



Legislation Text

File #: 05-3117, **Version:** 1

Recommendation to authorize City Manager to execute Second Amendment to Joint Use Agreement No. 27379 with the Long Beach Unified School District, extending the term to 20 years, for the use of Herbert H. Bancroft Middle School Recreational Facilities. (District 5)

On December 15, 2000, the City Council approved a Joint Use Agreement with the Long Beach Unified School District (District) for non-school hour public use of recreational facilities at Herbert H. Bancroft Middle School (Bancroft). On April 16, 2002, the City Council approved a first amendment to the Joint Use Agreement to change the hours of priority use and to provide for the installation of City grant-funded lighting on the school

ball field. The total project cost was \$337,500, paid for with \$250,000 in state grant funds and \$87,500 in Park Impact Fees. In order for the City to apply for reimbursement of the \$250,000 in funding from the State Department of Parks and Recreation, the State land tenure requirement of 20 years must be met. The land tenure is a State requirement for all grant-funded projects over \$100,000. Therefore, in response to the State's

requirement, City Council approval is requested to extend the term of Joint Use Agreement No. 27379 to 20 years. While negotiating the amendment with the District, it was proposed that several additional items pertaining to the use of the ball field be included: . Bancroft shall only be used in a joint-use capacity by youth. Adult activities or sports shall not be permitted, without prior written approval by the District. . The District shall pay for all water and gas service to the site. As the site is separately metered for electrical service, the City shall pay for all electrical service for the lighting on the site. No food, beverage, promotional, or any other type of permanent concession shall be present at the site. Temporary concessions, including portable barbeques, cooking devices, and on-site sales will be permitted, only with prior written approval of the District. No permanent or temporary structures, including but not limited to portable restrooms and storage sheds, shall be placed on the site without the prior written approval of the

District. The District reserves the right to approve the condition of the structures and to require removal of any structures that do not meet with District's approval due to age, condition or use. This letter was reviewed by Donna F. Gwin, Senior Deputy City Attorney, on August 15, 2005 and Budget Management Officer David Wodynski on August 29, 2005.

City Council action is requested on September 6, 2005 to secure reimbursement funding of \$250,000 that was expended by the City for the construction of the ball-field lighting.

Reimbursed funds in the amount of \$250,000 will be allocated to the Capital Improvement Fund (CP) in the Department of Public Works (PW) 3270-1 1.

Approve recommendation.

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[Respectfully Submitted,]