



Staff Report

City of Manhattan Beach

TO: Honorable Mayor Montgomery and Members of the City Council

THROUGH: Geoff Dolan, City Manager *GD*

FROM: Richard Gill, Director of Parks and Recreation *R.G.*

DATE: July 15, 2008

SUBJECT: Consideration of a Request to Serve Wine and Champagne for the Manhattan Beach Residents Association (M.B.R.A.) 20th Anniversary Celebration at the Manhattan Beach Botanical Garden September 28, 2008

RECOMMENDATION:

Staff recommends that the City Council discuss and provide direction for the request to serve wine and champagne for the Manhattan Beach Residents Association (M.B.R.A.) 20th Anniversary celebration at the Manhattan Beach Botanical Garden September 28, 2008.

FISCAL IMPLICATION:

There is no financial impact for the City with this request.

BACKGROUND:

Attached is a correspondence from the M.B.R.A. requesting permission to serve wine and champagne during their 20th anniversary celebration in the City's Manhattan Beach Botanical Garden.

Municipal Code 4.48.090 states that the City Council may grant approval for the consumption of alcohol at special functions in the City of Manhattan Beach on City property subject to the recommendation of the Chief of Police and approval from the City Council.

DISCUSSION:

M.B.R.A. will be celebrating their 20 year anniversary September 28, 2008 at the Manhattan Beach Botanical Garden. M.B.R.A. is a grassroots non-profit organization that provides the community of Manhattan Beach research, information and education as they affect the quality of life in our city. They provide a newsletter that gives information about issues coming before our City government. M.B.R.A. is willing to purchase all permits, insurance and indemnifications required for their request.

The City has allowed alcohol consumption on City property for several City sponsored events annually. The City has not allowed alcohol consumption on City property for any non-City sponsored events except for the M.B.R.A.'s 15th Anniversary which was held at the Creative Arts

Center.

In the past, staff has turned down requests from the Botanical Garden for alcohol consumption at the Botanical Garden (City property) for several of their events. Staff is concerned about setting a precedent for outdoor park area in which alcohol is allowed for events not directly under our supervision and control.

CONCLUSION

Staff recommends that the City Council discuss and provide direction for the request to serve wine and champagne during the 20th anniversary celebration of M.B.R.A. at the Manhattan Beach Botanical Garden September 28, 2008.

ATTACHMENTS:

- A. M.B.R.A. Correspondence

Manhattan Beach Residents Association
P.O. Box 1149
Manhattan Beach, CA 90267-1149
(310) 379-3277

July 1, 2008

Honorable Mayor Richard Montgomery and
Manhattan Beach City Councilmembers
1400 Highland Avenue
Manhattan Beach, CA 90266

RE: MBRA 20th Anniversary Celebration/Request for permission to serve alcohol

The Manhattan Beach Residents Association (MBRA) is celebrating its 20th anniversary this year and has reserved the Manhattan Beach Botanical Garden for the afternoon of Sunday, September 28th, 2:00 to 5:00PM. You are cordially invited! Please mark your calendars!!

As part of the celebration, we would like to serve champagne and white wine – along with several appetizers, small sandwiches, fruit and a special cake. We'll also have sodas and water available, too, but the purpose of this letter is to ask for your approval to serve alcohol at this public property site.

We've learned from the Parks & Recreation department that there can be no alcohol on park property. We also learned that City Council can make an exception to that rule and, in fact, Council approved the use of alcohol at the Summer Concert series in Polliwog Park. Next we spoke to the MB Police Department, and were referred to the Alcohol and Beverage Control board. The ABC states that we can serve alcohol if (1) we are a non-profit, **or** if a permit is pulled by a caterer, **and** (2) no money is collected (including tickets and donations).

MBRA is an all-volunteer, non-profit (501(c4)) organization. As per direction from the ABC, we could hire a caterer with a license to serve beer and wine, but we would still want your approval for serving wine at this public site. We would prefer, however, not to deplete our treasury by hiring a caterer. Instead, we will use some monies from our treasury and donations from our board members and others to fund the event. (We already have promises for donations for the wine, and payment to members of the Mira Costa High School symphony or pop orchestra.) We will not be charging our members or guests for attending the anniversary celebration. We may use tickets (but they won't be for sale) to limit the number of glasses of wine or champagne.

Will you please approve our serving champagne and wine at our 20th anniversary celebration?

One more question: Can we purchase liability insurance from the City to cover this one event?

Thanks very much for your consideration of this request! We hope for your approval.

Sincerely,

A handwritten signature in cursive script that reads "Martha Andreani".

Martha Andreani

President/MBRA

Work phone: (310) 551-5913

Home phone: (310) 372-9061