

May 5, 2020

C-14

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager, or designee, to execute a Right-of-Entry Permit, including any necessary documents, with Conservation Corps of Long Beach, a California nonprofit corporation, for the use of a portion of Willow Springs Park for its administration of an Urban Wood Recovery and Utilization Program, for a period of ten years. (District 7)

DISCUSSION

At its September 19, 2019 meeting, the Parks and Recreation Commission recommended that City Council authorize the execution of a Right-of-Entry Permit with the Conservation Corps of Long Beach (CCLB) for its administration of an Urban Wood Recovery and Utilization Program (Program) within Willow Springs Park (Premises) (Attachment A), pursuant to a grant from the California Department of Parks and Recreation (Grant).

CCLB is proposing to utilize a 1.1-acre site at Willow Springs Park to operate the Program. The Program will process wood from dead and dying trees harvested from streets, parks, and along the Los Angeles River in Long Beach, then mill and repurpose the material into wood products and byproducts that can be used in parks and in industries. Willow Springs Park is a 48-acre passive park located at 2750 Orange Avenue between Orange and California Avenues south of Spring Street, and has various sustainable features; 15 acres are developed as natural habitat, open space, and trails open to the public, including the highest public vista point in Long Beach, Longview Park. It is also home to the City's Mulch Program and the Office of Sustainability Work Yard.

On January 7, 2020, the City Council authorized the City Manager to execute the aforementioned Right-of-Entry Permit with CCLB for a period of five years, with one, five-year renewal option. However, subsequent to City Council authorization, the Parks, Recreation and Marine Department (PRM) was informed that for CCLB to qualify for the Grant, a longer-term Agreement with a simple ten-year term would need to be executed. In light of this new information, staff is requesting that the City Council reauthorize the City Manager to execute a Right-of-Entry Permit (Permit) with a ten-year term.

The proposed Permit will contain the following major terms and provisions:

- Permittee: Conservation Corps of Long Beach, a California nonprofit corporation.

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- Premises: The Premises will encompass 1.1 acres in the northwest section of Willow Springs Park, located at 2750 Orange Avenue.
- Permitted Use: CCLB Satellite Site for the Urban Wood Recovery and Utilization Program as outlined in the CCLB Site Plan (Attachment B).
- Term: Ten years, from May 1, 2020 to April 30, 2030.
- Termination: Either party may terminate the Permit upon 30 days advance written notice to the other party. The City reserves the right to relocate the Program within Willow Springs Park upon 30 days advance written notice to CCLB. Should relocation be necessary, and at such time a relocation site is identified, CCLB will have 60 days to relocate the Program.
- Initial Improvements: CCLB will demolish existing deteriorating concrete and asphalt surfaces, perform clearing and grubbing, and all grading needed to use the Premises as referenced above. Additional improvements will include securing the perimeter of the Premises with chain link fence, providing a minimum of one driveway for ingress and egress of CCLB trucks and equipment, and providing separately metered potable water and electricity to the Premises.
- Permits: CCLB will be responsible for securing and paying for all local, state and federal permits and associated land use approvals that may be required.
- Utilities: CCLB will pay for all utility connections, including any electricity, water, sewer, gas, and telephone/internet connections, and all subsequent utility charges, including refuse collection within the Site.
- Funding: All funding necessary for improvements, amenities, equipment, utilities, programming, operation, and maintenance of the Premises will be provided by CCLB. The City will not provide any funding, supplies or staff support, other than Permit administration and a PRM liaison for communicative purposes, unless approved in advance and in writing by the City Manager or designee.
- Ongoing Maintenance: As the sponsoring, hiring and funding entity, CCLB affirms that it will cover, or cause to be covered, all ongoing costs for operation and maintenance of the Premises. The Premises will not be used for discarding lumber and must remain in an activated condition consistent with the use listed above.
- Security: CCLB will, at their sole expense, secure the Premises, including ensuring the safety and security of the structures, vehicles, equipment, and lumber through the use of measures such as, but not limited to, fencing, alarms, security cameras, and/or onsite security personnel, etc. Notification of blight/graffiti, vandalism or environmental damage to the Premises by any cause must be repaired or cause to be repaired with 72 hours of damage report or provide written notice to the City Manager, or designee, as to when repairs will be fully completed.

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- Rent: As consideration for CCLB's use of the Premises, and in lieu of Rent, CCLB will provide local workforce development, via its youth job training programs.
- Insurance: CCLB and its agents will maintain and provide all applicable insurance and endorsements, as required and approved by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Richard F. Anthony on April 9, 2020 and by Budget Management Officer Rhutu Amin Gharib on April 14, 2020.

TIMING CONSIDERATIONS

City Council action is requested on May 5, 2020, to facilitate execution of the Permit, thus allowing CCLB to begin its administration of the Program at the Premises.

FISCAL IMPACT

There is no fiscal impact associated with this recommendation. All costs associated with the Urban Wood Recovery and Utilization Program will be fully borne by CCLB. This recommendation has no staffing impact beyond normal budgeted scope of duties and is consistent with existing City Council priorities. Approval of this recommendation will provide continued support to our local economy by providing job training for local youth. The number of additional local jobs resulting from the hiring of several subcontractors for Site construction is unknown.

SUGGESTED ACTION

Approve recommendation.

Respectfully submitted,



JOHN KEISLER
DIRECTOR OF
ECONOMIC DEVELOPMENT

APPROVED:



THOMAS B. MODICA
CITY MANAGER



STEPHEN P. SCOTT
INTERIM DIRECTOR OF
PARKS, RECREATION AND MARINE