

APPROVED
NOV 04 2009

REPORT OF GENERAL MANAGER

NO. 09-278

DATE November 4, 2009

BOARD OF RECREATION
and PARK COMMISSIONERS

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BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CABRILLO BEACH - AMENDMENT NO. 2 TO PERMIT AND OPERATING AGREEMENT NO. 1516 BETWEEN THE DEPARTMENT OF RECREATION AND PARKS AND THE HARBOR DEPARTMENT

R. Adams	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
V. Israel	_____	*M. Shull	<i>all for</i>

[Signature]

 General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve the proposed Amendment No. 2 to Permit and Operating Agreement No. 1516, substantially in the form on file in the Board Office, between the Department of Recreation and Parks (Department) and the Harbor Department (Harbor) for improvements to be performed within the Agreement area at Harbor's sole expense, subject to review and approval of the City Attorney;
2. Direct the Board Secretary to transmit the Amendment concurrently to the Mayor and to the City Attorney for review and approval as to form, in accordance with Executive Directive No. 3; and,
3. Authorize the Board President and Secretary to execute Amendment No. 2 upon obtaining all necessary approvals.

SUMMARY:

On November 14, 1989, the Department executed an agreement (Permit and Operating Agreement No. 1516) with the Port of Los Angeles (also referred to as "Harbor" or "Harbor Department") for the maintenance and operation by the Department of certain waterfront property owned by the Harbor Department, known as Cabrillo Beach, including a boat launch ramp, adjacent parking lot, restroom building, landscaped area(s) and other related facilities.

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On June 19, 2002, the Board approved the Amendment No. 1 to the Operating Agreement No. 1516 (Board Report No. 02-260) to delete a 39,157 square foot portion of the existing agreement premises to be incorporated into Permit No. 384, which is between the Department and Harbor, for the Department's operation of the Cabrillo Marine Aquarium premises and adjacent parking areas; and, approved a Second Amendment to Permit No. 384 adding the same 39,157 square foot portion of land to the Permit No. 384 existing permit premises to accommodate the Cabrillo Marine Aquarium expansion and improvement project which has been completed.

In a letter dated July 31, 2009 to the Department, the Harbor transmitted the proposed Second Amendment (Amendment) to Operating Agreement No. 1516. The proposed Amendment will allow the Harbor to make improvements to approximately 4.5 acres of space located on land permitted to the Department, including the addition of two public restroom buildings. During the term of this Agreement, Department shall cooperate with the Harbor Department to complete the improvements shown in the attached Exhibit A-3. All costs incurred for the construction of these improvements will be the responsibility of the Harbor Department.

The Amendment is supported by the Superintendent of the Pacific Region and the Councilmember of the 15th Council District.

FISCAL IMPACT STATEMENT:

Improvements at the Cabrillo Beach Recreational Area under the San Pedro Waterfront Enhancement Project will be made by the Harbor Department, at no expense to the Department of Recreation and Parks.

This report was prepared by Gregory Clark, Management Analyst II, Real Estate and Asset Management Section.