



Legislation Details (With Text)

File #: 11-1009 **Version:** 1 **Name:** PRM - SCE-Owned ROW used as North LB Community Garden D9

Type: Contract **Status:** CCIS

File created: 9/13/2011 **In control:** City Council

On agenda: 10/11/2011 **Final action:** 10/11/2011

Title: Recommendation to authorize 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)

Sponsors: Parks, Recreation and Marine

Indexes:

Code sections:

Attachments: 1. 101111-C-9sr&att.pdf

Date	Ver.	Action By	Action	Result
10/11/2011	1	City Council	approve recommendation	Pass

Recommendation to authorize 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)

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

- **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.

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

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.

Approve recommendation.

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER