



City of Huntington Beach

File #: 20-1479

MEETING DATE: 3/16/2020

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Chris Slama, Director of Community Services

Subject:

Authorize staff to release a Request for Proposal (RFP) to permit up to three vendors to provide Stand-up Paddleboard / Kayak Lessons, Rentals and Tours out of 11th Street and 17th Street beaches on a pilot basis

Statement of Issue:

The City Council is requested to authorize staff to release a Request for Proposal (RFP) for stand-up paddle board (SUP)/kayak lessons, rentals and tours in the harbor water and beaches on a pilot basis in order to evaluate commercial activities.

Financial Impact:

There is no financial impact associated with releasing the RFP. Implementation of the pilot program as proposed would generate new revenues to the City's General Fund; however, since this is a new program, the amount is unknown at this time.

Recommended Action:

Authorize City staff to release a Request for Proposal (RFP) to permit up to three vendors to provide stand-up paddleboard/kayak lessons, rentals and tours out of 11th Street beach (up to two vendors) and 17th Street beach (one vendor) on a pilot basis.

Alternative Action(s):

Do not approve the recommended action and direct staff accordingly.

Analysis:

The City and Harbor Commission (Commission) have been made aware of unpermitted activity happening in City harbors and parks. As part of a review of this activity, the Commission's Water Safety subcommittee (Subcommittee) has discussed numerous safety and impaction concerns regarding unpermitted instruction and rentals. From a regulatory perspective, the City's Municipal Code is very clear on commercial operations within Huntington Harbour waters and public parks stating that a permit is required for any commercial operation.

13.48.100 Vending and Peddling

No person shall expose or offer for sale any article or thing nor shall he or she station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing except by written permission from the director. No person shall give, set up or maintain any exhibition, show, performance, concert, lecture, entertainment or similar activity without written permission to do so from the director. No person shall for profit offer sports camps, sports lessons or other similar activity on park property without the written permission of the director. (434-3/40, 511-3/47, 1026-2/64, 1246-10/66, 2451-11/80, 2824-4/87)

13.32.040 Permit for Commercial Activities Required

No person shall engage in or carry on any commercial activity on the waters of harbors within the City without first having applied for and obtained a permit for such activity from the director.

Historically, the City has not had a formal comprehensive process for the issuance of permits to allow for private commercial business operation in harbor waters and beaches. The objective of the RFP would be to identify and issue permits on a pilot basis to qualified businesses interested in operating SUP/kayak lessons, rentals and tours in the harbor waters and beaches, while fairly and safely allocating limited public beach and park space. Subsequent to the RFP process, special permits with substantive operating regulations, in addition to Commercial Activity Permits pursuant to Municipal Code 13.32.040, would be issued to as many as three business/organizations for a pilot period of twelve months.

The sales percentage/payment terms to be paid to the City as one of the selected permittees would be negotiated through the RFP process as part of an Independent Contactor Agreement. Permittees would be required to work directly with City staff and remain within the scope of services outlined in the RFP.

During the twelve-month pilot period, the Subcommittee would continue to meet and evaluate the ongoing permitted use of City beaches and parks for SUP/kayak lessons, rentals and tours in the harbor waters and beaches, and ultimately return to the Commission with formal, long-term recommendations based upon findings.

The Commission and staff believe that this methodology provides a middle-ground approach, allowing businesses to provide services, while allowing the Subcommittee, staff and Commission to effectively evaluate SUP/kayak lessons, rentals and tours in the harbor water and beaches before long-term permitting decisions/processes are recommended.

At the January 23, 2020 Commission meeting, staff reported on the current activity on park/beach space for residents and passive recreation use. A listing of the pros, cons and potential impacts these activities would have within the six public parks with beach access:

- Seabridge
- Trinidad
- Humboldt
- Davenport
- 11th Street
- 17th Street

Based on discussion, Commission proposed to use 11th Street and 17th Street beaches as the pilot program. Historically, there has been activity at these locations, and they have ample beach space and would have less impact on the residents. Only those businesses selected through the RFP process would be permitted for such activity during the pilot program. Permits for SUP/ kayak lessons, rentals and tours would not be permitted at any other harbor beaches unless recommended by Commission and approved by City Council.

At the February 27, 2020 Harbor Commission meeting, the Commission recommended for City Council to approve staff to conduct a Request for Proposal (RFP) to permit up to three vendors to offer tours, lessons and rentals out of 11th Street and 17th Street beaches.

Environmental Status:

Not applicable

Strategic Plan Goal:

Enhance and maintain high quality City services

Attachment(s):

1. 11th Street Beach Site
2. 17th Street Beach Site