



CITY OF LONG BEACH

R-28

DEPARTMENT OF COMMUNITY DEVELOPMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

July 24, 2007

HONORABLE MAYOR AND CITY COUNCIL

City of Long Beach

California

RECOMMENDATION:

Authorize the City Manager to execute a lease between the City of Long Beach and the Aquarium of the Pacific to accommodate a southerly expansion of the Aquarium including a watershed exhibit and classroom, and a husbandry and veterinary care center; and execute an amendment to the Shoreline Park 6(f)3 Agreement to allow for the conversion of the southerly expansion site. (District 2)

DISCUSSION

The Aquarium of the Pacific (Aquarium) has received commitments of grant and donor funding of approximately \$3 million for expansion of its facilities, including the addition of a classroom/community meeting room, watershed exhibit, and husbandry and veterinary care center. These improvements to the Aquarium will contribute to the overall viability of the Aquarium in numerous ways including: providing an enhanced entertainment and educational experience, creating essential animal care facilities, and updating facilities and amenities required for the Aquarium's various accreditations. These expansion facilities are planned for the unused landscaped area to the south of the Aquarium's current lease area (Exhibit A).

The Aquarium currently leases approximately 5.9 acres of federally-protected City of Long Beach (City) land for operation of the Aquarium facility. This original lease will terminate on November 31, 2031. The Aquarium has requested to enter into a new lease agreement for the southern expansion site (Exhibit B).

A new and separate lease will be developed to cover the expansion property, as the current lease is tied to a prior bond issuance. The new lease will address only the 0.45 acres needed for the expansion site. The new lease will include the following major provisions:

Lessor: City of Long Beach

Lessee: Aquarium of the Pacific

Leased Premises: Approximately 0.45 acres adjacent to the southern boundary of the Aquarium's current leased facility.

Term: Shall commence immediately upon signature and be coterminous with the current lease, expiring November 31, 2031.

HONORABLE MAYOR AND CITY COUNCIL

July 24, 2007

Page 2

Rent: Lessee shall pay to the Lessor as rent for the premises the sum of one dollar (\$1.00), payable in advance.

Additionally, to accommodate the Aquarium's proposed southerly expansion, the City has requested an amendment to the Shoreline Park 6(f)3 Agreement from the National Parks Service through the California Department of Parks and Recreation. On June 19, 2007, the City received notice that the conversion request was approved (Exhibit C).

This report was reviewed by Assistant City Attorney Heather Mahood on July 12, 2007, and Budget and Performance Management Bureau Manager David Wodynski on July 13, 2007.

TIMING CONSIDERATIONS

It is requested that the City Council approve this lease on July 24, 2007, to accommodate funding requirements placed on the Aquarium by its granting agencies.

FISCAL IMPACT

There is no fiscal impact associated with the suggested action.

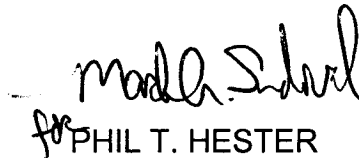
SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST
DIRECTOR OF
COMMUNITY DEVELOPMENT



PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION
AND MARINE

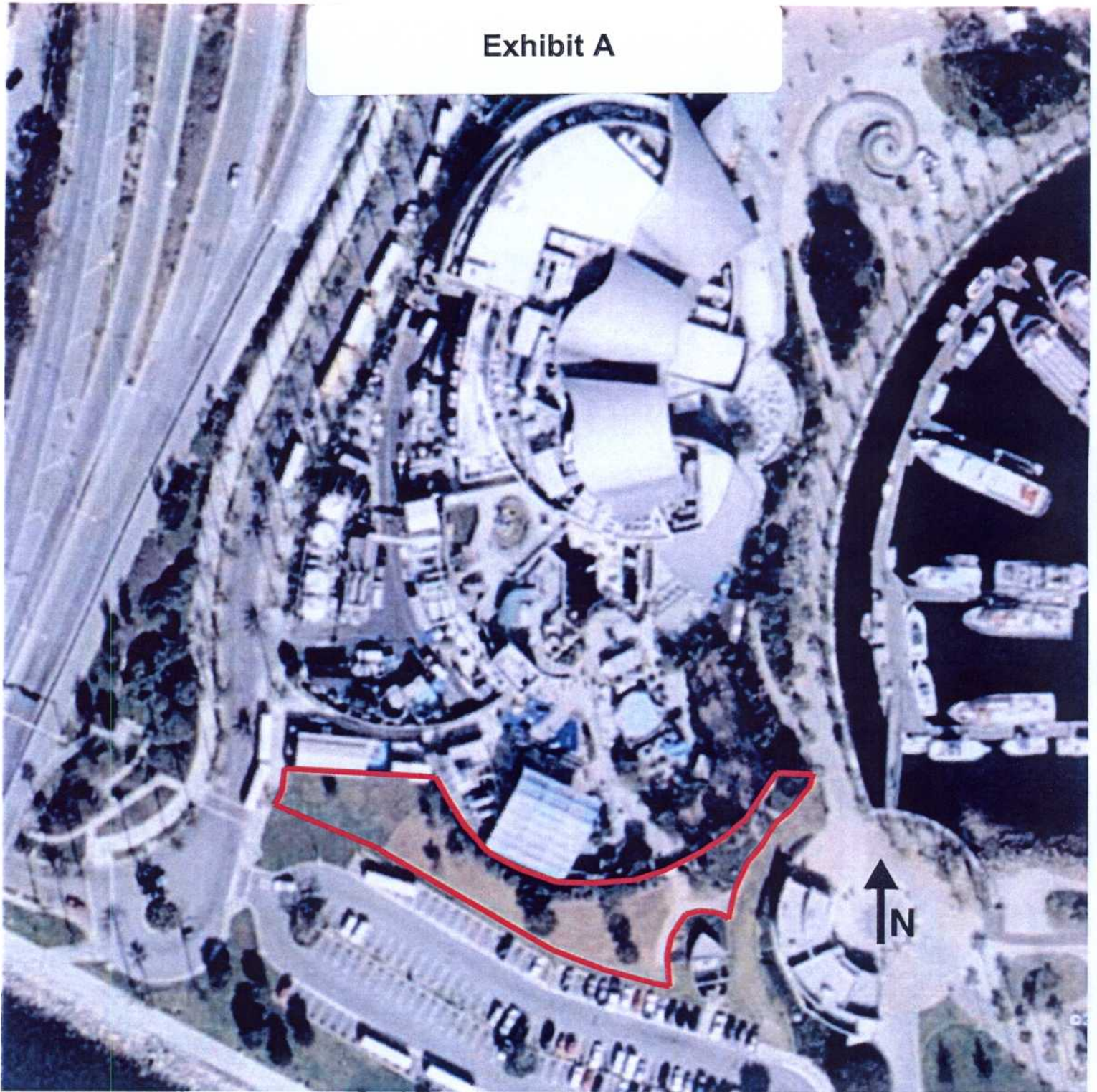
- Exhibit A: Expansion Site Detail
- Exhibit B: AoP Lease Request Letter
- Exhibit C: Conversion Approval Letter

APPROVED:



ANTHONY W. BATTS
CITY MANAGER

Exhibit A



City of Long Beach - California

Aquarium Expansion Area

Exhibit B

AQUARIUM OF THE PACIFIC®

A non-profit institution

July 3, 2007

Ms. Amy Bodek
Community Development
City of Long Beach
333 W. Ocean Blvd. – 5th Floor
Long Beach, CA 90802

Sent via email

Re: Enter into City Agreement for Southern Expansion Site

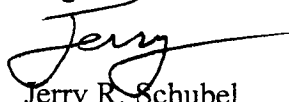
Dear Amy,

The Aquarium of the Pacific respectfully requests that the City of Long Beach enter into an agreement with the Aquarium of the Pacific enabling the Aquarium to lease from the City the 0.45 acre parcel referred to as the Southern Expansion Site for a period co-terminus with the existing City of Long Beach-Aquarium of the Pacific lease.

The Aquarium of the Pacific is proud to manage the current aquarium facility for the City of Long Beach, and we look forward to growing our programs on the Southern Expansion Site.

Thank you for considering this request. Please contact Barbara with any questions.

Regards,



Jerry R. Schubel
President & CEO



Barbara Long
Vice President & Corporate Secretary

Cc: Johnny Vallejo



JUN 19 2007

Amy J. Bodek
Project Development Bureau Manager
City of Long Beach
333 West Ocean Boulevard, Third Floor
Long Beach, CA 90802

Dear Ms. Bodek,

Re: Land and Water Conservation Fund Project Number: 06-00926 - Shoreline Park
Development Conversion

This is to inform you that the National Park Service approved your request for the conversion and replacement of property currently held under Federal 6(f)(3) protection at Shoreline Park. The approval date is June 4, 2007, which also marks the beginning of the project performance period.

Enclosed is the contract amendment, outlining the requirements to be followed throughout the completion of the conversion. Please have the Authorized Representative sign the contract and mail it back to our office as soon as possible.

If you have any questions, please contact me at (916) 651-8174, or Joshua Brady, Supervisor, at (916) 651-8459.

Sincerely,

A handwritten signature in cursive script that reads "Betty Ettinger".

Betty Ettinger, Assistant Chief
Office of Grants and Local Services

Enclosure

cc: Joshua Brady, Supervisor, Office of Grants and Local Services
Natalie Bee, Lead Project Officer, Office of Grants and Local Services
Johnny Vallejo, Development Project Manager, City of Long Beach