




**EAST BAY REGIONAL PARK DISTRICT  
BOARD OF DIRECTORS MEETING  
AGENDA STAFF REPORT**

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<b>DATE</b>	October 1, 2024
<b>TITLE</b>	Authorization to Amend the Agreement with Advenco LLC for the Del Valle Food and Marina Concession: Del Valle Regional Park
<b>DIVISION</b>	Operations
<b>FROM</b>	Tiffany Margulici, Business Services Manager Lisa Goorjian, Assistant General Manager of Operations
<b>APPROVED</b>	Sabrina Landreth, General Manager 

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**RECOMMENDATION**

The General Manager recommends that the Board of Directors authorize an amendment to the Del Valle Food and Marina Concession Agreement with Advenco LLC to extend the current agreement for two years, through October 3, 2029, and adjust the Concession Maintenance Fund Fees down to 0.5% on food and retail and 10% on boat rental sales through October 3, 2028. All other terms and conditions of the agreement including concession fees (revenue) would remain unchanged.

**BACKGROUND**

Del Valle Regional Park is a lakeside resort 10 miles south of Livermore, California and operated by the East Bay Regional Park District (Park District) for the State of California. The Concession provides recreational amenities and enhanced services to park visitors at four locations within Del Valle: 1) the East Swim Beach Concession (snack bar and novelties), 2) the Campground Store, 3) the Bait Store that includes snacks as well as contract processing for the boat rentals, and 4) the boat rental marina. The types of boats for rent are pontoon boats, gas motorboats, row boats, pedal boats, and canoes. Visitors may also launch their own boats at the public marina.

In October 2016, after a Request for Proposals process, the Board of Directors authorized a Concession Agreement with Pyramid Enterprises dba Rocky Mountain Concessions for a three-year term with one additional seven-year term extension ending October 3, 2026, for the exclusive license to operate the food and marina concession facility (Concession) in Del Valle Regional Park Resolution No. 2016-10-264. This term was extended by one year to October 3, 2027, for Covid-19 relief Resolution No. 2020-05-081. Pyramid Enterprises sold their business to Advenco LLC in 2021 and assigned this agreement to Advenco LLC.

In January 2023, severe storms flooded Lake Del Valle, and the marina was destroyed. In addition, the marina store and the east side food concession were severely flooded and determined to be a total loss. Advenco LLC proposed a temporary pier to the Park District and the State of California that was approved and placed in the park in June 2023, along with a rented modular building to process boat rentals (the Marina Store.) Advenco purchased the temporary pier system and installed it at their own expense. The modular rental expense is reimbursed through the Concession Maintenance Fund (CMF). The modular Bait Store rental is set up to sell limited packaged food items, whereas the previous building was configured to allow for prepared food and snacks such as coffee or ice drinks. For the East Beach Snack Concession, staff and Advenco are working together to

explore the feasibility of moving a temporary food trailer to this location to provide an interim option for food sales.

## **ANALYSIS**

The conditions of the Del Valle Food and Marina Concession were significantly altered by the 2023 storms and floods. Concession infrastructure has not been fully restored to pre-storm conditions and additional time is needed to plan and design repairs and/or replacement facilities. In consideration of the extended closure of the concession in 2023 and the ongoing altered conditions, staff is recommending amending the existing agreement. The primary reason for the amendment is to allow the concessionaire some time to recoup expenses due to lost sales for 2023 and the expense of the pier system. A two-year term extension and the reduced CMF fees through 2028 will give them a savings of approximately \$250,000. The extended time period also allows the Park District time to plan and execute the replacement of the concession facilities that were destroyed in the storms.

## **FISCAL IMPACT**

There will be no impact to revenue to the Park District for this action. The Concession Maintenance Fund (CMF) Fees will be reduced to 0.5% on food and retail and 10% on boat rentals ending on October 3, 2028. This represents a 50% reduction to the CMF Fees, from 21% to 10.5%. This rate is still above what other large concessions contribute to their CMF. CMF Fees are not included in Park District revenue. CMF fees are placed in a liability account, this will only impact the Concessionaire's ability to use the fund for maintenance and repairs.

## **ATTACHMENTS**

None.



**EAST BAY REGIONAL PARK DISTRICT  
RESOLUTION NO. 2024 – 10 -  
OCTOBER 1, 2024**

**AUTHORIZATION TO AMEND THE AGREEMENT WITH ADVENCO LLC FOR  
THE DEL VALLE FOOD AND CONCESSION: DEL VALLE REGIONAL PARK**

**WHEREAS**, Del Valle Regional Park is a lakeside resort with a Food and Marina Concession that provides recreational amenities and enhanced services to park visitors at three locations within Del Valle: 1) the East Swim Beach Concession (snack bar and novelties), 2) the Campground Store, and 3) the and the boat rental marina and the Bait Store that includes snacks as well as contract processing for the boat rentals; and

**WHEREAS**, the Park District entered into a concession agreement with Advenco LLC's predecessor in interest in 2016 for the Del Valle food and marina concession; and

**WHEREAS**, the conditions of the Del Valle Food and Marina Concession were significantly altered, the Del Valle marina and store were destroyed, and the east side food concession was severely damaged, by the January 2023 storms and floods; and

**WHEREAS**, Advenco requested an amendment in consideration of the extended closure of the concession in 2023 and the ongoing altered conditions; and

**WHEREAS**, on July 17, 2024, the Board Operations Committee reviewed and unanimously recommended approval of the staff's recommendation to amend the Del Valle Food and Marina Concession Agreement to allow a decrease in Concession Maintenance Fund Fees and provide additional time to recoup expenses and to allow the East Bay Regional Park District (Park District) extra time to plan and execute the replacement of the concession facilities that were destroyed in the storms;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors of the East Bay Regional Park District hereby grant authorization for an amendment to the Del Valle Food and Marina Concession Agreement with Advenco LLC to extend the current agreement for two years to October 3, 2029, and adjust the Concession Maintenance Fund Fees down to 0.5% on food and retail, and 10% on boat rentals ending on October 3, 2028 with all other terms and conditions of the agreement including concession fees (revenue) remaining unchanged, as presented to the Board on October 1, 2024; and

**BE IT FURTHER RESOLVED**, that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director \_\_\_\_\_, and seconded by Director \_\_\_\_\_, and  
adopted October 1, 2024, by the following vote:

FOR:

AGAINST:  
ABSTAIN:  
ABSENT: