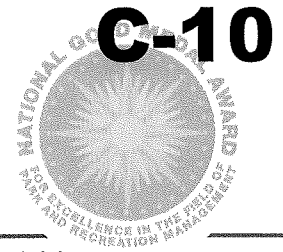


CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



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December 10, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a new Fitness Provider Permit with JUXTAFLO, Inc., doing business as CrossFit Long Beach, for the provision and operation of outdoor fitness classes and personal training at Bluff Park for a term of three years. (Districts 2 and 3)

DISCUSSION

On November 6, 2013, JUXTAFLO, Inc., doing business as CrossFit Long Beach (CrossFit), submitted a completed Fitness Provider Application to the Department of Parks, Recreation and Marine (PRM) requesting the use of Bluff Park for the provision and operation of outdoor fitness classes and personal training.

CrossFit classes will initially consist of one-hour classes, from 6:30 a.m. to 7:30 a.m., on Monday through Saturday of each week. CrossFit will locate and operate at Bluff Park; however, it shall not operate in a way that impedes foot traffic or otherwise disrupts the use of the park by other park patrons. CrossFit will be responsible for ensuring that any items brought and used pursuant to its permitted use are removed promptly at the conclusion of each class.

This proposal is consistent with other PRM permits for this type of use, and helps address the growing demand for outdoor fitness within City of Long Beach (City) parks and beaches.

The proposed Fitness Provider Permit contains the following major provisions:

- Term: December 11, 2013 through December 10, 2016, with no renewal options.
- Permitted Use: The provision and operation of outdoor fitness classes and personal training at City parks during permitted use hours, while adhering to noise and impact abatement conditions consistent with the Long Beach Municipal Code, and/or as directed by the City Manager or his designee.

- Permit Areas: Bluff Park. CrossFit may request use of additional City parks and/or beach sites. Each additional site shall be subject to review and prior approval, and will be at the discretion of the City Manager or his designee.
- Permit Fee: CrossFit shall pay PRM an annual permit fee of \$350 for the use of Bluff Park, or three percent of gross receipts, whichever is greater. Additional approved sites shall increase the annual permit fee by \$350 per site, per year, or three percent of gross receipts, whichever is greater.
- Insurance/Program Liability: CrossFit shall provide proof of insurance coverage and a copy of its participant liability waiver, as defined and/or accepted to sufficiency by the City's Risk Manager, on an annual basis or upon policy renewal and/or change.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on November 15, 2013, and by Budget Management Officer Victoria Bell on November 14, 2013.

TIMING CONSIDERATIONS

City Council action is requested on December 10, 2013, in order to enable the execution of the Fitness Provider Permit with CrossFit Long Beach.

FISCAL IMPACT

Annual revenue in the amount of \$350, or three percent of gross receipts, whichever is greater, from the use of Bluff Park, will accrue to the Tidelands Operations Fund (TF 401) in the Parks, Recreation and Marine Department (PR). If additional sites are approved by the City Manager or his designee, annual revenue will increase by \$350 per site, per year, or three percent of gross receipts, whichever is greater. There is no impact to jobs associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

GC:EH:RL:ak

APPROVED:


PATRICK H. WEST
CITY MANAGER