



Council
Communication
Office of the City Manager

Date	July 14, 2008
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Agenda Item No.	47
Roll Call No.	<u>08-</u>
Communication No.	<u>08-411</u>
Submitted by:	Larry Hulse, Community Development Director

AGENDA HEADING:

Approval of sidewalk lease for a sidewalk café serving alcohol for Johnny's Hall of Fame, Todd A Millang, authorized representative, located at 302 Court Avenue.

SYNOPSIS:

Recommend approval of a sidewalk lease for a sidewalk café for Johnny's Hall of Fame located at 302 Court Avenue. This approval will allow Johnny's Hall of Fame to serve alcohol on their sidewalk café.

FISCAL IMPACT:

Amount: \$1,270.94 revenue for the three year lease. (This amount also includes a \$100 application fee)

Funding Source: Proceeds from the application fee will be deposited in the Fiscal Year 2008-2009 Operating Budget, Permit and Development Center, GE001 CDD130100, page 97. Proceeds from the lease agreement will be deposited in the Property Maintenance Endowment Fund, SP767 PKS161625, page 259. The first \$175,000 of annual proceeds to the Property Maintenance Endowment Fund will be returned to the General Fund (GE001 PKS161600) to offset the operating budget of the Property Management Division.

ADDITIONAL INFORMATION:

On May 23, 2005, the City Council by Roll Call 05-1291 vacated and leased a portion of the Court Avenue right-of-way to the proprietor at 302 Court Avenue for a sidewalk café serving alcohol. The proprietor now wishes to renew the lease for an additional 3 years beginning immediately. In order to have a sidewalk café serving alcohol the property must meet certain specific requirements for screening, separation, and the allowance for the rest of the sidewalk to provide clear passage must be met. In addition, insurance must be provided by the owner and the amounts approved by City staff. At this time City staff has reviewed the application and found it in order and meets all requirements specified in the ordinance.

Staff recommends approval of continuing to lease a portion of the sidewalk in this area to allow a sidewalk café.

PREVIOUS COUNCIL ACTION(S):

Date: July 23, 2007

Roll Call Number: 07-1446

Action: Vacation of a portion of the 6th Avenue and Mulberry Street right-of-way, adjoining the Midland Building at 206 6th Avenue, to permit a sidewalk café for Amici Espresso (Council Communication No. 07-459). Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 21, 2007

Roll Call Number: 07-996

Action: On vacation and lease of a portion of the sidewalk adjoining Bistro Montage at 2716 Ingersoll, for a Sidewalk Café (Council Communication No. 07-286). Moved by Hensley to adopt. Motion Carried 7-0.

Date: May 23, 2005

Roll Call Number: 05-1291

Action: Sidewalk Café Lease Agreement with JHF Corp. dba Johnny's on Court, 302 Court Ave. (Council Communication No. 05-290). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Other sidewalk cafés serving alcohol at various locations throughout the City.

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