

CITY OF LOS ANGELES

CALIFORNIA

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When making inquiries  
relative to this matter,  
please refer to the Council  
File No.

06-2794

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July 3, 2008

Councilmember Greuel  
City Administrative Officer  
Chief Legislative Analyst  
Department of Recreation and Parks  
Board of Recreation and Parks Commissioners  
City Attorney

RE: AN AMENDMENT TO A CONCESSION AGREEMENT WITH BUTTERFIELD GAMES, INC. RELATIVE TO  
THE ARCADE CONCESSION AT SHERMAN OAKS CASTLE PARK

At the meeting of the Council held July 1, 2008, the following action was taken:

Attached report adopted .....	_____
Attached motion () adopted .....	_____
Attached resolution adopted .....	_____
FORTHWITH .....	_____
Mayor concurred .....	_____
To the Mayor FORTHWITH .....	_____
Motion adopted to approve communication recommendation(s) .....	<u>  X  </u>
Motion adopted to approve committee report recommendation(s) .....	_____
Ordinance adopted .....	_____
Ordinance number .....	_____
Publication date .....	_____
Effective date .....	_____
Mayor vetoed .....	_____
Mayor approved .....	_____

City Clerk  
srb

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**COMMUNICATION**

**TO: LOS ANGELES CITY COUNCIL** **File No. 06-2794**  
**FROM: COUNCILMEMBER TOM LABONGE, CHAIR**  
**ARTS, PARKS, HEALTH AND AGING COMMITTEE**

COMMUNICATION FROM CHAIR, ARTS, PARKS, HEALTH AND AGING COMMITTEE relative to an amendment to a concession agreement with Butterfield Games, Inc. relative to the arcade concession at Sherman Oaks Castle Park.

Recommendation for Council action:

APPROVE AND AUTHORIZE the President and Secretary of the Board of Recreation and Park Commissioners to execute the amendment to Concession Agreement No. 256 with Butterfield Games, Inc., subject to the approval of the City Attorney.

Fiscal Impact Statement: The City Administrative Officer reports that there is no fiscal impact, and, therefore, the City Financial Policies are not applicable.

Community Impact Statement: None submitted.

**TIME LIMIT FILE – JULY 27, 2008**

**(LAST DAY FOR COUNCIL ACTION – JULY 25, 2008)**

SUMMARY

In a communication dated May 9, 2008, the City Administrative Officer (CAO) reports that the Board of Recreation and Park Commissioners (Board) approved an amendment to Concession Agreement No. 256 with Butterfield Games (Concessionaire). The proposed amendment revises the payment due date.

The CAO reports that the City, through the Board and the Department of Recreation and Parks (Department), owns and operates the Sherman Oaks Castle Park located at 4989 Sepulveda Boulevard in Council District 2. The Sherman Oaks Castle Park is a family-oriented entertainment center that features three miniature golf courses, an arcade, food service and batting cages. On June 8, 2007, the Board executed Concession Agreement No. 256 for the operation of the arcade, as previously authorized by Council under this Council file number. Under the terms of Concession Agreement No. 256, the Concessionaire pays the City 42.5 percent of gross receipts from the operation of the arcade. A portion of the gross receipts is generated from group and party package promotions. The Department reports that additional time is required to reconcile receipts from group and party package promotions. Under the terms of the proposed amendment, the due date for the monthly payment will be extended by approximately two weeks from the "15th" to the "30th" of the following month. There is no change to the percentage of monthly rental due to the City.

The CAO further notes that the Sherman Oaks Castle Park is located on approximately five acres of land leased to the Department by the United States Army Corps of Engineers (ACOE). The proposed agreement is therefore subject to all terms and conditions of the lease between the City and the ACOE.

At its regular meeting held on June 4, 2008, the Chair of the Arts, Parks, Health and Aging Committee considered this matter and moved to approve the recommendation contained in the CAO report. This matter is now submitted to Council for its consideration.

Respectfully submitted,

COUNCILMEMBER TOM LABONGE, CHAIR  
ARTS, PARKS, HEALTH AND AGING COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
LABONGE:	YES
PERRY:	ABSENT
HAHN:	ABSENT

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**ADOPTED**  
**MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION**  
**JUL 01 2008**  
**LOS ANGELES CITY COUNCIL**