



Legislation Details (With Text)

File #: 13-0185 **Version:** 1 **Name:** PRM-Right of Entry for Rancho Los Cerritos
Type: Agenda Item **Status:** Approved
File created: 2/14/2013 **In control:** City Council
On agenda: 3/5/2013 **Final action:** 3/5/2013

Title: Recommendation to authorize City Manager to accept non-monetary donations of planning, labor, and materials for the construction of a California native plant garden and perimeter landscaping at Rancho Los Cerritos; and execute a right-of-entry permit and any related documents with the Rancho Los Cerritos Foundation for the construction of the project for a term of two years. (District 8)

Sponsors: Parks, Recreation and Marine

Indexes: Permits

Code sections:

Attachments: 1. 030513-R-16sr&att.pdf

Date	Ver.	Action By	Action	Result
3/5/2013	1	City Council	approve recommendation	Pass

Recommendation to authorize City Manager to accept non-monetary donations of planning, labor, and materials for the construction of a California native plant garden and perimeter landscaping at Rancho Los Cerritos; and execute a right-of-entry permit and any related documents with the Rancho Los Cerritos Foundation for the construction of the project for a term of two years. (District 8)

In 2002, the City Council approved the Rancho Los Cerritos Master Plan, which included the construction of a California native plant garden (Project) in the northwest corner of the Rancho Los Cerritos (Rancho) property (Attachment).

On January 18, 2013, the Rancho Los Cerritos Foundation (Foundation) submitted a letter to the Department of Parks, Recreation and Marine (PRM) notifying PRM of the receipt of a \$400,000 grant from the Port of Long Beach, and requesting a right-of-entry permit to allow the Foundation access to the Rancho to construct the Project. City Council approval of a right-of-entry permit and acceptance of non-monetary donations is requested in order to allow the Foundation to construct the Project. The Project will extend from the recently constructed Visitor's Center to the northwest corner of the Rancho property and will open up over 30,000 square feet of restored landscape. The total estimated cost of the Project is \$473,139. The Foundation will provide the remaining \$73,139.

Construction of the Project will restore native habitat, improve aesthetics, address watershed drainage and hillside erosion issues, and expand passive recreational use of the Rancho. An automatic water-saving irrigation system, which includes a rain sensor to conserve water, is included in the Project. Once the Project is complete and combined with the native planting around the Visitor's Center, along the western perimeter of the property, and at the recently rehabilitated arroyo, over 1.5 contiguous acres of land will have been restored through native planting. PRM is responsible for maintenance of the current site, and will continue to provide maintenance of the new landscaping with existing resources.

The proposed right-of-entry permit will contain the following major provisions:

- Location: Northwest corner of Rancho Los Cerritos (approximately 30,000 square feet).
- Term: Two years, commencing April 1, 2013 through March 31, 2015.
- Authorized Use: To provide access to the Foundation to Rancho Los Cerritos property for the purpose of the construction of a native plant garden and some perimeter landscaping.
- Consideration: The Foundation shall construct the Project at no cost to the City of Long Beach (City).
- Maintenance: Upon Project completion, the City shall continue to maintain the site.
- Insurance: The Foundation shall be required to indemnify the City and provide insurance as defined by the City's Risk Manager.

This approval shall be considered an initial consent by the City in its capacity as the property owner and not in its capacity as a regulatory agency. The Foundation shall still be responsible for obtaining all applicable building and construction permits as required by law. The Foundation shall obtain all required City permits and provide all necessary insurance as required by the City's Risk Manager.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on February 11, 2013, and Budget Management Officer Victoria Bell on February 12, 2013.

City Council action is requested on March 5, 2013, in order to formalize and execute the right-of-entry permit to allow the Rancho Los Cerritos Foundation to quickly proceed with the construction permitting process.

There is no fiscal impact associated with the recommended action. Ongoing maintenance will be absorbed within PRM's existing budget and landscaping contract. The recommended action will result in a positive impact on jobs, although the exact number is unknown at this time.

Approve recommendation.

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER