

**APPROVED**  
FEB 20 2019

**BOARD OF RECREATION  
AND PARK COMMISSIONERS**

**BOARD REPORT**

NO. 19-036

DATE February 20, 2019

C.D. 1

**BOARD OF RECREATION AND PARK COMMISSIONERS**

SUBJECT: **PLAZA DE LA RAZA - PERMISSION TO SERVE ALCOHOLIC BEVERAGES**

AP Diaz	_____	*V. Israel	_____
R. Barajas	_____	S. Piña-Cortez	_____
H. Fujita	_____	N. Williams	_____

  
\_\_\_\_\_  
General Manager

Approved   X                        Disapproved \_\_\_\_\_                      Withdrawn \_\_\_\_\_  
With Modifications

RECOMMENDATION:

Authorize the Department of Recreation and Parks (RAP) General Manager or designee to approve the sale, serving and consumption of alcoholic beverages at five (5) additional special events to take place in 2019 at Plaza de la Raza Cultural Center for the Arts and Education located at Lincoln Park in accordance with the details set forth in this Report, **and direct Staff to audit the monetary value of the in-kind donations to ensure it is at least 20% of gross receipts then**  
SUMMARY: **include these donations in the semi-annual Donations Report presented to the Board.**

Plaza de la Raza Cultural Center for the Arts and Education (Plaza de la Raza) is a multidisciplinary community arts venue that has operated since 1970. It offers affordable classes in four major disciplines: visual art, dance, music, and theatre for students of all ages. Plaza de la Raza is housed in a non-City of Los Angeles facility that is located within the premises of Lincoln Park, within the Metro Region. The Department of Recreation and Parks (RAP) has had an agreement with Plaza de la Raza since 1999.

Plaza de la Raza is projected to hold five (5) fundraising events in 2019, tentatively scheduled for March 2, April 27, May 4, June 22, and October 12, 2019. As part of the events, it is contemplated that alcoholic beverages will be made available for purchase in a secured alcohol area or Beer Garden that will meet all State and local regulations, as well as RAP's Alcoholic Beverage Policy. In addition, Plaza de la Raza will provide security at all five (5) events at their own expense.

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. Currently, the Metro Region anticipates the sale, serving, and consumption of alcoholic beverages at the following events in 2019: Seoul International Korean Festival, Debs Parks Audubon Society Event, Echo Park Lotus Festival, Arroyo Seco Lummis Days Festival, and Council District 1 Jazz Festival.

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Plaza de la Raza's Executive Director, Maria Jimenez-Torres has agreed to provide support to enhance special events and programming at Lincoln Park Recreation Center throughout the year. Plaza de la Raza will provide entertainment at Baseball Opening Day, cultural workshops for Lincoln Park Recreation Center youth and adults, and will assist with promoting RAP programs on their social media and website. The estimated value of the services that Plaza de la Raza will provide is Four Thousand, One Hundred Ten Dollars (\$4,110.00). This will be in lieu of paying 20% of the alcoholic sales to RAP in accordance with RAP's Alcoholic Beverage Policy. For comparison Plaza de la Raza's fundraising events generated Twenty Thousand, Five Hundred Fifty Dollars (\$20,550.00) in total alcoholic sales with a payment to RAP of Four Thousand, One Hundred Ten Dollars (\$4,110.00) in 2018.

### FISCAL IMPACT STATEMENT:

All proceeds that would have been collected in accordance with the Alcohol Policy will be kept by Plaza de la Raza, in exchange for services that they provide RAP as indicated in this report.

This report was prepared by Bertha Calderon, Management Analyst, Metro Region.

### ATTACHMENT:

- A) RAP Alcoholic Beverage Policy

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