



CITY OF LONG BEACH

C-13

DEPARTMENT OF PARKS, RECREATION & MARINE

2760 N. Studebaker Road, Long Beach, CA 90815-1697

(562) 570-3100 • FAX (562) 570-3109

www.lbparks.org

May 6, 2008

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a third amendment to Joint Use Agreement No. 27379 with the Long Beach Unified School District, deleting the clause allowing either party to terminate the Agreement by giving thirty (30) days prior notice. (District 5)

DISCUSSION

On December 15, 2000, the City Council approved Joint Use Agreement No. 27379 (Agreement) with the Long Beach Unified School District for non-school-hour public use of recreation facilities at Herbert H. Bancroft Middle School. In order to meet the requirements of the grant funding, the City Council approved a first amendment to the Agreement on April 16, 2002, changing the hours of priority use and providing for the installation of lighting on the school ballfields. On September 6, 2005, the City Council approved a second amendment to extend the term of the Agreement to 20 years. This term extension was in response to the State of California's requirement that land tenure of 20 years be met for the project prior to reimbursement of \$224,000 in State Proposition 12 Per Capita grant funds. The project has been completed and closeout of the grant is pending with the State.

As a part of the grant closeout process, the State has requested one additional revision to the Agreement, the deletion of the following clause from Section 1:

"Either party may terminate this Agreement by giving thirty (30) days prior notice to the other party."

This matter was reviewed by Deputy City Attorney Gary J. Anderson on April 28, 2008, and Budget Management Officer Victoria Bell on April 29, 2008.

TIMING CONSIDERATIONS

City Council action is requested on May 6, 2008, in order to secure reimbursement funding of \$224,000 that was expended by the City for the installation of the ballfield lighting.

HONORABLE MAYOR AND CITY COUNCIL

May 6, 2008

Page 2

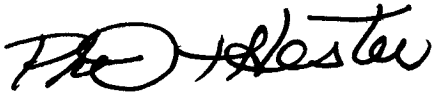
FISCAL IMPACT

There is no direct fiscal impact related to the change to the Agreement. This revision will allow the City to meet the requirements of State Proposition 12 Per Capita grant funding in the amount of \$224,000.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

PTH:DE:AM

APPROVED:



for PATRICK H. WEST
CITY MANAGER