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# CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



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[www.LBParks.org](http://www.LBParks.org)

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April 20, 2017

MEMBERS OF THE PARKS AND RECREATION COMMISSION  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the Director of Parks, Recreation and Marine to execute the Second Amendment to Permit No. 29815 with Gregory M. Ruvolo, an individual doing business as El Dorado Express, to support the continued operation of an 18-gauge model railway concession, operation of up to nine reservable picnic sites and ancillary services in El Dorado East Regional Park through September 30, 2018, with one, one-year renewal option at the discretion of the Director. (District 5)

## DISCUSSION

For the past 21 years, the Ruvolo family, and most recently Greg M. Ruvolo, an individual doing business as El Dorado Express (El Dorado Express), has operated an 18-gauge model railway concession within El Dorado East Regional Park Area III (El Dorado Park). On April 20, 2006, the Parks and Recreation Commission (Commission) authorized El Dorado Express' current Permit No. 29815 after it was the sole bidder to a Request for Proposals (RFP) issued by the Department of Parks, Recreation and Marine (Department). In 2010, the Permit was renegotiated to a shortened term due to financial issues being experienced by El Dorado Express. Since that time, El Dorado Express has been operating on a month-to-month basis, but is up-to-date in payments and compliance, including certification as a Permanent Amusement Ride (PAR) by California Occupational Safety and Health Administration (Cal/OSHA).

The Department of Parks, Recreation and Marine (Department) is in the process of evaluating an RFP for this activity and/or for one overarching concessionaire in El Dorado Park. The Department has not received any requests from other interested parties to operate this concession. Therefore, as a way to continue to provide this service to park users during the RFP process, it would be appropriate for the Commission to authorize an extension of Permit No. 29815 that would cover the summer months in 2017 and 2018, and could then be extended by the Director of the Department beyond that time if an RFP has not been completed or determined viable.

The proposed extension of Use Permit No. 29815 would include the following terms:

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Term: The extension would be retroactive to September 21, 2011, through September 30, 2018, with one, one-year extensions available at the discretion of the Department Director.

- Services, Standards, and Minimum Hours of Operation: The proposed Amendment would allow El Dorado Express to continue its operation of an 18-gauge model railway and nine Permit Area-adjacent reservable sites in El Dorado Park Area III, including ancillary services in connection to this Permit. All facilities and equipment would be maintained to the satisfaction of the Department Director. In addition, El Dorado Express shall institute minimum hours of operation from 10:00 AM to 4:00 PM, on weekends, from April 1 through September 30 of each Permit Year.
- Minimum/Percentage rent: El Dorado Express shall pay an annual fee/rent of 15% of gross revenue; or \$7,000 per permit year, whichever amount is greater.
- Other requirements: There shall be no subletting without the prior written approval of the Department Director and no cars or trucks shall drive onto the turf within the Permit Area without the Permittee placing protective plywood over the affected turf. El Dorado Express shall provide Staff with a quarterly schedule of large groups to the Department for coordination of facilities and staffing within El Dorado Park.
- Cancellation provision: Either party may cancel the permit with 30 days' written notice.
- Insurance: El Dorado Express shall maintain applicable insurance at levels determined and approved to sufficiency by the City's Risk Manager.

## FISCAL IMPACT

An annual minimum amount of at least \$7,000 would accrue to the general fund (GP) in the Department of Parks, Recreation and Marine (PR) in each Fiscal Year where the Permit is active.

## SUGGESTED ACTION:

Approve the recommendation.

Respectfully Submitted,



GLADYS KAISER  
MANAGER

COMMUNITY RECREATION SERVICES



HURLEY OWENS  
MANAGER

MAINTENANCE OPERATIONS BUREAU

MEMBERS OF THE PARKS AND RECREATION COMMISSION

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STEPHEN P. SCOTT  
DEPUTY DIRECTOR  
MANAGER BUSINESS OPERATIONS

APPROVED:

  
MARIE KNIGHT  
DIRECTOR

MK:GK:SS:HO:rl