



County of Los Angeles CHIEF EXECUTIVE OFFICE

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LOS ANGELES, CALIFORNIA 90012
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WILLIAM T FUJIOKA
Chief Executive Officer

December 18, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: LONG BEACH NORTHEAST
DRAINAGE SYSTEM - HAMILTON BOWL
PARCELS 1 THROUGH 79, 82 THROUGH 85, AND 107
FIRST AMENDMENT TO LEASE AGREEMENT NO. 76300 BETWEEN
THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT AND
THE CITY OF LONG BEACH
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find that the proposed lease agreement is exempt from the provisions of the California Environmental Quality Act for the reasons cited in this letter and the project record.
2. Find that the proposed First Amendment to Lease Agreement No. 76300 between the Los Angeles County Flood Control District and the City of Long Beach, which extends the term of the lease from 65 years to 99 years, will not interfere with the use of the Long Beach Northeast Drainage System - Hamilton Bowl for any purposes of the Los Angeles County Flood Control District.
3. Instruct the Chair to sign the First Amendment to Lease Agreement No. 76300 and authorize delivery to the City of Long Beach.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is to allow the Los Angeles County Flood Control District (LACFCD) to enter into the First Amendment to Lease Agreement No. 76300 (First Amendment) with the City of Long Beach (City) for the purpose of changing the term from 65 years to 99 years. Lease Agreement No. 76300 is for public recreation improvements within Hamilton Bowl.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Service Excellence (Goal 1). This action will provide for the continued joint use of a portion of the LACFCD's property for recreational purposes.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

There will be no monetary consideration paid for this First Amendment provided the use remains for publicly owned recreational purposes. The Los Angeles County Flood Control Act provides for LACFCD property to be used for these purposes as long as the public recreational purposes are compatible with the LACFCD's purposes of flood control, water quality, and water conservation.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Hamilton Bowl is located north of the northeast corner of Walnut Avenue and Pacific Coast Highway in the City of Long Beach.

In order for the City to pursue and secure funding for improvements to the lease premises, they requested an extension of the term from 65 years to 99 years, with the expiration date to be June 30, 2106.

The proposed First Amendment is authorized by Section 2, Paragraph 13 of the Los Angeles County Flood Control Act. This section provides as follows: "Said Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and as such shall have power: 13. To lease ... any property (or any interest therein) whenever in the judgment of said Board of Supervisors, said property, or any interest therein or part thereof, is no longer required for the purposes of said district, or may be leased for any purpose without interfering with the use of the same for the purposes of said district."

The Honorable Board of Supervisors
December 18, 2007
Page 3

County Counsel has reviewed and approved the First Amendment as to form.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301 of the State CEQA Guidelines, and Class 1 of the County Environmental Reporting Procedures and Guidelines, Appendix G. It is within the class of projects, which allows for leasing of existing public facilities that have been determined not to have a significant effect on the environment. In addition, the property is not in a sensitive environment and there are no cumulative impacts, unusual circumstances, or other limiting factors which would make the exemption inapplicable based on the project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action allows for the continued joint use of LACFCD right of way without interfering with the primary mission of the LACFCD.

CONCLUSION

Please return one adopted copy of this letter and two executed originals of the First Amendment to the Department of Public Works, Mapping & Property Management Division. Retain one original for your files.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:WH
PAP:psr

Attachment

c: Auditor-Controller (Accounting Division - Asset Management)
County Counsel

Lease Agreement No. 76300
Long Beach Northeast Drainage System -
Hamilton Bowl
Parcels 1 through 79, 82 through 85,
and 107
R/W Map No. 94-RW 1
A.P.N. 7216-012-900 through 906 and
7216-033-900
Thomas Guide grid/page 795-E4
Fourth District

FIRST AMENDMENT TO LEASE AGREEMENT NO. 76300

This First Amendment to Lease Agreement No. 76300 is made and entered into this _____ day of _____ 2007, by and between the Los Angeles County Flood Control District, a body corporate and politic (hereinafter referred to as District), and the City of Long Beach, a municipal corporation (hereinafter referred to as City).

RECITALS

A. District, as Landlord, and the City, as Tenant, executed Lease Agreement No. 76300 dated as of July 25, 2007 (hereinafter referred to as Lease), pursuant to which District leased to City and City leased from District that certain real property commonly referred to as Hamilton Bowl or Chittick Field. The Lease, as originally executed, has a term of sixty-five (65) years, commencing on July 1, 2007, and ending on June 30, 2072.

B. City desires to extend the term of the Lease from the original termination date of June 30, 2072, to June 30, 2106.

NOW, THEREFORE, in consideration of the mutual agreements, covenants, and conditions contained herein, the District and City, agree as follows:

1. Section 3 Term of the Lease is deleted in its entirety and replaced with the following:

"The term of this Lease shall commence on July 1, 2007, and shall continue thereafter for a period of ninety-nine (99) years, with an expiration date of June 30, 2106 (hereinafter referred to as the Term), subject to the parties' respective rights to cancel as set forth in Section 5, below."

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to Lease Agreement No. 76300 to be executed the day and year first appearing above.

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic

CITY OF LONG BEACH, a municipal corporation

By _____

By Christine J. Shipper

ATTEST:

Sachi A. Hamai, Executive Officer of the Board of Supervisors of the County of Los Angeles

APPROVED AS TO FORM AND RETURNED

11-26, 2007
ROBERT E. SHANNON, City Attorney

By _____
Deputy

By [Signature]
RICHARD ANTHONY
DEPUTY CITY ATTORNEY

APPROVED AS TO FORM

RAYMOND G. FORTNER, JR.
County Counsel

By [Signature]
Deputy

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring the Chair's signature.

The undersigned hereby certifies that on this _____ day of _____, 20____, the facsimile signature of _____, Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

SACHI A. HAMAI, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

(LACFCD-SEAL)

WH:psr
P2:\FIRST AMEND HB

ACKNOWLEDGMENT FORM

STATE OF CALIFORNIA)
COUNTY OF Los Angeles) ss.

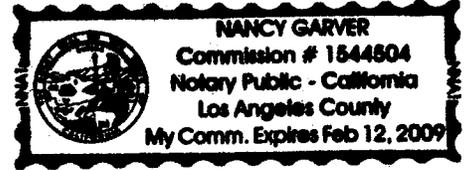
On Apr. 26, 2007, before me, Nancy Garver (insert name here), a Notary

Public personally appeared Christine F. Shippey, Assistant City Manager
(insert name(s) and title(s))

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Nancy Garver



(Seal)

NOTARIES: ATTACH ADDITIONAL OR OTHER FORMS, IF REQUIRED

ACKNOWLEDGMENT FORM
(FOR COUNTY USE ONLY)

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

On _____, before me, CONNY B. McCORMACK, Registrar-Recorder/County Clerk of the County of Los Angeles, personally appeared _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity on behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

CONNY B. McCORMACK, Registrar-Recorder/
County Clerk of the County of Los Angeles

By _____
Deputy County Clerk

(Seal)