



November 16, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute any and all documents necessary for a license agreement between the City of Long Beach and Long Beach Yacht Club, a non-profit public benefit corporation, to construct and maintain a trash bin enclosure in the City-owned parking lot across from the clubhouse, located at 6201 Appian Way. (District 3)

DISCUSSION

The Long Beach Yacht Club (LBYC) operates a clubhouse and related facilities under a long-term lease of City-owned property located at 6201 Appian Way (Premises). LBYC has proposed to expand the City's existing trash bin enclosure in the City-owned parking lot across from the Premises. The LBYC currently has a trash bin enclosure on the Premises, however, additional trash receptacle space is needed. The proposed expansion shall include sufficient area to accommodate two additional trash bins for use by the LBYC.

In order to accommodate the proposed use, staff recommends a license agreement under the following major terms and provisions:

- Licensor: City of Long Beach.
- Licensee: Long Beach Yacht Club, a non-profit public benefit corporation.
- Access Area: Approximately 320 square feet located in the City-owned parking lot adjacent to 6201 Appian Way. A site map is attached.
- Term: The term shall commence upon the mutual execution of the license agreement and shall terminate upon the earlier of (i) the date on which Licensee no longer operates a yacht club adjacent to the City Property, or (ii) the trash bin structure within the Access Area no longer exists.
- Right to Cancel: Both parties shall have the right to terminate the license agreement upon thirty (30) days written notice.
- Use: Licensee shall, at its own cost, use the Access Area for the purpose of constructing, operating, and maintaining a trash bin enclosure. The enclosure shall be constructed of cinder block approximately 6 feet high and not

significantly larger than 20 feet wide by 16 feet long. The Coastal Commission has reviewed the project plans for the enclosure and granted a waiver of the requirement for a coastal development permit.

- Fee: In lieu of monthly payments to the City for use of the Access Area, the Licensee shall continue to provide facilities on Licensee's premises for use by the Marine Advisory Commission, which meetings shall be open to the public. Should the Marine Advisory Commission cease to hold its monthly meetings at Licensee's facilities, Licensee and City shall negotiate in good faith to establish a monthly license fee to be paid thereafter by Licensee to City.

This letter was reviewed by Deputy City Attorney Richard Anthony on October 20, 2010 and Budget Management Officer Victoria Bell on October 27, 2010.

TIMING CONSIDERATIONS

City Council action is requested on November 16, 2010 in order to execute the license agreement and allow for the Licensee to begin construction of the improvements.

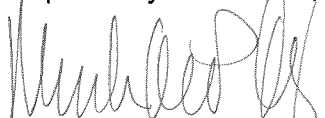
FISCAL IMPACT

In consideration for use of the Access Area, the LBYC shall continue to provide facilities to accommodate the monthly Marine Advisory Commission meetings. There is no fiscal impact and no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR
DEPARTMENT OF PUBLIC WORKS

MPC:VSG:MTB
11-16-10 LBYC License Agreement-Trash Bin Enclosure
Attachment: Site Map

APPROVED:



PATRICK H. WEST
CITY MANAGER



Long Beach Yacht Club - 6201 East Appian Way (Site Map)



Disclaimer

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