



Legislation Text

File #: 22-0272, **Version:** 1

TO:
Honorable Mayor and Members of the City Council

THROUGH:
Bruce Moe, City Manager

FROM:
Mark Leyman, Parks and Recreation Director
Linda Robb, Sr. Management Analyst

SUBJECT:
Consideration of a Resolution Approving a Memorandum of Understanding with Oceanographic Teaching Stations for a One-Year Extension of the Pilot Program Authorizing the Use of the Roundhouse for Fundraising Events (Parks and Recreation Director Leyman).
ADOPT RESOLUTION NO. 22-0083

RECOMMENDATION:
Staff recommends that the City Council consider approving a Memorandum of Understanding (MOU) with Oceanographic Teaching Stations (OTS) for a one-year extension of the pilot program authorizing the use of the Roundhouse for fundraising events.

FISCAL IMPLICATIONS:
If the agreement is approved, OTS will pay the City 15% of the aggregate amount of all "License Fees" received from the use of the Roundhouse for authorized events. Fees received from OTS will be allocated to the State Pier and Parking Lot Fund. During the pilot period one fundraising event was held. OTS received \$2,800 in license fees and paid \$420 to the City.

BACKGROUND:
On June 16, 2020, City Council approved a six-month pilot program authorizing the use of the Roundhouse for fundraising events. Due to the COVID-19 pandemic, the pilot program was delayed until September 2021 and ran through March 2022.

OTS is required to provide seven business days advance notice of events to the City. Permissible activities, including birthday parties, neighborhood dinners, appreciation events, speakers/lectures, and corporate gatherings are outlined in the attached MOU between the City and OTS.

DISCUSSION:
The attached MOU allows OTS to license third parties to use the Roundhouse for certain events, including the serving of alcohol at those events, for the purpose of generating revenue for the OTS.

The events are subject to the following conditions:

1. OTS shall enter into a license agreement with the event sponsor.
2. Permissible events include birthday parties, neighborhood dinners, appreciation events, speakers/lectures, and corporate gatherings.
3. OTS shall provide at least seven business days advance notice.
4. All events shall occur between the hours of 6:00 pm and 10:30 pm during the winter period (November to April), and between the hours of 7:00 pm and 10:30 pm for summer events (May -October)
5. Maximum Occupancy: 40
6. Private security is required for events of twenty or more people.
7. No event may block access to any part of the Pier at any time without prior written approval from the City.
8. There shall be no driving on the pier, no smoking, no gasoline or other combustibles, no cooking, no animals, nothing may be attached to walls or display tanks, no access to office or lab areas, no use of plastic straws or bags, no tents or pop-ups on the pier, and no feeding of the fish and other sea specimens.
9. The City shall have the right to use the Roundhouse up to ten times per year for special functions. City events shall take precedence over any authorized events.
10. In order to allow alcohol service at events, OTS agrees to maintain liquor liability insurance verified by the City's Risk Manager. No alcoholic beverages are to be sold during any event.

Due to the short pilot time period and small number of events that occurred staff recommends a one year license agreement to properly evaluate the program.

It is important to note that the events at the OTS are subject to any and all limitations and protocols from the State and County Health Officers with regard to COVID-19.

PUBLIC OUTREACH:

After analysis, staff determined that public outreach was not required for this issue.

ENVIRONMENTAL REVIEW:

The City has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

ATTACHMENTS:

1. Resolution No. 22-0083
2. Memorandum of Understanding - Oceanographic Teaching Stations, Inc.