



CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



2760 N. Studebaker Road, Long Beach, CA 90815-1697
(562) 570-3100 • FAX (562) 570-3109
www.LBParks.org

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February 15, 2018

MEMBERS OF THE PARKS AND RECREATION COMMISSION

City of Long Beach
California

RECOMMENDATION:

Authorize the Director of Parks, Recreation and Marine to assign Fitness Provider Permit No. 33006 with Moving Forward Fitness, LLC, DBA Fit4Mom, to Shannon Shondeff the corporation's new owner and execute all necessary documents. (District 3).

Or

Authorize the Director of Parks, Recreation and Marine to execute all documents necessary for the termination of Fitness Provider Permit No. 33006 with Moving Forward Fitness, LLC DBA Fit4Mom. (District 3).

DISCUSSION

At the Parks and Recreation Commission (Commission) meeting of November 16, 2017, the Commission received a report on issues related to previously approved Use and Fitness Provider Permits (Permits). The report concluded that the for-pay or commercial recreational activities that occur under these Permits as private businesses, and not part of the Departments Contract Class Program, should either meet certain requirements (that had not been imposed upon approval) or should have received a Conditional Use Permit from the City's Planning Commission pursuant to zoning regulations. In response to this report and because existing permittees have operated in good faith, the Commission directed the Director of the Department of Parks, Recreation and Marine (Department) to honor all currently active Permits through the earlier date of September 30, 2019 or effective date of the new policy that is currently being developed.

On June 18, 2015, the Commission authorized an extension of Fitness Provider Permit No. 33006 (Permit 33006) with Moving Forward Fitness, LLC DBA Fit4Mom (Fit4Mom) a private business through February 29, 2020, for the conduct of a stroller strides class in Heartwell Park. Since this approval, an additional site was added in El Dorado Park West. Each site requires an annual permit fee of \$350. The Department of Parks, Recreation and Marine (Department) has received a request for approval of a change in ownership of Fit4Mom (Attachment A). One of the provisions of Permit 33006 is that it cannot be assigned or transferred.

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As Fit4Mom is a corporation (as opposed to an individual or sole proprietor), the sale of a corporate entity could be considered a change of ownership and a prohibited transfer under the Permit provisions. The City Attorney's Office has suggested that the Commission make the policy determination whether its directive to temporarily grandfather existing Permits would apply to all permittees regardless of their future ownership structure, and whether to allow for the assignment or transfer of Permit 33006.

FISCAL IMPACT

If the transfer of Permit 33006 is allowed, there will be no fiscal impact. If the permit is cancelled, there would be a loss of \$700 to the Department in revenue to the General Fund.

SUGGESTED ACTION:

Approve one of the suggested recommendations

Respectfully Submitted,


STEPHEN P. SCOTT
DEPUTY DIRECTOR


GLADYS KAISER
MANAGER
COMMUNITY RECREATION SERVICES

APPROVED:


MARIE KNIGHT
DIRECTOR

MK:SS:GK:rl/dr

Att. A: Ownership Transfer Request for Permit No. 33006

ATTACHMENT A

Moving Forward Fitness, LLC | 142 Harris Blvd., Indialantic, FL 32903 | stacyhinkel@fit4mom.com | 562.879.4214

Regarding: Request for agenda item at February 15th Parks Commission Meeting

January 26th, 2018

Distinguished Ladies and Gentlemen of the Long Beach Parks Commission,

It is my request that the following agenda item be added to the Parks Commission Meeting scheduled for February 15th, 2018.

I am requesting the fitness provider permits issued to Moving Forward Fitness, LLC, remain with the company after the company's sale to potential new owner, Shannon Shondeff.

Mrs. Shondeff has been the operations manager of Moving Forward Fitness, LLC for the past 14 months while I, Stacy Hinkel, the current owner of Moving Forward Fitness, LLC, have resided in Florida. Mrs. Shondeff has done a wonderful job as the operations manager and would like to purchase Moving Forward Fitness, LLC in order to retain the fitness provider permits and continue business as usual (until the eventual expiration of the fitness provider permit program).

What would change:

- Ownership of the LLC.

What would stay the same:

- Name of the LLC
- Programs offered by Moving Forward Fitness, LLC
 - Stroller Strides
 - Stroller Barre
 - Fit4Baby
 - Body Back
- All class times and locations
- All operations/systems (retaining waivers from all participants, etc.)
- EIN
- Insurance company and coverage

Perceivable inconveniences to the city:

- None or minimal paperwork.

Potential New Owner:

Shannon Shondeff

637 Euclid Ave., Long Beach, CA

shannonshondeff@fit4mom.com | 949.870.8128

Thank you,



Stacy Hinkel-Owner, Moving Forward Fitness, LLC