



CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE

C-35

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June 20, 2006

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach

California

RECOMMENDATION:

Authorize the City Manager to execute a Right of Entry Permit with Civil Works Corporation for access across Jack Nichol Park. (District 3)

DISCUSSION

The City is in the final phase of developing 3.5 acres of land adjacent to the Los Cerritos Channel for the park known as Jack Nichol Park. The City of Long Beach received the Jack Nichol Park site as part of the Alamitos Bay boundary settlement agreement between the City, the State of California and private properties surrounding the Alamitos Bay. The first phase of development has been completed adding 30 boat slips, a parking lot and other boat owner amenities. The second phase, the landscaping of the remaining land area, is scheduled to begin in approximately three to six months, following the selection of a contractor.

There is housing that is currently separated from the landscaping construction site by a block wall. Residents of the adjacent housing have requested access across the site prior to landscaping of the park so they can replace their block wall with a wrought iron fence. This access will not interfere with the City's park construction project. Staff proposes entering into a right of entry permit with Civil Works Corporation (CWC), the homeowners' construction company. The permit will require CWC to indemnify the City and provide insurance as required by the City's Risk Manager. CWC anticipates that the construction project will begin on July 3, 2006, and will be completed within 60 days, before the commencement of the City's landscaping project.

This matter was reviewed by Deputy City Attorney Charles Parkin on June 7, 2006, and by Budget Management Officer David Wodynski on June 9, 2006.

TIMING CONSIDERATIONS

City Council action is requested on June 20, 2006, to enable CWC to complete the fence construction before the City's landscaping project begins.

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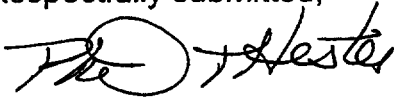
FISCAL IMPACT

There is no fiscal impact associated with the proposed action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Phil T. Hester". The signature is written in a cursive style with a large, circular initial "P".

PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

PTH:JDA:GP:ty

APPROVED:

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GERALD R. MILLER
CITY MANAGER