



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: General Services
Department No.: 063
For Agenda Of: February 5, 2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Bob Nisbet, Director (560-1011)
Director(s) General Services Department
Contact Info: Paddy Langlands, Assistant Director (568-3096)
Support Services Division
**SUBJECT: Happy Trails Pony Ride Concession at Waller Park; Fourth Supervisorial District;
Folio No. 003284**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors execute, in duplicate, a Concession Agreement with Jeff and Andrea Leonard, husband and wife, dba Happy Trails Pony Rides at Waller Park in Santa Maria (Fourth Supervisorial District), for a period of five years commencing upon execution of the agreement and expiring on September 30, 2012. The Parks Department will receive a 5% commission on gross sales from the concession, which totals approximately \$1,000.00 annually. This revenue goes towards offsetting the operational costs of Waller County Park.

Summary Text:

The current concession lease agreement with Jeff and Andrea Leonard to operate a pony ride concession at Waller Park in Santa Maria expired on September 30, 2007. The proposed agreement (Attachment 1) provides that the Parks Department will receive 5% of gross sales from the pony ride concession. The agreement will continue the operation of the pony ride concession for another five years, with an additional five-year renewal option at the County's discretion. The agreement also allows the Leonard's to expand their hours of operation in order to maximize their earning potential.

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Background:

On April 5, 1994, the Board of Supervisors approved a concession agreement with Mr. Gordon Harris, granting him the right to operate, maintain, and manage a children's pony ride concession on a portion of Waller County Park in Santa Maria for the benefit of the general public. This agreement was for a period of five years, with an option to renew the agreement for one additional five-year period, which option was exercised on December 15, 1998.

Mr. Harris requested assignment of the concession to Ms. Vivian Jeannie Reynoso, doing business as Giddy-up Go Pony Rides. Ms. Reynoso assumed responsibility for the pony ride concession at Waller Park upon approval by the Board of Supervisors on September 5, 2000.

In July 2002, the Parks Department received a letter from Ms. Reynoso stating that she could no longer operate the pony ride concession and requested that it be assigned to Donna Nelson-Cockrell and Jeff Leonard, doing business as Happy Trails Pony Rides. On December 10, 2002, the Board of Supervisors approved the Assignment of Concession Agreement, Assumption of Performance, Consent to Assignment, and Second Amendment to Concession Agreement, which assigned the concession to Donna Nelson-Cockrell and Jeff Leonard. However, that partnership ended on May 15, 2006, when Ms. Cockrell and Mr. Leonard filed a Dissolution of Partnership. Mr. Leonard immediately filed a fictitious business application to keep the "Happy Trails" business name and assumed sole responsibility for the agreement with the County. Mrs. Leonard joined him in the business and is now a partner in the concession operation. The concession agreement with the Leonard's expired on September 30, 2007 and they have been operating on a month-to-month holdover basis since that time.

The pony ride concession at Waller County Park has been in operation since 1969 and the Parks Department wishes to continue its successful partnership with Jeff and Andrea Leonard. They have been superb operators in the five years they have run the concession and are excited about the opportunity to continue their business partnership with the County.

This type of concession is in a very small niche market with limited vendors and limited growth. It is recommended that this concession be awarded without going through an RFP or bid process. With staff's knowledge of the limited capacity and potential within the local business community for operating this type of concession on public property, it was not anticipated that there would have been any respondents to an RFP or bid process for this concession.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Revenue:</u>	<u>Annualized On-going Revenue:</u>	<u>Total One-Time Revenue:</u>
General Fund:			
State:			
Federal:			
Fees: Concession Fee Revenue	\$ 1,000.00	\$ 1,000.00	
Other:			
Total	\$ 1,000.00	\$ 1,000.00	\$ -

Narrative:

Continued ongoing concession revenue of \$1,000 per year is anticipated as a result of this concession agreement renewal. This revenue goes towards offsetting the operational costs of Waller County Park in Santa Maria and is part of the Parks Department’s fees and charges revenue base that lessens its reliance on the County General Fund to support its operations.

Special Instructions:

Upon approval and execution, the Clerk of the Board should distribute as follows:

1. Original executed Agreement Official File
2. Duplicate original executed Agreement & Minute Order Gen Svcs/Real Estate Svcs – Attn: Connie Smith
3. Copy of executed Agreement & Minute Order Parks Dept./Administration – Attn: Mike Gibson

Attachments:

Concession Agreement

Authored by: Connie Smith, Gen. Svcs. Dept./Office of Real Estate Services

cc: Daniel Hernandez, Director, County Parks Department
Mike Gibson, Business Manager, County Parks Department
Jeff Stone, North County Deputy Director, County Parks Department