



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of City Council
FROM: Donald Mothershead, Senior Recreation Coordinator
MEETING DATE: June 15, 2016
SUBJECT: Carmel Film Festival Filmmakers Beach Dinner
CEQA: Categorical Exemption under the auspices of Chapter 15304(e) – Normal Operation of Facilities for public gatherings.

RECOMMENDATION

Approve the Carmel Film Festival's request to hold their Filmmakers Beach Dinner at Lovers Point Park on Saturday, October 22, 2016, with special exemption of Muni Code §§s 11.04.020, 11.04.030 and 14.08.010.

DISCUSSION

On March 23, staff received a request from the Pacific Grove Chamber of Commerce, requesting permission to host the Carmel Film Festival's Filmmakers Beach Dinner at Lovers Point on Saturday, October 22, 2016. The event organizers would like to have fire pits placed on the beach and be allowed to serve alcohol with dinner. As our Municipal Code prohibits both alcohol in parks/public and fires placed on our beaches, staff is bringing this mater for Council's consideration.

The proposed event would be from 6:00 – 8:00 PM on Saturday, October 22, with set-up beginning at 3:00 PM. The event would utilize Pacific Grove businesses for managing, catering and equipment rentals. The Chamber of Commerce guarantees that the public would still have access to the beach areas. This event is expected to draw about 300 people from around the world. The Carmel Film Festival will pay full cost recovery for all City services, in addition to rental fees for the utilization of City parking lots and park areas. Furthermore, the Chamber hopes to shift additional events in the future to Pacific Grove from the Carmel Film Festival.

Staff representatives from Police, Fire and Public Works met with the Pacific Grove Chamber on April 7th and discussed the proposal in detail, suggested a few changes to the original plan and stated that the request would have to be approved by the City Council. Staff suggests that a Fire Inspection / Permit be required of the proposed Tent and Fire Pit areas, that a Police Officer be present during the event and all Staff time and Permit Fees be charged on a full-cost recovery. If this event is approved, staff suggests the organizer utilize the Lovers Point Park area for the dinner (to include w/ beer and wine) in a tented / corralled area and also utilize the beach for photographs and other activities, with propane fire-pits (zero/low environmental impact) that are supervised.

The City's Downtown Business Improvement District (April 6th) and the Economic Development Commission (April 14th) both have discussed the event and unanimously recommend for the City Council capitalize on this special opportunity.

The Recreation Board reviewed the request at a special board meeting on May 24th. Details for the event were discussed and was seen as a positive event. Concerns were brought-up with the use of alcohol on the beach and development of a consistent policy to be followed for future requests.

ISSUES:

The Municipal Code currently prohibits both alcohol in parks/public and fires placed on our beaches:

11.04.020 Consumption in public place.

It is unlawful and an infraction for any person to drink or consume any alcoholic beverage in or on any public park, street, alley, public property, public parking area, public wharf, public dock, public waterfront or marine life refuge, or any beach within the city; provided, that the provisions of this section shall not apply to consumption of alcoholic beverages within the confines of any enclosed building or tent where express permission for the consumption of alcoholic beverages has been granted by the city council, nor shall the provisions of this section apply to outdoor seating adjacent to eating establishments where express permission has been granted by the city manager pursuant to PGMC [15.16.045](#). This provision may be enforced pursuant to Chapter [1.16](#) PGMC.

11.04.030 Possession on sand beaches.

It is unlawful for any person to have in his or her possession any alcoholic beverage on any sand beach within the city.

14.08.010 Unlawful acts within limits of park, golf course or beach.

(c) To make or kindle a fire for any purpose, or to in any manner transport fire or any burning substance, except in designated picnic areas where fireplaces are provided therefor, or in such designated fireplaces to leave any fire or live coals unextinguished and unattended, except that this shall not be construed as a restriction on the smoking of any cigar, cigarette, pipe, or other device for smoking nicotine compounds; provided, further, it is unlawful to discard, throw or drop any lighted match, cigar, cigarette, or any other burning substance within such areas;

It is the recommendation of Staff to allow the consumption of alcohol in a designated area of Lovers Point Park within the confines of an event tent. Also staff believes fire pits shall be allowed but only propane-fueled fires and they must be monitored at all times by event staff. The fire pits must be promptly extinguished and removed at the conclusion of the event.

FISCAL IMPACT

This in a unique event that staff expects will generate increased motel and restaurant business, during what is normally a slow time or year. Thus, increasing the City's Transient Occupancy and Sales Taxes. All direct costs for City services will be paid.

ATTACHMENTS

- 1 – Chamber request – dated March 23, 2016
- 2 – Cost Estimate – draft Invoice

RESPECTFULLY SUBMITTED,

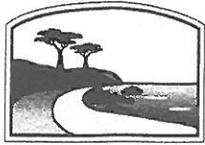


Donald Mothershead
SENIOR RECREATION COORDINATOR

REVIEWED BY,



Ben Harvey,
CITY MANAGER



March 23, 2016

Mr. Ben Harvey
Interim City Manager
City of Pacific Grove
300 Forest Avenue
Pacific Grove, CA 93950

Dear Ben,

Thank you very much for taking the time to meet with me and Preston Flatley of the Seven Gables Inn at Lovers Point Park three weeks ago.

As discussed, attached is the application to host Carmel International Film Festival at Beach #2. Attracting this first class event means a lot to the Downtown Business Improvement District, chamber and area lodging establishments.

In closing, I recommend that we set up a meeting with police, fire, public works and Don Mothershead to address any questions related to the event.

Your support is highly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'Moe Ammar', with a long, sweeping horizontal stroke extending to the right.

Moe Ammar
President

Cc: Tom McMahon
Preston Flatley
Don Mothershead

APPLICATION (REQUEST) TO RESERVE

- | | |
|-------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Lovers Point (630 Ocean View Blvd.) | <input type="checkbox"/> Berwick Park (400 Ocean View Blvd.) |
| <input type="checkbox"/> Jewell Park Gazebo (148 Grand Ave.) | <input type="checkbox"/> Elmarie Dyke Gazebo & Open Space (162 -16 th St.) |
| <input type="checkbox"/> Point Pinos Lighthouse (80 Asilomar Ave.) | <input type="checkbox"/> Esplande Park (10 Esplande St.) |

NAME: Carmel International Film Festival/c/o Pacific Grove Chamber

STREET ADDRESS: P.O. Box 167 CITY: Pacific Grove ZIP: 93950

PHONE: 831-373-3304 CELL PHONE: 831-373-3305

EMAIL ADDRESS: moeammar@pacificgrove.org

DAY AND DATE OF USE: Saturday, October 22

HOURS OF USE: FROM 2:00 pm TO 8:00 pm **100 GUEST MAXIMUM**

PURPOSE OF USE Beach Party

DAY OF EVENT – CONTACT PERSON: Tom Burns (Carmel International Film Festival)

CONTACT PERSON'S CELL PHONE NUMBER: 831-238-4115

This is your application to reserve the above-mentioned park. Upon receipt, the Facilities Coordinator will review your request and issue a PERMIT if the requested space is available. Park Rentals are reserved in two hour blocks @ \$300.00 per two-hour block for weekends & holidays and \$200.00 per two hour block for week days. Reservation times must begin after 7:30 am. No reservation will be issued after 9:30 p.m. during Daylight Savings Time (April – October) and 7:30 p.m. during the rest of the year (November – March).

Note: NO Sound Permits will be issued for Berwick Park during the Harbor Seal Popping season (March – May). Additionally, No Use Permits for the Cypress Cove area of Berwick Park will be issued for March, April & May!

Please bring a copy of your approved Park Permit with you to your event.

For reservations made within 30 days of the scheduled date, payment must be made by cash, credit card or money order—no personal checks. If an event scheduled on a Saturday, Sunday or Holiday is cancelled, refunds will be given only if requested 60 days before the event, and a 25% processing fee will be assessed in all cases. The City assumes no responsibility for inclement weather and no rain/inclement weather refunds will be given.

Please review our City policies below:

- 1) Your date and time are not confirmed until the full rental fee, signed application and (if requested) chair and sound permits are received and approved by City Hall and a payment receipt and permit is issued.
- 2) Use of tables, chairs, and sound amplification devices are prohibited without an approved permit. If music is played (live and recorded) or voices are amplified, a \$25 sound amplification fee also is required.
- 3) Rental area must be vacated by the end time specified on permit.
- 4) **Alcohol consumption in public areas is strictly prohibited! Smoking is also prohibited!**
- 5) Vehicles are prohibited on park grounds. This includes unloading of items and passengers inside the park.
- 6) Dogs are prohibited in all Pacific Grove parks.
- 7) Use of helium balloons or other event decorations that may result in illicit waste or discharges are prohibited.
- 8) Tossing of birdseed, rose petals, rice, etc. is prohibited. Release of butterflies or birds is discouraged.
- 9) All trash must be disposed of in the proper garbage and recycling receptacles.

IF YOU ARRIVE DURING YOUR DESIGNATED RENTAL TIME AND THE SPACE IS OCCUPIED, CALL THE PACIFIC GROVE POLICE DEPARTMENT AT 648-3143.

Park Fee: \$300.00 (weekends & Holidays) or \$200.00 (weekdays) per two (2) hour time block period

Sound Permit: \$ 30.00 (if applicable)

Refundable Damage Deposit: \$150.00

I agree to these Conditions: _____

Signature

Date of request: 3/24/2016

CITY OF PACIFIC GROVE
APPLICATION FOR SOUND AMPLIFICATION PERMIT

Agenda No. 9A, Attachment 1
Page 3 of 6

Name of Applicant: Moe Ammar c/o Carmel Film Festival
Date of Birth: 11/20/1956
Address: P.O. Box 167
City/Zip: Pacific Grove, CA 93950
Telephone Number: 831-373-3304
Type of Event: Beach Party Estimated Attendance: 250
Location: Lovers Point Beach #2
Dates & Hours of Use: October 22, 2016 5:00 - 8:00 pm
Approximate Distance to Nearest Residence: 500 feet
Type of Sound Equipment: Sound System/2 speakers
Name of Professional D.J. (or operator) TBA
Operator's Address: TBA Zip Code TBA
Phone Number of Operator: TBA

Alcohol being served? YES NO Alcohol being sold? YES NO

I hereby agree that the permit, if issued, may be revoked forthwith by the police should another person or persons complain of a disturbance from the sound, or should interference with traffic or general public use of public areas result from the event. I understand the City Manager and/or the City Council may deny the permit upon finding that operation of the device/s is likely to be audible and disturbing to a person or persons on other property, or would contribute to traffic or health hazards, or would tend to preempt normal public use of a public area. I further understand the City Manager and/or City Council may impose such conditions on a permit, as they may deem appropriate, including hours of use, levels of audibility and numbers of persons attending the event.

Note: NO Sound Permits will be issued for Berwick Park during the Harbor Seal Pupping season (March – May). Additionally, No Permits for the Cypress Cove area of Berwick Park will be issued for March, April & May.

Signature of Applicant

Date of Application

CITY USE ONLY:

Reviewed by: _____

Application Approved: YES NO

Date Paid: _____

Signature of City Official: _____

Amount Paid: _____

Dated: _____

Sound Permit 2015

CITY OF PACIFIC GROVE

PERMIT APPLICATION FOR USE OF
TABLES/CHAIRS/LATTICE/ARCHES IN PUBLIC PARKS

NAME OF APPLICANT: _____

ADDRESS: _____

HOME PHONE: _____ WORK PHONE: _____

DRIVER'S LICENSE NO.: _____

TYPE OF EVENT: _____ EXPECTED NO. OF PEOPLE _____

DATE OF PROPOSED USE: _____

LOCATION OF PROPOSED USE:

Berwick Park Other _____

Jewell Park Lovers Point Park

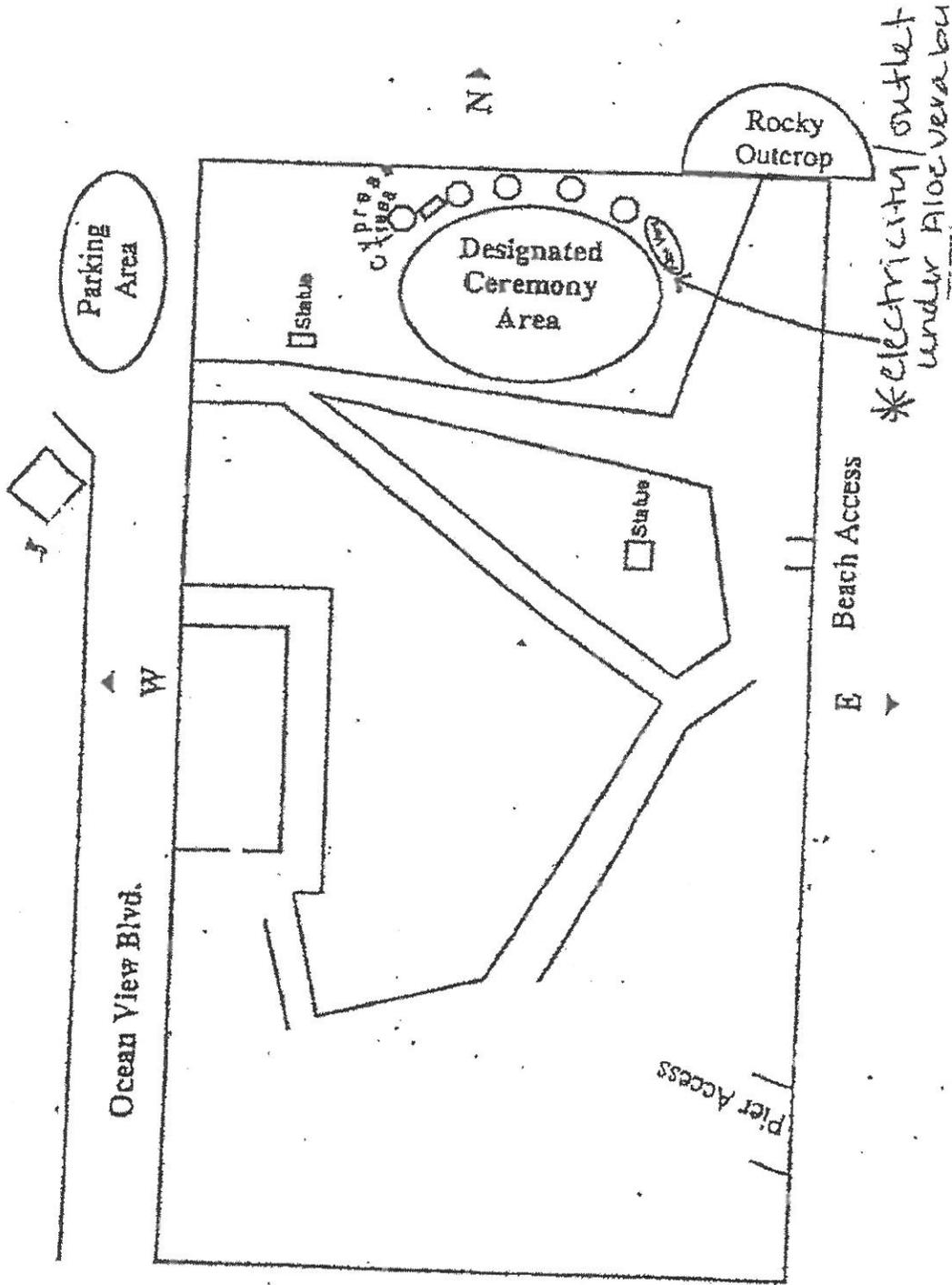
- ITEMS TO BE USED:
- Chairs _____ How many?
 - Tables _____ How many?
 - Lattice _____ Size?
 - Arch _____ Size?
 - Other _____

The permit, if issued, may be revoked forthwith by the Pacific Grove Police Department, should the specified equipment interfere with or be deemed hazardous to the general use of public areas surrounding the event.

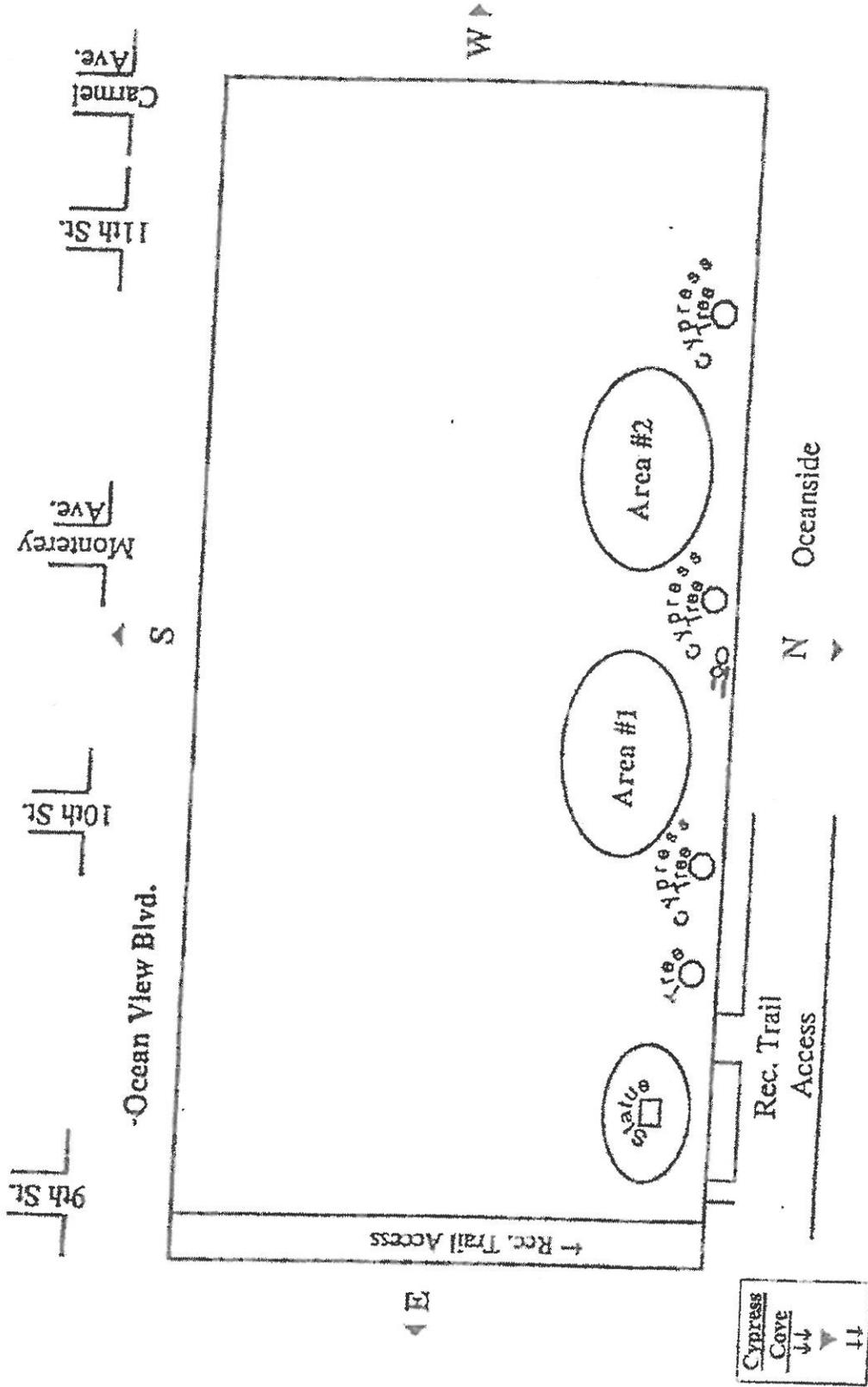
1. Sponsoring person/agency agrees to pay any and all damages to property, landscaping, furnishings, and equipment.
2. Sponsoring person/agency agrees to pay for any and all damages and/or repair/replacement of sprinkler heads or any portion of the sprinkler system which may be damaged during the hours of this event. Payment for damages will be due upon receipt of written notification by the City. If event is canceled, the deposit will be refunded ONLY if notice is given thirty (30) days prior to the scheduled date of event.
3. ALL REFUNDS ARE CONTINGENT TO COMPLIANCE WITH CITY REQUIREMENTS.
4. Sponsoring person/agency is responsible for providing chairs, tables, lattice, arch, etc. The City does NOT provide any equipment or assistance with equipment.

Signature of Applicant

LOVERS POINT PARK - CEREMONY AREA



BERWICK PARK - CEREMONY AREAS



DRAFT

DRAFT

INVOICE

City of Pacific Grove

300 Forest Avenue
Pacific Grove, CA 93950

**Carmel International Film Festival
c/o Pacific Grove Chamber of Commerce
P.O. Box 167
Pacific Grove, CA 93950
(831) 373 - 3304**

PAYABLE TO: CITY OF PACIFIC GROVE

Please return this form w/ payment

Department	Reference	Invoice Date			
Finance	Request is for Saturday, October 22, 2016 at Lovers Point Beach / Park (T.B.D.)	5/9/2016			
	Description	2016 FESTIVAL EVENT			
	FILMMAKERS BEACH DINNER				
	Personnel Involved	Units Used	Total Hrs.	Cost/Unit	Amount
	Fire Department			cost + 9%	
	Personnel (Fire & Tent Inspection)	1		\$73.21	\$ 73.21
	Tent / Canopy PERMIT	1		\$86.00	\$ 86.00
#01 - 4465	Police Department			cost + 9%	
	Police Officer	1	3	89.38	\$ 268.14
	Sound Permit	1		\$30.00	\$ 30.00
	Public Works Department			cost + 9%	
#01 - 4465	Personnel Pre-Event	2	4	\$46.81	\$ 183.12
	Personnel Post-Event	1	4	\$46.81	\$ 183.12
	Temporary Directional Signage (per Day)			\$2.00	
	NO PARKING Temporary Parking Signage			\$1.00	
	NO PARKING - Barricade (Standard Size)	30		\$3.00	\$ 90.00
	8' Rails w/ 2 barricades			\$10.00	
	4' Delineator			\$4.00	
	18" Traffic Cone			\$2 / day	
	24" Traffic Cone			\$3 / day	
	Garbage Cans / Recycle Bins			\$2.00 per set	
#01 - 4465	Recreation Department				
	Application (includes planning meeting)	1		\$75.00	\$ 75.00
	Park RENTAL	1	6	\$300	\$ 1,800.00
	Parking Lot Rental Fee	2		\$50.00	\$ 100.00
				Total Due	= \$2,888.59

Reviewed by:

Date Paid

Validation #

Acct. # 01 - 4465