



Legislation Details (With Text)

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On agenda: 10/27/2020 **Final action:**
Title: APPROVAL OF AGREEMENT WITH THE HERMOSA
BEACH KIWANIS CLUB FOR THE HOLIDAY TREE LOT
ON THE COMMUNITY CENTER'S EAST LAWN
FOR A THREE-YEAR TERM
(Community Resources Manager Kelly Orta)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1. Proposed Agreement with the Hermosa Beach Kiwanis Club, 2. 2. SUPPLEMENTAL eComment from Michael Bell (submitted on 10-27-20 at 11:42am).pdf, 3. 3. SUPPLEMENTAL eComment from Lucas Commiso (submitted on 10-27-20 at 2:44pm).pdf

Date	Ver.	Action By	Action	Result
10/27/2020	1	City Council		

**Honorable Mayor and Members of the Hermosa Beach City Council
Regular Meeting of October 21, 2020**

**APPROVAL OF AGREEMENT WITH THE HERMOSA
BEACH KIWANIS CLUB FOR THE HOLIDAY TREE LOT
ON THE COMMUNITY CENTER'S EAST LAWN
FOR A THREE-YEAR TERM
(Community Resources Manager Kelly Orta)**

Recommended Action:

Staff recommends that the City Council:

1. Approve the agreement with the Hermosa Beach Kiwanis Club for its annual holiday tree lot fundraiser held on the Community Center's east lawn for a three-year term; and
2. Add estimated revenue of \$7,700 to the 2020-21 Budget.

Executive Summary:

The Hermosa Beach Kiwanis Club was chartered in 1926 and currently has 33 active members. Its philanthropic efforts focus on improving the lives of children and the communities where they live. The club's largest fundraiser is its annual holiday tree lot held on the Community Center's east lawn between the Thanksgiving and Christmas holidays. Recently, staff has worked with Kiwanis Club representatives to develop an agreement for this annual fundraiser, which has never held a formal agreement for its implementation on City property. The proposed agreement would be for a three-

year term with an option to extend two additional one-year terms; exclusive use of a nearby storage facility at a cost of \$225 per month; full reimbursement of lawn restoration costs following the removal of the tree lot; and \$5,000 annually for use of the lawn. Additional provisions and requirements related to safety, security, and COVID-19 precautionary measures are also included.

Background:

The Kiwanis organization is a global volunteer group that has philanthropic efforts towards improving the lives of children and the communities they live. The Hermosa Beach Kiwanis Club was chartered in 1926 and has been active ever since. Currently, it has 33 active members and is governed by a nine-member Board of Directors in addition to six Officers. In 1957, the Hermosa Beach Kiwanis Club built its current clubhouse, located at 2515 Valley Drive at Valley Park. Shortly thereafter, the clubhouse was donated to the City and the club entered into a lease agreement with the City for its exclusive use for club-related activities and facility rentals. The current lease agreement, which includes a 25-year term, is scheduled to expire on August 11, 2031.

As part of the Kiwanis Club's fundraising efforts, it began operating a holiday tree lot in 1987 on the Community Center's east lawn between the Thanksgiving and Christmas holidays. An overwhelming majority of the club's revenue, which is allocated for donations to community projects, organizations and scholarships, is made possible from the success of its holiday tree lot. There has never been a formal agreement for this activity on City property. As part of the City's efforts to professionalize all City operations and ensure we have executed agreements in place for all City facility uses, staff has been working with Kiwanis Club representatives for several weeks to develop the proposed agreement for its use of the Community Center east lawn as well as the storage unit just south of the Community Center gymnasium.

Discussion:

Kiwanis Club representatives have been meeting with staff to develop the proposed agreement, included as **Attachment 1**, which outlines its use of the Community Center east lawn and the exclusive use of a storage unit located just south of the Community Center gymnasium. The proposed agreement includes the following terms:

- **Term:** three-year term commencing immediately and expiring following the 2022 holiday season. The agreement may be extended by two one-year terms at the exclusive discretion of the City.
- **Storage Unit:** exclusive use of the storage unit for tree lot related equipment.
- **Fees**
 - Full reimbursement of lawn restoration costs following the removal of the tree lot;
 - \$225 monthly for use of the storage unit; and
 - \$5,000 annual location use fee for use of the Community Center east lawn.
- **COVID-19 Precautionary Measures:** requirement to abide by the Los Angeles County Department of Public Health's health order and applicable retail guidelines.
- **Annual Presentation to Commission:** following the holiday season, Kiwanis representatives

would be required to provide an annual presentation to the Parks, Recreation and Community Resources Advisory Commission on the success of the tree lot as well as an overview of the Kiwanis club's philanthropic efforts in the community.

To date, the Kiwanis club has not paid a location use fee or for its use of the storage unit. It has paid for lawn restoration fees for several years considering the amount of wear the lawn gets from tree lot activities and visitors.

General Plan Consistency:

This report and associated recommendation have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

Governance Element

Goal 6. A broad-based and long-term economic development strategy for Hermosa Beach that supports existing businesses while attracting new business and tourism.

Policies:

- **6.6 Pop-up Shops.** Develop plans and programs for underutilized spaces, such as vacant buildings, utility corridors, parkways, etc., for temporary retail, restaurant, and community-promoting uses.

Parks & Open Space Element

Goal 3. Community parks and facilities encourage social activity and interaction.

Policies:

- **3.1 Community-friendly events.** Encourage, permit, and support community group, nonprofit, or business organized events on City property that support physical activity, beach culture, and family-friendly social interactions.
- **3.3. Commercial use of facilities.** Regulate and enforce commercial use of City parks and open spaces to ensure activities do not impact general use and enjoyment.
- **3.4 Balance space needs.** Balance the space needs and demand on public resources of formal and informal events.

Fiscal Impact:

Approval of this agreement would result in an additional \$7,700 of revenue annually for the Kiwanis' use of the Community Center east lawn and storage unit. The additional revenue of \$7,700 would be added to the 2020-21 Budget.

Attachments:

1. Proposed Agreement with the Hermosa Beach Kiwanis Club

Respectfully Submitted by: Kelly Orta, Community Resource's Manager

Noted for Fiscal Impact: Viki Copeland, Finance Director

Legal Review: Mike Jenkins, City Attorney

Approved: Suja Lowenthal, City Manager