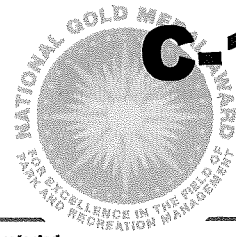


CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



C-19

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July 1, 2014

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a new Fitness Provider Permit with Ninja Nutrition and Fitness, LLC, doing business as Sexy Ninja Shape, for the provision and operation of outdoor fitness classes and personal training at Bluff Park for a term of three years. (District 3)

DISCUSSION

In March 2014, Ninja Nutrition and Fitness, LLC, doing business as Sexy Ninja Shape (SNS), submitted a completed Fitness Provider Application to the Department of Parks, Recreation and Marine (PRM) requesting the use of Bluff Park, east of Paloma Avenue, for the provision and operation of outdoor fitness classes and personal training.

SNS classes will initially consist of weekly yoga and kickboxing technique classes at Bluff Park. SNS 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 patrons. SNS 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: July 1, 2014 through June 30, 2017, with no renewal options.
- Permitted Use: The provision and operation of outdoor fitness classes and personal training within City parks during posted 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, east of Paloma Avenue. SNS 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: SNS 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.
- Insurance/Program Liability: SNS 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 Kendra L. Carney on June 5, 2014, and by Budget Management Officer Victoria Bell on June 13, 2014.

TIMING CONSIDERATIONS

City Council action is requested on July 1, 2014, in order to enable the execution of the Fitness Provider Permit.

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 Department of Parks, Recreation and Marine (PR). If additional sites are approved by the City Manager or his designee, annual revenue will increase by \$350 per site, per year. 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