



# CITY OF LONG BEACH

Department of Parks, Recreation and Marine

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# C-14

June 22, 2004

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**SUBJECT:** Concession Permits for Exercise Classes Using City Beaches (District 3)

## DISCUSSION

Recently, the Department of Parks, Recreation and Marine became aware that regularly scheduled exercise classes were being held using City beaches, in violation of the Municipal Code, which prohibits the conduct of any commercial activity on the beach without a permit issued by the City. In response, Department staff has determined that the most practical approach to meet the demand for beach exercise classes is to issue permits allowing non-exclusive use of the beach to those entities that are able to meet the basic concession permit requirements outlined below. City Council authorization is requested to allow the City Manager to execute these permits.

The proposed permits are to be executed with those entities listed on Attachment A. The permits will contain the following terms and conditions:

- **Permitted Activity:** Permission will be granted to provide beach exercise classes for individuals and groups. Classes will consist of exercises such as stretching, running, calisthenics, and involve minimal equipment. Only small, personal exercise equipment, such as hand weights, will be permitted. Equipment such as weight machines or barbells that could create unsafe conditions or restrict access to the beach will not be allowed.

The permittees will conduct classes with the understanding that no exclusive use of the beach has been granted. The permittees will locate and operate on the beach with the safety of the general public as a priority. No permission for permanent structures has been granted, and no storage of equipment on the beach will be permitted.

- **Location:** City beaches.
- **Term:** Three years, with the option to extend for one, three-year period, subject to the approval of the City Manager.
- **Permit Fee:** Ten percent of monthly gross receipts received for conducting beach exercise classes. This is the same percentage paid by the City's kite surfing concessionaires that also use City beaches for lessons.

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- Insurance: Insurance will be provided as deemed appropriate and sufficient by the City's Risk Manager.
- Waivers: Permittees will be required to have all participants sign waivers as deemed appropriate and sufficient by the City Attorney's office.

This letter was reviewed by Deputy City Attorney Charles Parkin on June 14, 2004, and by Budget Management Officer David Wodynski on June 14, 2004.

TIMING CONSIDERATIONS

City Council action on this item is not time-critical.

FISCAL IMPACT

Revenue received from permittees will be deposited to the Tidelands Operating Fund (TF) in the Department of Parks, Recreation and Marine (PR). At this time the projected revenue from permittees is unknown. There will be no additional costs to the City to monitor compliance, as currently assigned staff will assume these additional responsibilities.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to execute concession permits with those entities listed on Attachment A for the conduct of exercise classes on City beaches for a term of three years, with the option to extend the term for one additional three-year period subject to the City Manger's approval.

Respectfully submitted,



PHIL T. HESTER  
DIRECTOR OF PARKS, RECREATION AND MARINE  
Attachment  
PTH:KP:GP:DR:dr

APPROVED:

*for*   
GERALD R. MILLER  
CITY MANAGER