



# City of Costa Mesa

## Agenda Report

77 Fair Drive  
Costa Mesa, CA 92626

**File #:** 22-684

**Meeting Date:** 5/17/2022

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**TITLE:**

**APPROVAL OF A STREET CLOSURE AND ALCOHOL SERVICE FOR THE 2022 COSTA MESA-NEWPORT HARBOR LIONS CLUB FISH FRY EVENT TO BE HELD AT LIONS PARK, 570 W. 18<sup>th</sup> STREET ON JUNE 3-5, 2022.**

**DEPARTMENT:** PARKS AND COMMUNITY SERVICES DEPARTMENT

**PRESENTED BY:** JASON MINTER, PARKS AND COMMUNITY SERVICES  
DIRECTOR

**CONTACT INFORMATION:** (714) 754 - 5065

**RECOMMENDATION:**

Staff recommends the City Council:

1. Adopt Resolution No. 2022-xx, approving the closure of a portion of Park Avenue between 18<sup>th</sup> Street and 19<sup>th</sup> Street for the Costa Mesa-Newport Harbor Lions Club 2022 Fish Fry event beginning June 3 and ending June 6, 2022 (Attachment 1).
2. Approve a request from the Costa Mesa-Newport Harbor Lions Club to sell wine and beer at Lions Park, 570 W. 18<sup>th</sup> Street, for the 2022 Fish Fry event to be held on June 3-5, 2022.

**BACKGROUND:**

For over 70 years, the Costa Mesa-Newport Harbor Lions Club has hosted the annual Fish Fry event in Costa Mesa. The event is rich in tradition and has become a community staple, until it was canceled for two years due to the COVID-19 pandemic. The event has changed throughout the years, but traditionally includes community booth spaces, a stage with live music entertainment, a beer and wine garden, carnival rides, and fried fish meals for purchase. In its best years, this event has been known to attract a crowd of approximately 10,000-15,000 visitors between its start on Friday evening through its closing on Sunday evening.

The Fish Fry event serves as a means for the local chapter of the Lions Club to provide scholarship funds for local schools, clubs, and organizations. The event was typically held at Lions Park before moving to Fairview Park in 2012 due to the Lions Park construction project.

In 2019 the City Council approved a License Agreement with the Costa Mesa-Newport Harbor Lions Club to relocate the Fish Fry back to Lions Park (Attachment 2). Traditionally the Fish Fry has been held on a Friday, Saturday, and Sunday around Memorial Day weekend, although it was held in late September in 2018 and 2019 for environmental reasons. The current license agreement terms and

conditions include event management support provided by City staff from the Parks and Community Services Department for the planning and hosting of the event, Public Services for maintenance and traffic control services during the event, and Police Department support throughout the duration of the event. Other forms of City support include event sponsorships as well as promotional and marketing materials leading up to the Fish Fry.

### **ANALYSIS:**

The Costa Mesa-Newport Harbor Lions Club (Club) began hosting an annual Fish Fry event at Lions Park in 1946 as a fundraiser event to support community organizations, including local schools, charities, and non-profit organizations. The Club is a 501(c)(3) non-profit organization whose fundraising efforts provide support throughout the area and provide an entertainment filled weekend to the community.

The 2022 Fish Fry event will be relocated to its original place at Lions Park, per the 2019 License Agreement. The event will include a stage for musical performances, community and vendor booths, food booths (including the Club's famous fried fish), carnival rides and activities for all ages. Event setup will begin on Thursday, June 2, and be completed on Friday, June 3. All event breakdown will be completed by the end of day on Monday, June 6. The hours for the 2022 Fish Fry are:

- Friday, June 3; 5:00 - 10:00 pm
- Saturday, June 4; 11:00 am - 10:00 pm
- Sunday, June 5; 11:00 am - 10:00 pm

### **Street Closure Impacts and Community Outreach Efforts**

The Club is requesting the approval of an encroachment permit for the closure of a portion of Park Avenue between 18<sup>th</sup> Street and the Lions Park parking lot entrance off Park Avenue for the purpose of placing equipment, booths, and carnival rides for the duration of the Fish Fry event. To address and mitigate impacts attributed to the proposed closure, staff from the Parks and Community Services, Public Services, and Fire Departments will be working with the Club to develop a plan that ensures the following:

- A fire lane remains available at all times, including during setup, cleanup, and all event hours;
- Proper barriers, signage, and delineation is in place for the safety of the participants, employees, volunteers, pedestrians, bicyclists, and vehicles;
- Parking and traffic plan that will be reviewed by the Public Services Department, Transportation Division, prior to any event staging;
- Develop an event layout designating areas and activities; and
- Promotion of active transportation, ridesharing, shuttles, and Uber/Lift to minimize parking impact on the neighboring residents and businesses.

The primary reasons for the encroachment permit request are due to the improvements that have taken place at Lions Park over the last few years. The layout of Lions Park has changed considerably with the construction of the Donald Dungan Library, the creation of a 1-acre designated event lawn,

the relocation of the parking lot, and added landscaping and storm water management infrastructure.

The license agreement that was approved in 2019 included a list of the City's duties and responsibilities (page 3, Attachment 2), which include the following:

- Waiver of the special events application fee (\$425);
- Allow licensee to host an annual golf tournament at the Costa Mesa Country Club; with an estimated value of \$10,000;
- Provide marketing and promotional support (waiver of recreation guide ad fee - \$250);
- City to sponsor the event with a contribution not to exceed \$5,000; and
- City to provide personnel for special event services, including event production and management. This includes staff from the Parks and Community Services Department, Public Safety Departments (Police and Fire and Rescue), and Public Services Department.

Staff will be requesting an event summary from the Club at the conclusion of the Fish Fry, including its financial success.

In addition, the Club is requesting that the City Council authorize the sale of wine and beer for the 2022 Fish Fry per Costa Mesa Municipal Code Title 11, Chapter 1, Section 11-3, Drinking in Public; "*no person shall drink or consume wine, beer, whiskey, brandy or any alcoholic liquors or beverage on public streets, including public alleys, sidewalks and parkways, nor in public restrooms, parking lots, vacant lots, parked in 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.*"

In accordance with the municipal code, the City Council must approve a variance to allow the consumption of alcohol at this public park facility. The Club is responsible for contacting the Alcoholic Beverage Control office (ABC) to obtain a license 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 wine and beer garden will be supervised by a designated adult member of the Club who either has had ABC training, training as a public safety officer or other applicable training.

### **ALTERNATIVES:**

The City Council may elect to deny the requests. Staff does not recommend this action as the Lion's Club Fish Fry is a long-standing Costa Mesa tradition that generates significant revenue for the Costa Mesa-Newport Harbor Lion's Club and their year round philanthropic activities (i.e. scholarships, grants, etc).

**FISCAL REVIEW:**

Costs incurred by the City include those mentioned above, as well as staffing from the following Departments: Parks and Community Services Department, Public Safety Departments (Police and Fire and Rescue), and Public Services Department.

**LEGAL REVIEW:**

The City Attorney's Office has prepared Resolution 22-XX and reviewed and approved this report as to form.

**CITY COUNCIL GOALS AND PRIORITIES:**

This item supports the Following City Council Goal:

- Strengthen the Public Safety and Improve the Quality of Life.

**CONCLUSION:**

It is recommended that the City Council approve Resolution 22-XX for the closure of a portion of Park Avenue between 18<sup>th</sup> Street and the parking lot entrance on Park Avenue and the request to sell wine and beer in support of the 2022 Costa Mesa-Newport Harbor Lions Club Fish Fry event. Staff will continue to work with representatives from the Costa Mesa-Newport Harbor Lions Club to help provide a seamless transition from the previous events at Fairview Park to the long-standing home of the Fish Fry at Lions Park.