

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT General Services Agency	(2) MEETING DATE 3/11/2014	(3) CONTACT/PHONE Janette Pell, General Services Agency Director (805) 781-5200	
(4) SUBJECT Request to approve Amendment No. 3 to the Lopez Lake Marina Concession Contract to allow the sale of distilled spirits at the marina store at Lopez Lake Recreational Area. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board approve Amendment No. 3 to the contract with Lopez Lake Marina Concession to allow the sale of distilled spirits at the marina store at Lopez Lake Recreational Area.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>3/23/2004, 3/22/2011,</u> <u>7/12/2011</u>	
(17) ADMINISTRATIVE OFFICE REVIEW  Emily Jackson			
(18) SUPERVISOR DISTRICT(S) District 4 -			

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Janette Pell, General Services Agency Director  
(805) 781-5200

DATE: 3/11/2014

SUBJECT: Request to approve Amendment No. 3 to the Lopez Lake Marina Concession Contract to allow the sale of distilled spirits at the marina store at Lopez Lake Recreational Area. District 4.

## **RECOMMENDATION**

It is recommended that the Board approve Amendment No. 3 to the contract with Lopez Lake Marina Concession to allow the sale of distilled spirits at the marina store at Lopez Lake Recreational Area.

## **DISCUSSION**

On March 23, 2004, the Board of Supervisors entered into the Lopez Lake Marina Concession contract. Amendment No.1 extended the term of the contract and required the concessionaire to comply with the Sewer System Management Plan. Amendment No. 2 added an option to extend the contract and assigned the contract to the current concessionaire, Jon R. Van Otterloo.

The Contract requires the concessionaire to manage and operate the Lopez Lake marina, restaurant and store, which includes supplying the store, selling prepared food, providing a fleet of rental boats, selling marine fuel, and managing the boat docks.

In addition to stocking and selling various supplies including food and beverages at the marina store and restaurant, the current concession contract includes the sale of beer and wine. The concessionaire, Mr. Van Otterloo, is requesting an amendment to the existing contract to include the sale of distilled spirits at his restaurant and marina store in an effort to increase sales and provide a desired service to the park users.

Park Ordinance Title 11 Chapter 11.04 permits the use of alcohol in County Parks with the exception of areas that are posted prohibiting such use. Lopez Lake Recreational Area is an area where the use of alcohol is permitted for consumption by persons age 21 and older, provided all applicable laws are followed. Campers often bring their own distilled spirits into the park for use during their stay. Approval of this amendment will not change the use of distilled spirits in the park but offers the concessionaire the opportunity to increase sales. Prior to selling any distilled spirits, the concessionaire will be required to be permitted through the Department of Alcohol Beverage Control (ABC). Distilled spirits are currently sold by the concessionaires at the Dairy Creek, Morro Bay and Chalk Mountain County owned golf courses.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

County Counsel has reviewed and approved the Amendment as to form and legal content. County Parks has been consulted and has affirmed that alcohol consumption is permitted by persons 21 or over in age at Lopez Lake Recreational Area provided all applicable laws are followed. Risk Management has reviewed and approved the amendment.

### **FINANCIAL CONSIDERATIONS**

The current contract requires the concessionaire to pay 9% of gross receipts. If the marina and store gross receipts increase as a result of this amendment, as anticipated by the concessionaire, revenue to the County will increase proportionately.

### **RESULTS**

Approval of Amendment No. 3 to the Lopez Lake Marina Concession contract provides landowner authorization for the concessionaire to proceed with permitting and licensing to sell distilled beverages in addition to beer and wine at the marina store.

### **ATTACHMENTS**

1. Vicinity Map
2. Third Amendment to Lopez Lake Concession Contract