



## Legislation Details (With Text)

<b>File #:</b>	79578	<b>Version:</b>	1	<b>Name:</b>	Authorizing the Mayor and City Clerk to execute an agreement with BKM Group, LLC to conduct food and beverage concession sales (alcoholic and non-alcoholic) and selling supporting merchandise at Olbrich Park from the years of 2024 - 2031. (District 15)
<b>Type:</b>	Resolution	<b>Status:</b>			Passed
<b>File created:</b>	8/29/2023	<b>In control:</b>			Parks Division
<b>On agenda:</b>	9/19/2023	<b>Final action:</b>			9/19/2023
<b>Enactment date:</b>	9/25/2023	<b>Enactment #:</b>			RES-23-00588
<b>Title:</b>	Authorizing the Mayor and City Clerk to execute an agreement with BKM Group, LLC to conduct food and beverage concession sales (alcoholic and non-alcoholic) and selling supporting merchandise at Olbrich Park from the years of 2024 - 2031. (District 15)				
<b>Sponsors:</b>	Dina Nina Martinez-Rutherford, Charles Myadze, Derek Field				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Olbrich Park Beach House Use Agreement (Biergarten) (Final).pdf				

Date	Ver.	Action By	Action	Result
9/19/2023	1	COMMON COUNCIL	Adopt Unanimously	Pass
9/11/2023	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
9/6/2023	1	BOARD OF PARK COMMISSIONERS	Return to Lead with the Recommendation for Approval	Pass
9/5/2023	1	FINANCE COMMITTEE	Referred	
9/5/2023	1	COMMON COUNCIL	Referred	
8/29/2023	1	Parks Division	Referred for Introduction	

### Fiscal Note

This resolution authorizes up to a 8-year agreement with BKM Group, LLC at Olbrich Park. The agreement will set forth the terms and conditions upon which the City will allow BKM Group, LLC to conduct food and beverage concession sales (alcoholic and non-alcoholic) and selling supporting merchandise. The agreement will begin upon execution and conclude on December 31, 2031, unless not renewed or terminated earlier. BKM Group, LLC will pay the City an anticipated \$283,200 over the eight (8) years of the agreement and make a minimum of \$15,000 in capital improvements to the City's facilities. These revenues will be recognized in the Parks Division Operating Budget.

### Title

Authorizing the Mayor and City Clerk to execute an agreement with BKM Group, LLC to conduct food and beverage concession sales (alcoholic and non-alcoholic) and selling supporting merchandise at Olbrich Park from the years of 2024 - 2031. (District 15)

### Body

WHEREAS, for many years, vendors have entered into agreements with the City allowing vendors to provide recreational, placemaking, and concession services to City residents and visitors at City shelters and facilities

located at numerous City parks, which agreements are in the public's interests as they facilitate greater access and enjoyment of the City's parks, lakes, and recreational opportunities; and,

WHEREAS, the vendors provide services to City residents and visitors, such as canoeing, kayaking, and boating lessons, watercraft rentals, kids camps, and food and general concessions, that the City does not, and cannot, otherwise provide at these, or other, locations, but that are in the public's interest, which services help the City with its placemaking efforts at the City's parks; and,

WHEREAS, it is in the City's interest to have only one vendor of these recreational and concession services at each Park to ensure that general public's use of the Park is not interfered with, and that the vendor complies with general standards of safety and care in its dealings with the public; and,

WHEREAS, Permittee was previously selected to provide placemaking services at the Olbrich Beach House in Olbrich Park, consisting of food and alcohol concessions in a biergarten setting, and has done so since 2017 pursuant to an existing Use Agreement between Permittee and the City, the term of which expires December 31, 2023 (the "Original Agreement");

WHEREAS, the parties desire for Permittee to continue to provide such placemaking services following the expiration of the Original Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are authorized to execute a Use Agreement for the Olbrich Beach House with BKM Group, LLC, to conduct food and beverage concession sales (alcoholic and non-alcoholic) and selling supporting merchandise at the Olbrich Park Beach House from 2024-2031, in a format that is approved by the City Attorney, and that is consistent with the Agreement attached hereto.