Park. On May 1, 2012, City Council approved the request for the Costa Mesa-Newport Harbor Lions Club to sell wine and beer in a controlled setting in Fairview Park for the event. (Attachment 1).

Relocating the event was a huge success, including increasing community participation in the expo area, expanding the footprint for additional rides, a larger parking area for participants and increased attendance. The beer and wine garden contributed to the success of the event attracting a larger mid 20's-mid 40's demographic.

The beer and wine garden increased the Costa Mesa-Newport Harbor Lions fundraising efforts by 20% from 2011. These additional funds have allowed the club to donate more money to local charities in 2013.

This year the event is scheduled to take place May 31-June 2, 2013. (Attachment 2)

The Club is requesting that the City Council authorize the sale of wine and beer for the 2013 Fish Fry per Costa Mesa Municipal Code Section 11-3; Drinking in Public. This section states *"no person shall drink or consume wine, beer, whiskey, brandy or any alcoholic liquors or beverages on public streets, including public alleys, sidewalks and parkways, nor in public restrooms, parking lots, vacant lots, parked motor vehicles or public parks except in any area of a public park where drinking has been expressly approved by the City Council or its designee and is so posted."*

The Club contacted Alcoholic Beverage Control (“ABC”) to obtain the proper requirements needed to operate a wine and beer garden. ABC requires the Club to complete an application (Form 221) for a temporary license to sell and serve wine and beer at the event. The ABC requires the Club to follow all the rules and regulations outlined in Form 221 (Attachment 3). The operation of the garden will be supervised by the Costa Mesa/Newport Harbor Lion’s Club by a designated adult who either has had ABC training, training as a public safety officer or other applicable training.

**FISCAL REVIEW**

Allowing the Club to sell wine and beer will have no fiscal impact on the City as the Club will pay all costs to set up and operate the wine and beer garden. Revenue from the proposed wine and beer garden will generate funding for the Costa Mesa-Newport Mesa Lions Club.

**LEGAL REVIEW:**

The City Attorney’s office has reviewed this report and their comments have been incorporated.

**ALTERNATIVES CONSIDERED:**

The Council could not approve the Costa Mesa-Newport Harbor Lions Club’s request.

**CONCLUSION:**

Staff recommends that the City Council approve the Costa Mesa-Newport Harbor Lions Club request to sell wine and beer at the 2013 Fish Fry and authorize staff to provide a letter for Form 221.

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DAN JOYCE  
Public Affairs Manager

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THOMAS R. HATCH  
Chief Executive Officer

DISTRIBUTION: City Attorney  
Police Department  
Finance  
Recreation Manager  
Contract Administrator  
Costa Mesa/Newport Harbor Lions Club

ATTACHMENTS: 1. City Council Report May 1, 2012  
2. Fairview Park Aerial with Event Layout  
3. ABC Form 221