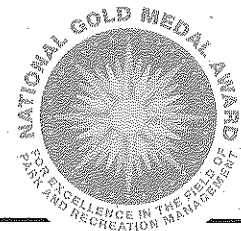




C-9 CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



2760 N. Studebaker Road, Long Beach, CA 90815-1697
(562) 570-3100 • FAX (562) 570-3109
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October 11, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute a new License Agreement with Southern California Edison for the City's use of Southern California Edison-owned right-of-way, which is currently being used as the North Long Beach Community Garden, for a period of five years. (District 9)

DISCUSSION

Since October 1, 1996, the City of Long Beach (City) and Southern California Edison (SCE) have maintained a License Agreement that allows the City to use approximately 0.71 acres of SCE-owned right-of-way between Atlantic and Myrtle Avenues, north of 65th Street (Premises) for horticultural purposes, as illustrated on the aerial map (Attachment). The City, in turn, permits the North Long Beach Community Garden Association to use the Premises for its operation of the North Long Beach Community Garden.

License Agreement No. 29875 expired on September 30, 2011, and SCE has forwarded a newly prepared License Agreement, which will allow for the City's continued use of the SCE-owned right-of-way as the North Long Beach Community Garden.

The proposed License Agreement contains the following major terms and conditions:

- **Term:** Five years, commencing retroactively on October 1, 2011, and continuing through September 30, 2016.
- **Fees:** Will be paid to SCE according to the following schedule:

<u>Fiscal Year</u>	<u>Permit Fee</u>
FY 12	\$2,140
FY 13	\$2,205
FY 14	\$2,271
FY 15	\$2,339
FY 16	\$2,409

HONORABLE MAYOR AND CITY COUNCIL

October 11, 2011

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- Maintenance: The City is ultimately responsible for all maintenance of the Premises. However, this requirement will be assigned to the North Long Beach Community Garden Association via a renewed permit, which will be issued by the Parks and Recreation Commission.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on September 12, 2011, and Director of Financial Management John Gross on September 21, 2011.

SUSTAINABILITY

The proposed action will result in the continued operation of the North Long Beach Community Garden. According to the American Community Garden Association, some of the benefits community gardens can provide include acting as a catalyst for sustainable neighborhood and community development, encouragement of self-reliance with respect to subsistence, promotion of the conservation of resources, preservation of open and green space, and potential reductions in the amount of heat released from paved parking lots and streets.

TIMING CONSIDERATIONS

City Council action is requested on October 11, 2011, in order to enable the execution of a new License Agreement with Southern California Edison.

FISCAL IMPACT

The proposed action will result in expenditures of \$2,140 in FY 12, \$2,205 in FY 13, \$2,271 in FY 14, \$2,339 in FY 15, and \$2,409 in FY 16. Currently, there is sufficient funding in the General Fund (GP) in the Department of Parks, Recreation and Marine (PR) in FY 12. Sufficient funds will be budgeted in the General Fund (GP) in the Department of Parks, Recreation and Marine (PR) every fiscal year thereafter. There is no job impact associated with the recommended action.

SUGGESTED ACTION

Approve recommendation.

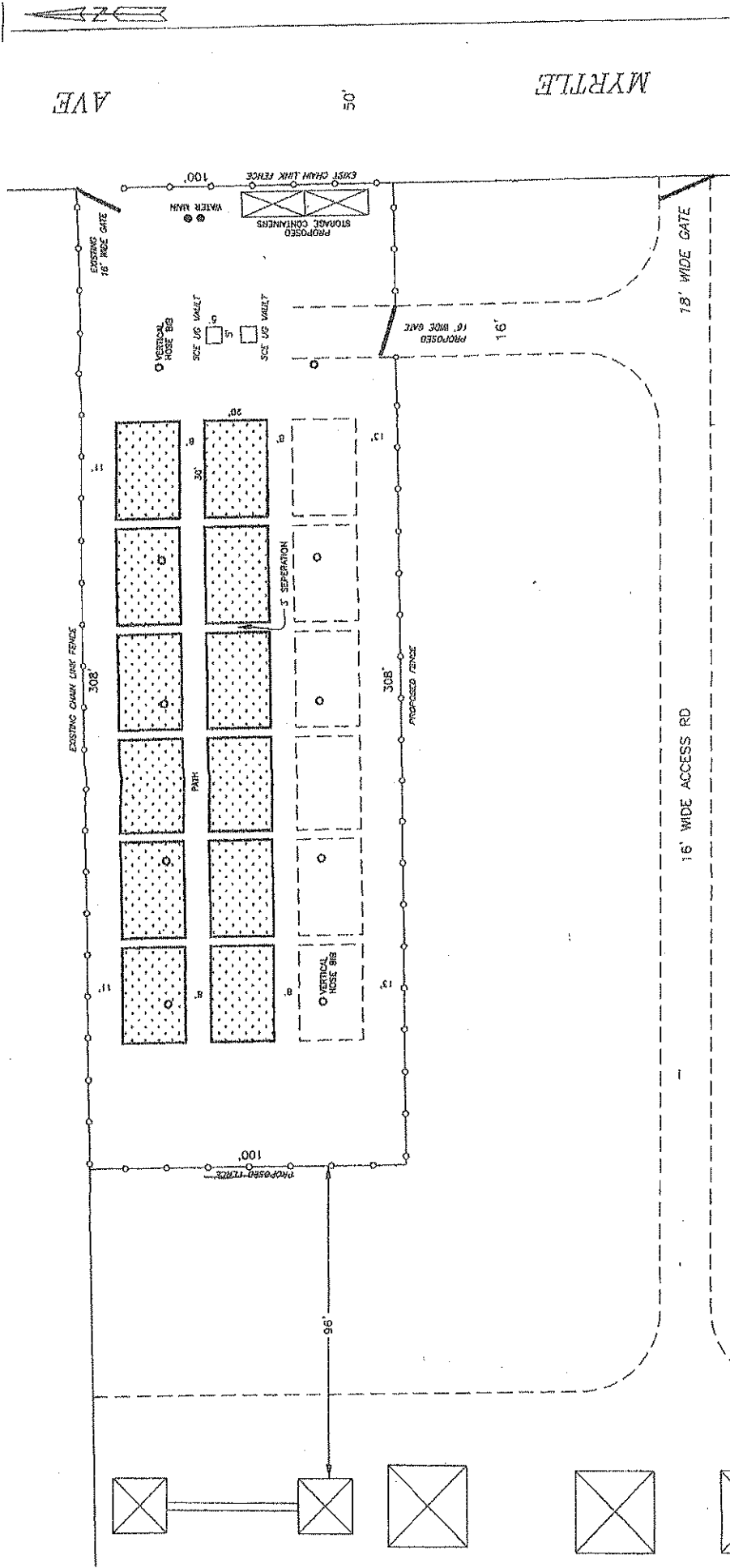
Respectfully submitted,


GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

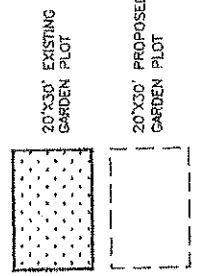
GC:JK:RL:ak
Attachment

APPROVED:


PATRICK H. WEST
CITY MANAGER



TOTAL AREA (GROSS)	SQ.FT. 30,800	AC. 0.71
FACILITY NAME: HINSON - LIGHTHOUSE 220KY T/L R/W	P.I.D. NO. 5012003	J.A.M. ID. REC-1063
LICENSEE: CITY OF LONG BEACH	CITY: LONG BEACH	T.G.: 76703
R/P FILE NO.: P85W057-4-46	R/P AGENT: ROSLYN DELMAR	COUNTY: LOS ANGELES
LAND MAPPING: P. VANEKIS	T/S APPRV.: -	STATE: CA
SANDERS MAP NO.: 533882	OTHER REF.: 95W05744	EDISON
M.S.: 48-86	DATE: 03/22/99	AN EDISON INTERNATIONAL COMPANY



LEGEND:
 LANDS OF SOUTHERN CALIFORNIA EDISON COMPANY
 BEING LICENSED TO CITY OF LONG BEACH FOR
 HORTICULTURE CENTER / COMMUNITY GARDENS.
 [Symbol] APPROXIMATE TOWER LOCATION (25' CLEARANCE)
 [Symbol] VERTICAL HOSE BIB