



Legislation Text

File #: 10-0233, **Version:** 1

Recommendation to authorize City Manager to execute a permit with Wake Experience, LLC, to establish a wakeboard/waterski concession at Marine Stadium in the City of Long Beach for a one-year term, with two, one-year renewal options at the discretion of the City Manager or his designee. (District 3)

In July 2009, Wake Experience, LLC (Wake Experience), submitted a proposal to the Department of Parks, Recreation and Marine (PRM) for the establishment of a wakeboard/waterski concession at Marine Stadium in the City of Long Beach.

Wake Experience was founded in 2009, by professional wakeboarder and waterskiier Nick Heaney, with the goal of bringing quality wakeboarding and waterskiing instruction to the City via a concession, which would include the sale of classes, packages, and trips. Wake Experience uses a combination of premier on-water venues, professional-grade equipment/rentals, and professional instructors to provide students of all experience levels and proficiencies the opportunity to learn how to wakeboard and/or waterski as safely as possible in a controlled environment. Wake Experience chose Marine Stadium due to its location, the calmness of the water in the area, and because of its previous association with the ESPN X-Games and the hosting of their waterskiing and wake boarding competitions.

The proposed permit contains the following major provisions:

- Premises: Marine Stadium (attachment) and beachfront offshore areas where wakeboarding and waterskiing are allowed. Wake Experience's onshore operations will be limited to loading/unloading of equipment and boat launching.
- Authorized Use: Operation of a wakeboarding/waterskiing concession, which would include instructional lessons, rentals, and practice sessions. Authorized use shall only be during the hours that wakeboarding and waterskiing is allowed in Marine Stadium.
- Term: March 2, 2010 through March 1, 2011.
- Renewal Options: Two, one-year renewal options at the discretion of the City Manager or his designee.
- Permit Fee: Wake Experience shall pay the City ten percent of annual gross receipts, excluding revenue collected to pay applicable State sales tax, or an annual minimum amount of \$1,000, whichever is greater.
- Insurance: Wake Experience shall provide insurance coverage as defined by the City's Risk

Management Office.

· Permit Guidelines: Wake Experience shall comply with all City, State, and Federal regulations regarding commercial on-water businesses, and shall strictly comply with any and all instructions received from PRM, Long Beach Fire Department lifeguards, and the United States Coast Guard.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on January 29, 2010, and Budget and Performance Management Bureau Manager David Wodynski on February 5, 2010.

City Council action is requested on March 2, 2010, in order to enable the execution of the permit.

The greater of annual minimum revenue in the amount of \$1 ,000 or ten percent of Wake Experience's gross revenue will accrue to the Tidelands Operating Fund (TF) in the Department of Parks, Recreation and Marine (PR).

Approve recommendation.

PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER