



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 17-00309

Community Redevelopment Agency

8/7/2017

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### **ACTION ITEM**

**SPONSOR:** Jewel Cannada-Wynn, Chairperson

**SUBJECT:**

PLAZA DE LUNA CONCESSIONS AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PENSACOLA, FLORIDA AND DELUNA'S CHAT AND CHEW LLC

**RECOMMENDATION:**

That the Community Redevelopment Agency (CRA) approve a Concessions Agreement with DeLuna's Chat and Chew LLC to operate the Plaza de Luna Concession and Restroom Facilities. Furthermore, that the CRA authorize the Chairperson to take all actions necessary to execute the Agreement.

**SUMMARY:**

On August 22, 2013, the CRA awarded contract of RFP 13-013 to DeLuna's Chat and Chew, and authorized the CRA Chairperson to execute an Operator's Agreement ("Agreement") for a period of three years. The approved Agreement, dated October 22, 2013, was amended on April 2, 2014 to establish February 2, 2014 as the date of beneficial occupancy. The Agreement, as amended, expired on February 2, 2017. However, DeLuna's Chat and Chew, has continued to operate the facilities on a month to month basis, in accordance with the terms of the Agreement. DeLuna's Chat and Chew has requested that the CRA consider the execution of a new concessions agreement, pursuant to Article XXXIX of the original Agreement.

The attached concessions agreement grants the operation of the facilities to DeLuna's Chat and Chew for a period of three years with a one year renewal option. As consideration for the right to operate the facilities, the concessionaire will pay to the CRA the greater of \$4,000 per year or 8% of gross concession receipts.

**PRIOR ACTION:**

May 26, 2009 - CRA approved award of contract RFP 09-020 Plaza de Luna Concession Operation to JJW Services, and authorized the CRA Chairperson to execute an Operators Agreement.

August 22, 2013 - CRA approved award of contract RFP 13-013 Plaza de Luna Concession Operation to DeLuna's Chat and Chew and authorized the CRA Chairperson to execute an Operators Agreement.

April 2, 2014 - CRA amended the Plaza de Luna Operating Agreement to establish February 2, 2014 as date of beneficial occupancy.

April 10, 2017 - CRA approved the Fiscal Year 2017/2018 CRA Work Plan which authorized CRA staff to

prepare an agreement for the continued operation of the Plaza de Luna Concession and Restroom Facilities.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

As consideration for the right and privilege of operating the Plaza de Luna concession, concessionaire shall pay to the CRA the greater of an annual privilege fee of \$4,000 or 8% of gross concession receipts.

**CITY ATTORNEY REVIEW:** Yes

6/28/2017

**STAFF CONTACT:**

M. Helen Gibson, AICP, CRA Administrator  
Victoria D'Angelo, Assistant CRA Administrator

**ATTACHMENTS:**

- 1) Application for New Agreement - DeLuna's Chat and Chew
- 2) Plaza de Luna Concessions Agreement
- 3) FY 17/18 CRA Work Plan Approval - April 10, 2017

**PRESENTATION:** No