

1. Requested Motion:

Meeting Date: April 5, 2010

Approve request to use the Bay Oaks Recreation Campus as the site for the 15th Annual Taste of the Beach to be held on Sunday, May 16th, 2010, and authorize the sale and consumption of alcohol as provided in Ordinance #99-15.

Why the action is necessary:

Council must approve all Special Event Permits for events involving alcohol. Council must also approve the use of the Bay Oaks Recreation campus for this event.

What the action accomplishes:

Allows staff to issue the Special Event Permit and the applicant to move forward with the event.

2. Agenda:

3. Requirement/Purpose:

4. Submitter of Information:

- Consent
- Administrative

- Resolution
- Ordinance
- Other: Special Events Permit

- Council
- Town Staff – Public Works
- Town Attorney

5. Background:

The 15th annual Taste of the Beach, sponsored by the Fort Myers Beach Area Chamber of Commerce, is scheduled to be held on Sunday, May 16, 2010 from 11:00 – 6:00 PM. The annual event highlights the restaurants and craftspeople of Fort Myers Beach. This event has been held at several different locations in the past, including some locations outside of the jurisdiction of the Town. The Chamber of Commerce is requesting permission to hold the event at the Bay Oaks Recreational Campus, and hopes to hold the Taste of the Beach at Bay Oaks in the future as well. Activities at the Taste of the Beach will be competitions among the restaurants, a live band, crafts vendors, food and drinks. Additional activities will include kids' inflatable games, a cooking demonstration and wine tasting. It is a goal set for Bay Oaks staff to develop the campus into a true community center with events like Taste of the Beach. This event will have the potential to bring several thousand people to the campus throughout the day and will help raise community awareness of the facility and its programs.

6. Alternative Action:

Deny the application.

7. Management Recommendations:

Staff supports holding the Taste of the Beach at Bay Oaks.

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director	Town Clerk
						

9. Council Action:

- Approved
- Denied
- Deferred
- Other



Memorandum

To: Cathie Lewis, Public Works Director
From: Nicole Olsen, Recreation Manager
Date: March 16, 2010
Re: Special Event Permit Application for Taste of the Beach

On Monday, March 15th, I met with two representatives of the Chamber of Commerce (John Albion, Carl Conley) to go over the details of their Special Event Permit application. The event is scheduled for Sunday, May 16th, 2010, from 11am – 6pm. The main focus of the event is to showcase the restaurants in the Fort Myers Beach area and provide an afternoon of family entertainment. There will be competitions among the restaurants, a live band, crafts vendors, food and drinks. It is the intention of the Chamber to provide seating inside the gym as well as outside under the trees near the playground. In case of rain, the event will be held inside the gym; under no circumstances will there be any cooking allowed inside the building. If issuance of the permit is approved by Council, the Bay Oaks Recreational Campus staff will plan to add to the festivities by highlighting its programs throughout the day and providing information and registration for upcoming summer activities. The Chamber of Commerce is requesting to rent the building and the grounds (excluding the ball fields) for this event, as well as allowing anyone who pays the entrance fee to the event to be able to use the pool for no additional charge. The rental fee will be increased to accommodate the use of the pool and the additional staff required to operate it safely. Estimated staffing costs to the Town for this event is \$1,127.

Oak Street will be closed at School Street to allow event volunteers, vendors and staff to park in the spaces in front of the ball fields. As the pool is typically open on Sundays, the pool parking lot will be reserved for pool pass holders and those members of the public that are intending on using the pool and not necessarily attending the event. Town staff and volunteers will be managing parking at Town Hall and in the right-of-way on Oak Street; event attendees parking in these areas will do so for a fee which will directly benefit the teen and senior programs. Some parking will also be available at Sea Grape Plaza, and the Chamber of Commerce is working to secure additional parking at Topps, the library and the Methodist Church.

The Chamber of Commerce is requesting Council approval for the sale and consumption of alcohol on premises. The alcohol will be served from one location at the event and the boundaries of the permitted area will be clearly marked with signs reading "No Alcohol Beyond this Point".

Upon approval from Council and issuance of the Special Event Permit, the Chamber of Commerce will enter into a rental agreement with the Town for use of the Bay Oaks property and recreation center, equipment and any applicable staff time. An appropriate cleaning/security deposit and event insurance which covers the consumption of alcohol and names the Town as an additional insured will be required when the agreement is signed. The Chamber of Commerce will provide portable toilets to eliminate the strain on the recreation center's restroom facilities. Additional dumpsters will be brought in at the expense of the Chamber of Commerce.

Stage for band

Portable toilets

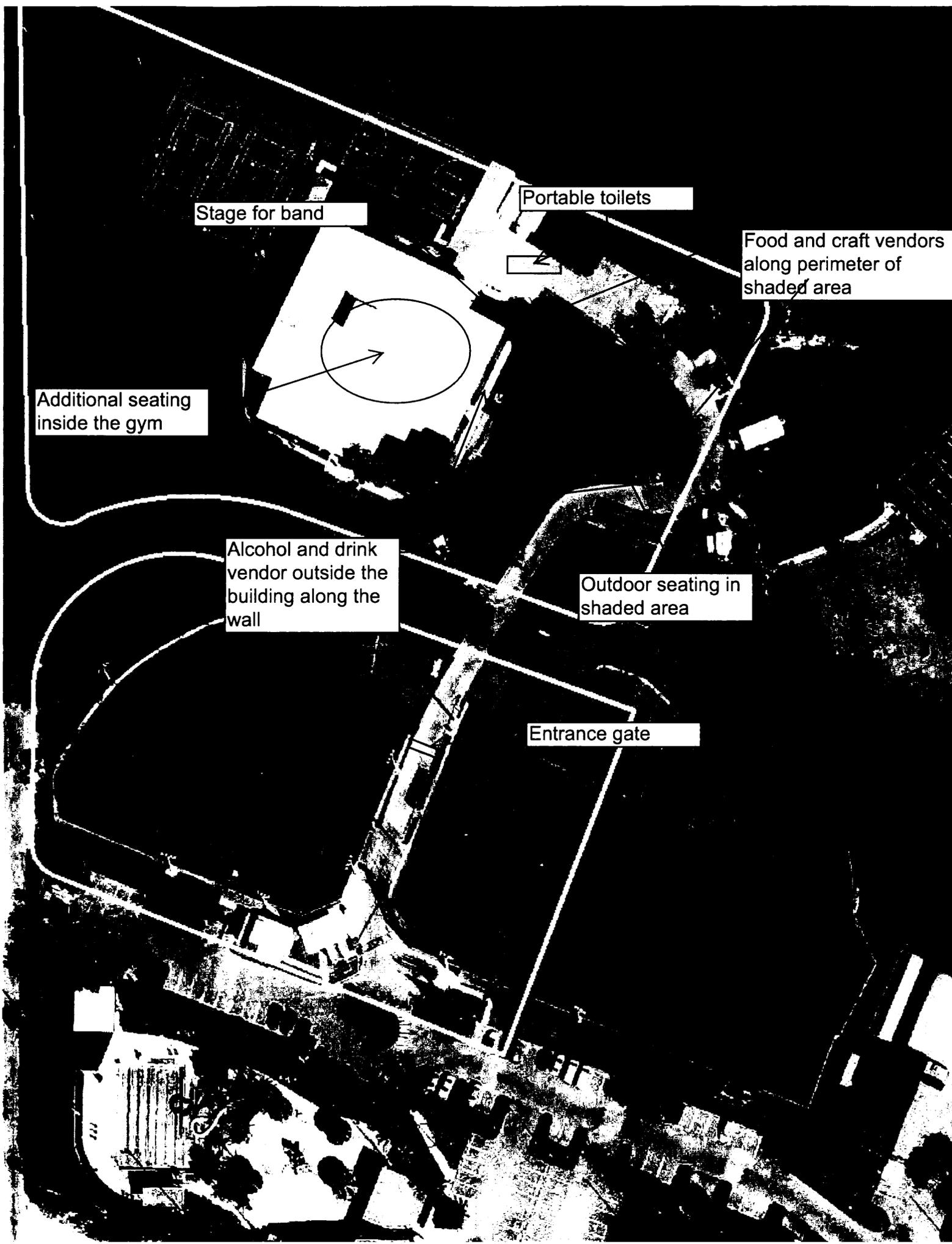
Food and craft vendors along perimeter of shaded area

Additional seating inside the gym

Alcohol and drink vendor outside the building along the wall

Outdoor seating in shaded area

Entrance gate





MEMO

DATE: March 25, 2010
TO: Terry Stewart, Town Manager
FROM: Cathie Lewis, Public Works Director *C Lewis*
SUBJECT: Rental Agreement – Taste of the Beach

I spoke with John Albion and Carl Conley regarding the rental agreement for utilizing the Bay Oaks Campus for the Taste of the Beach.

They have decided not to pursue the rental for the pool as part of the event. That reduces the rental amount down to \$1,725.00. Carl requested that the rate be reduced to \$1,500.00, which I have agreed to.

Last year the event was not well attended due to many factors and I believe the Chamber may have lost money on it. So I knew going into this that they were sensitive with that and with this being a new location for the event.

I believe the original amount set was a fair amount, but believe that with the potential of this becoming an annual event that it was worth reducing the fee this first year.

With your approval this can move forward.

pc: file

**RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 09-34
BAY OAKS RECREATIONAL CAMPUS FEE SCHEDULE**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS
BEACH, FLORIDA, ESTABLISHING A FEE SCHEDULE FOR USE OF THE BAY
OAKS RECREATIONAL CAMPUS; PROVIDING FOR TOWN MANAGER
AUTHORITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Bay Oaks Recreational Campus (BORC) is a well- integrated recreation campus owned and operated by the Town of Fort Myers Beach, and features a community pool, recreation center and public park with several athletic field options; and

WHEREAS, Policy 10-D-1 of Objective 10-D (Community Recreation) of the adopted Comprehensive Plan for the Town of Fort Myers Beach states that it is the policy of the Town to establish an equitable system of user fees to help fund the operations and enhancements of the Bay Oaks Recreation Center; and

WHEREAS, the Town Council of the Town of Fort Myers Beach appointed an Ad Hoc Committee to provide for the Bay Oaks Recreation Center Transition, facilitated by Town resident Dennis Weimer; and

WHEREAS, on October 19, 2009, the Ad Hoc Committee delivered its recommendations as to First Five Year Plan – January 2010 through December 2014 for the BORC; and

WHEREAS, one of the Ad Hoc Committee recommendations pursuant to the above-cited Comprehensive Plan Policy, was to set up a BORC fee schedule, with annual memberships, daily passes, a separate fee schedule for the pool, and discretionary reductions in fees for special events in combination with facility rentals or other special promotions; and

WHEREAS, the Ad Hoc Committee further recommended that a relatively small initial fee would encourage membership and usage, both of which were goals of the First Five Year Plan; and

WHEREAS, based on the current economic climate and the recommendations of the Ad Hoc Committee, the Town Council has determined that it is prudent to adopt the schedule

of fees and charges which is attached to this Resolution as Exhibit "A" and hereby incorporated by reference.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. Incorporation of Whereas Clauses. The above "Whereas" clauses are hereby incorporated by reference as though fully set forth herein.

Section 2. Reasonableness of Schedule of Fees and Charges. The Schedule of Fees and Charges which is attached hereto as Exhibit "A" is reasonable and its adoption by the Town is in the best interest of the life, safety, welfare and economic well-being of its citizens, resident, business owners, property owners and others who utilize the Bay Oaks Recreation Campus facilities.

Section 3. Adoption of Schedule of Fees and Charges. the Town hereby adopts the Schedule of Fees and Charges which is attached as Exhibit "A".

Section 4. Town Manager Authority. The Town Council hereby grants the authority to the Town Manager to deviate from the fee and charges set forth in the attached Schedule of Fees and Charges for purposes of special promotions, special events, marketing events or other reasonable purposes, so long as such deviations are of non-recurring nature and of short duration.

Section 5 Effective Date. This resolution shall take effect on January 1, 2010 and continue in effect until further action by Town Council.

The foregoing Resolution was adopted by the Town Council on November 2nd, 2009 upon a motion by Vice Mayor Acken and second by Councilmember List. Upon being put to a vote, the result was as follows:

Larry Kiker, Mayor	<u>aye</u>	Herb Acken, Vice Mayor	<u>aye</u>
Bob Raymond	<u>aye</u>	Jo List	<u>aye</u>
Tom Babcock	<u>aye</u>		

TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH

By: _____

Larry Kiker, Mayor

Approved as to legal sufficiency:

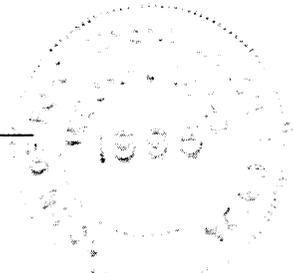
ATTEST:

By: _____

Anne Dalton, Esquire
Town Attorney

By: _____

Michelle Mayher, Town Clerk



**BAY OAKS RECREATIONAL CAMPUS
FEE SCHEDULE
Effective January 1, 2010**

GENERAL BAY OAKS RECREATIONAL CAMPUS MEMBERSHIP

Resident - Individual	Resident - Family
Bay Oaks Annual Membership - \$25.00	Bay Oaks Annual Membership - \$50.00
Day Pass – Adults - \$4.00 - Children under 12 - \$2.00	Day Pass - \$8.00
Non-Resident - Individual	Non-Resident - Family
Bay Oaks Annual Membership - \$35.00	Bay Oaks Annual Membership - \$70.00
Day Pass – Adults - \$4.00 - Children under 12 - \$2.00	Day Pass - \$8.00
Seasonal – Up to Six Consecutive Months Resident - \$15.00 Non-Resident - \$20.00	Seasonal – Up to Six Consecutive Months Resident - \$30.00 Non-Resident - \$40.00

COMMUNITY POOL

Bay Oaks Member - Individual	Bay Oaks Member - Family
Annual Pass - \$50.00	Annual Pass - \$100.00
Day Pass – Adult - \$3.00 - Children under 12 - \$1.00	Day Pass - \$6.00
Non-Bay Oaks Member - Individual	Non-Bay Oaks Member – Family
Annual Pass - \$75.00	Annual Pass - \$125.00
Day Pass – Adult - \$4.00 - Children under 12 - \$2.00	Day Pass - \$8.00
Seasonal – Up to Six Consecutive Months Bay Oaks Member - \$30.00 Non-Bay Oaks Member - \$40.00	Seasonal – Up to Six Consecutive Months Bay Oaks Member - \$55.00 Non-Bay Oaks Member - \$65.00

YOUTH PROGRAMS

Club Rec – Semester - \$75.00	Club Rec – School Year - \$150.00
Summer Camp – Week - \$65.00	Summer Camp – Eight Weeks - \$500.00
Fun Days – Per Day - \$13.00	School Year - \$415.00

COMMUNITY POOL PROGRAMS

Water Exercise & Therapy – Member - \$4.00	Water Exercise & Therapy – Non-Member \$5.00
Lap Swimming – Member – Included	Lap Swimming – Non-Member - \$2.00 per Day
Swim Lessons – Member/Non Member - \$30.00	

SPECIAL PROGRAMS – BAY OAKS AND COMMUNITY POOL PROVIDED BY OUTSIDE CONTRACTORS

Non-members – 20% of Fee Collected by Contractor	Members – 10% of Fee Collected by Contractor
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FACILITY RENTALS/RESERVATIONS *

Bay Oaks Recreation Building – Minimum \$20.00 per hour or 150.00 per day + Incidentals**
Bay Oaks Recreation Classrooms – Registered non-profits - \$15.00 per hour; All others - \$25.00 per hour + Incidentals**
Ball Fields - \$50.00 per 4 hours; with equipment \$75.00 per 4 hours + Incidentals**
Tennis Courts – 1 Court – Member – Free; Non-Member - \$5.00; Multiple Courts – Member - \$5.00 per court; Non-member - \$5.00 per court
Basketball Courts (inside and outside) - 1 Court – Member – Free: Non-Member - \$5.00
Community Pool – (Does not include refreshments or meals) Entire Facility - \$75.00 per hour; Entire Facility (excluding kiddies pool) -\$50.00 per hour During Regular Pool Hours, Provided a Designated Area for Event – Adult - \$3.00 per person; Children - \$1.00 per person

The Town Manager has the ability, on a case-by-case basis, to adjust the fees set forth above for special promotions, special events, marketing events and/or other reasonable purposes upon written application at least 45 days in advance.

*Facility Rental Costs include facility preparation and clean-up; Incidentals are an option and include but not limited to refreshments, meals, materials, or use of kitchen and kitchen clean up.

** A twenty percent (20%) deposit required, refundable if cancelled 15 or more days prior to date of use ; non-refundable if cancelled less than 15 days prior to use.

LEAGUE/TEAM SPORTS

Ball Fields, Tennis Courts, Basket Ball Courts, Pool, Disk Golf - \$2.00 per person
(Facility Rental Costs may apply to each league except for the ball fields. Exact pricing will be determined based on additional staff and facility requirements as approved by the Town Manager.)