



# CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE

C-10



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September 1, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the City Manager to execute a license agreement with South Coast Ecumenical Council for use of City-owned property, west of Marina Drive, between Joe's Crab Shack restaurant and Marina Shipyard, to conduct a certified farmers' market for a five-year term, with one five-year renewal option, at the discretion of the City Manager or his designee. (District 3)

## DISCUSSION

On March 21, 2000, the City Council authorized the City Manager to execute a license agreement with the South Coast Ecumenical Council (Licensee) for use of approximately 60 parking spaces within the City-owned parking lot west of Marina Drive, between Joe's Crab Shack restaurant and Marina Shipyard, to conduct a certified farmers' market. The farmers' market continues to be a lively and economically attractive venture for the City, with a growth in revenue for the nine full years since its inception starting at \$558,000, to the present \$2,205,930 in gross revenue. The Licensee shall begin setting up for the farmers' market no earlier than 8:00 a.m., and shall vacate the premises by 2:00 p.m. The hours of operations may be extended, subject to the approval of the Director of Parks, Recreation and Marine.

The farmers' market has proven to be a benefit to the community, and staff recommends that a new license agreement be executed, with the following provisions:

- Premises: Approximately 60 City-owned parking spaces, west of Marina Drive, between Joe's Crab Shack restaurant and Marina Shipyard, or at an alternate location determined by the Director of Parks, Recreation and Marine.
- Permitted Use: Licensee shall use the premises on Sundays, for the sale of fresh fruit and vegetables, eggs, cut flowers, decorative plants, seafood, honey, and other items, as approved by the Director of Parks, Recreation and Marine.
- Maintenance: Licensee shall be responsible for cleaning up the premises and hauling away their own trash.

- Term: The license agreement will have an initial term of five years, with one five-year renewal option, at the discretion of the City Manager or his designee.
- License Fee: The Licensee shall pay a license fee of one-half of one percent of gross revenue on a quarterly basis. Should the City incur any costs associated with the Licensee's use of the premises, Licensee shall reimburse the City the expense.
- Insurance: Licensee shall maintain insurance coverage as defined by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on August 5, 2009, and Budget and Performance Management Bureau Manager David Wodynski on August 4, 2009.

TIMING CONSIDERATIONS

City Council action is requested on September 1, 2009, in order to enable the execution of the license agreement.

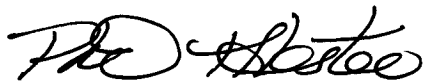
FISCAL IMPACT

Annual revenue in the amount of approximately \$11,000 will accrue to the Tidelands Fund (TF) in the Department of Parks, Recreation and Marine (PR).

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PHIL T. HESTER  
DIRECTOR OF PARKS, RECREATION AND MARINE

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APPROVED:



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PATRICK H. WEST  
CITY MANAGER