



Legislation Text

File #: 06-0326, **Version:** 1

Recommendation to authorize City Manager to execute a License Agreement with Conte Productions for use of 40 contiguous parking spaces, southwest of the Marina Shipyard, west of Marina Drive, adjacent to the Alamitos Bay Marina, to conduct an Arts and Crafts Market for a term of two years with two, two-year options for renewal, subject to the discretion of the City Manager and regulatory approval. (District 3)

The South Coast Ecumenical Council has operated a Sunday Farmers' Market in the public parking lot adjacent to the Alamitos Bay Marina for the past five years. Conte Productions, a company specializing in producing arts and crafts markets, first approached the Department of Parks, Recreation and Marine (Department) with a request to permit space for a Saturday Arts and Crafts Market in the same space occupied by the Sunday, Farmers' Market. Conte's request for a Saturday market was declined, as it would adversely impact parking for the marina tenants, for the entire weekend.

Conte then proposed use of space adjacent to the Farmers' Market on Sundays. This item was discussed with nearby businesses and the Farmers Market organization and it was agreed that the section of the public lot that is southwest of the Marina Shipyard, west of Marina Drive, adjacent to the Alamitos Bay Marina (Attachment A) could accommodate the Arts and Crafts Market, and would pose minimal impact to the marina tenants and to the existing Farmers' Market. This location involves approximately 40 parking spaces, and would, therefore be of little impact to the parking needs of the area. A permit application has been submitted to the California Coastal Commission to include the Arts and Crafts Market, along with the Farmers' Market.

If approved, the License Agreement would include the following terms:

Premises: Approximately 40 contiguous parking spaces southwest of the Marina Shipyard, west of Marina Drive, adjacent to the Alamitos Bay Marina.

Use: The Licensee shall use the premises on Sundays, for the sale of arts and crafts items as approved by the Director of Parks, Recreation and Marine.

Hours of Operation: The Licensee shall begin setting up for the Arts and Crafts Market no earlier than 8:00 a.m. and shall be off the premises by 4:00 p.m. The hours of operation may be extended, subject to approval by the Director of Parks, Recreation and Marine.

Maintenance: The Licensee will be responsible for cleaning the premises and removing trash generated by the operation.

Term: The License Agreement will have an initial term of two years, but may be extended for two, two-year terms at the discretion of the City Manager, subject to obtaining the necessary regulatory approval. Either party may terminate the License Agreement at any time with a 30-day written notice.

Fee: The Licensee shall pay a fee of one-half of one percent of gross revenue, payable quarterly. Should the City incur any costs associated with the Licensee's use of the premises, the Licensee shall reimburse the City's expense in full.

Insurance: The Licensee shall maintain insurance coverage as defined by the City's Risk Manager.

Restroom: The Licensee will be responsible for supplying portable restroom facilities, if required by the Director of Parks, Recreation and Marine.

This letter was reviewed by Deputy City Attorney Charles Parkin on March 9, 2006, and Budget Management Officer David Wodynski on March 10, 2006.

Approval is requested on April 18, 2006, so that the market may begin operation.

The Licensee will pay one-half of one percent of gross revenue, which is projected to be approximately \$2,000 annually. Revenue resulting from the Licensee's areas of operation will be deposited in the Tidelands Fund (TF) in the Department of Parks, Recreation and Marine (PR).

Approve recommendation.

PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

GERALD R. MILLER
CITY MANAGER