

---

CITY OF KELOWNA

**MEMORANDUM**

---

**Date:** May 9, 2007  
**File No.:** 2380-20  
**To:** City Manager  
**From:** Property Manager  
**Subject:** **Waterfront Park / Gyro Beach Concession**

---

**RECOMMENDATION:**

THAT City Council approves a five year lease in the City standard format, based on the attached criteria, with "Mexi-Cana Restaurants Ltd." for the Waterfront Park Concession and the Apple Concession at Gyro Park;

AND THAT the Mayor and City Clerk be authorized to execute the lease;

AND THAT the 2007 Financial Plan be amended accordingly.

**BACKGROUND:**

Civic Properties issued a Request for Proposal # T07-008 for the operation of the concession at Waterfront Park and the Apple concession at Gyro Park. Site visits were held with a number of proponents, however the only bid received was from Mexi-Cana Restaurants Ltd.

The proposal meets all the criteria set out in the RFP including the requirement for healthy food choices

Base Terms of Lease Agreement for Mexi-Cana Restaurants for Waterfront Park Concession and Gyro Beach Apple Concession

<b>Term:</b>	3 years (May 1, 2007 – April 30, 2010)
<b>Renewal:</b>	two one-year renewal options
<b>Rate:</b>	\$18,000 per year (same as previous lease)
<b>Triple Net:</b>	Paid by tenant (property operations & taxes to be determined)
<b>Tenant Improvements:</b>	By tenant

The proponent has successfully operated these concessions for the past two years.

**INTERNAL CIRCULATION TO:**

City Clerks Department  
Risk Manager

**FINANCIAL/BUDGETARY CONSIDERATIONS:**

Financial Plan

Considerations that were not applicable to this report:

**LEGAL/STATUTORY AUTHORITY:**

**LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:**

**EXISTING POLICY:**

**PERSONNEL IMPLICATIONS:**

**TECHNICAL REQUIREMENTS:**

**EXTERNAL AGENCY/PUBLIC COMMENTS:**

**ALTERNATE RECOMMENDATION:**

Submitted by:



R. Forbes – Property Manager

Approved for Inclusion:



cc: Director of Finance  
Parks Manager  
Civic Properties Manager