



## Legislation Text

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**File #:** 08-0333, **Version:** 1

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Recommendation to authorize City Manager to execute a permit with Beach Ventures, Inc., and all documents necessary for the operation of a vessel mooring program adjacent to the City's beaches, for a ten-year term, with two five-year options at the discretion of the City Manager; and approve the City of Long Beach Mooring Rules and Regulations. (Districts 2,3)

The City, through its Department of Parks, Recreation and Marine (PRM), has been working for approximately five years to implement an offshore mooring program. Initially, PRM contemplated implementing and operating the mooring program internally, but decided that utilizing an outside company to install and operate the program would be more prudent. A Request for Proposals (RFP) was developed and advertised, and the City received two responses to the RFP. Beach Ventures, Inc., was determined to be the more responsive of the two companies.

The mooring program proposal has been taken through the permitting process and received a Mitigated Negative Declaration from the Department of Planning and Building, which was certified by the Planning Commission on May 3, 2007. The certification was appealed to the City Council, and City Council denied the appeal on June 19, 2007. The California Coastal Commission approved a Local Development Permit for the mooring program on March 5, 2008.

The majority of the opposition regarding the proposed mooring program centered on the impact the program would have on the City's water quality. The City has worked with Beach Ventures, Inc., and other jurisdictions that operate successful mooring programs in the region, to develop City of Long Beach Mooring Rules and Regulations (Attachment A). These rules and regulations contain environmental protection rules and penalties that are more stringent than any mooring program in the region.

The following are major provisions of the proposed permit:

- Premises: Offshore area of the City, as approved by the Department of Parks, Recreation and Marine.
- Permitted Use: Installation and operation of up to 45 moorings.
- Term: Ten years, through April 14, 2018.
- Renewal Options: Two five-year renewal options, at the discretion of the City Manager or his designee.
- Rent: Ten percent of gross program revenues, paid monthly.
- Maintenance: Beach Ventures, Inc., will be responsible for all maintenance related

to the mooring program.

· Insurance: Beach Ventures, Inc., shall provide insurance coverage as defined by the City's Risk Management Office.

This matter was reviewed by Deputy City Attorney Gary J. Anderson on March 26, 2008, and Budget Management Officer Victoria Bell on April 1, 2008.

City Council action is requested on April 15, 2008, to enable the execution of the permit in order to allow for mooring installation before the summer of 2008.

Revenue estimated at \$30,000 a year will be deposited in the Tidelands Fund (TF) in the Department of Parks, Recreation and Marine (PR).

Approve recommendation.

Phil T. Hester  
Director of Parks, Recreation and Marine

NAME  
TITLE

APPROVED:

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PATRICK H. WEST  
CITY MANAGER