

## **MEMORANDUM**

**TO:** Donna Barron, City Manager

**FROM:** Stacie Anaya, Director

**DATE:** August 21, 2018

**SUBJECT:** Approval of Lease Agreement Between Trett Enterprises, Inc. and Malibu MiMi's Shaved Ice

### **BACKGROUND**

The City of Lewisville has a lease for Lewisville Lake Park with the United States Army Corps of Engineers (USACE) with a term of April 15, 2000 through April 14, 2025. In turn, the City has subleases with the Lake Park Golf Course, Lewisville Fishing Barge, and Eagle Point Marina. Each of the entities may sublease operations to other entities, however, the City and USACE must approve the subleases prior to the commencement of operations. Eagle Point Marina currently has several sub-leases including Sneaky Pete's, the Slalom Shop, and boat rentals.

Eagle Point Marina has been approached by Malibu MiMi's Shaved Ice (Mimi's) to operate a shaved ice concession from a slip in the marina. Eagle Point Marina has drafted a sublease with Mimi's for review and approval by the City and USACE. Mimi's will pay a monthly rental fee to Eagle Point Marina and 3% of gross vendor sales to the City of Lewisville on a quarterly basis. This agreement is consistent with other subleases at Eagle Point Marina.

### **ANALYSIS**

Each of the Eagle Point Marina/ Trett Enterprises, Inc. sub-leases must be approved by Council and then submitted to USACE final approval. This agreement is consistent with other subleases at Eagle Point Marina. In addition, Mimi's will be responsible for working with the Health Department to obtain all applicable permits for operation prior to opening to the public.

### **RECOMMENDATION**

That the City Council approve the lease agreement as set forth in the caption above.