

December 7, 2021

**C-30**

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Authorize the City Manager, or designee, to execute a Landscape Maintenance Agreement with the California Department of Transportation, for hardscape and landscape maintenance purposes within State highway right-of-way on Route 1, within the City of Long Beach, to assist an existing property owner at 901-945 East Pacific Coast Highway that has site-specific planned improvements; and,

Authorize the City Manager, or designee, to execute an Installation and Maintenance Agreement with Mercy Housing California 95, L.P., a California limited partnership, for hardscape and landscape maintenance purposes within State highway right-of-way on Route 1, within the City of Long Beach. (District 6)

**DISCUSSION**

Mercy Housing California 95, L.P., a California limited partnership, owner of the property at 901-945 East Pacific Coast Highway, is constructing hardscape and landscape improvements within California Department of Transportation (Caltrans) right-of-way on Route 1, within the City of Long Beach (City). Caltrans will not enter into a maintenance agreement directly with the property owner. Therefore, Caltrans requires that a Landscape Maintenance Agreement (LMA) be in place between the City and Caltrans prior to issuance of a Caltrans permit to the property owner. A separate Installation and Maintenance Agreement (IMA) between the property owner and the City, ensures the property owner is responsible for the requirements as outlined within the Caltrans LMA. City Council authorization is requested to execute both an LMA and IMA to accomplish this purpose.

This matter was reviewed by Deputy City Attorney Erin Weesner-McKinley on November 3, 2021 and by Budget Management Officer Nader Kaamoush on November 14, 2021.

**TIMING CONSIDERATIONS**

City Council action is requested on December 7, 2021, to ensure the agreements are in place expeditiously and the property owner can complete the necessary improvements.

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FISCAL IMPACT

An IMA processing fee in the amount of \$2,575 was deposited in the General Fund Group in the Public Works Department. This recommendation has no staffing impact beyond normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ERIC LOPEZ  
DIRECTOR OF PUBLIC WORKS

EL:MS:PL:BP:md:ll

APPROVED:



THOMAS B. MODICA  
CITY MANAGER