



CITY COUNCIL AGENDA REPORT

MEETING DATE: SEPTEMBER 17, 2013 ITEM NUMBER:

SUBJECT: RENEWAL OF THE LICENSE AGREEMENT WITH THE ORANGE COUNTY MODEL ENGINEERS INC. (OCME) FOR THE USE OF A PORTION OF FAIRVIEW PARK

DATE: SEPTEMBER 5, 2013

FROM: PUBLIC SERVICES DEPARTMENT / ENGINEERING DIVISION

PRESENTATION BY: ERNESTO MUNOZ, PUBLIC SERVICES DIRECTOR

FOR FURTHER INFORMATION CONTACT: FARIBA FAZELI, INTERIM CITY ENGINEER, (714) 754-5335

RECOMMENDATION:

The Parks and Recreation Commission recommends that the City Council renew the user agreement with the Orange County Model Engineers, Inc. (OCME) for the use of the east side of Fairview Park until December 31, 2014.

BACKGROUND:

In 1988, the City entered into a license agreement with OCME for the installation, operation and maintenance of the model railroad facility at Fairview Park. The term of the 1988 agreement is for twenty five (25) years and expires in September 2013 (Attachment 1). OCME expressed interest in renewing the agreement for an additional twenty five (25) years upon its expiration (Attachment 2).

ANALYSIS:

The Orange County Model Engineers, Inc. is a 501(c)(3) non-profit organization that operates a 7-1/2" gauge railroad over a 5-mile layout of track, a train station, restroom, and 20,000 sq. ft. maintenance yard at Fairview Park. The club offers free train rides to the public every third weekend of the month. A total of 21,296 people rode the trains in 2012. Funding for OCME operations and activities at the railroad is made available through membership dues, private and corporate donations, in kind services, and volunteer labor. Members donate over 10,000 hours annually to the operation and maintenance of the facility. OCME also sponsors many annual special events operated by OCME members and community volunteers which include:

- Polar Express Holiday event, 1,200 train rides.
- 48 birthday parties attended by 1,152 people.
- Pumpkin Run.
- Volunteer service opportunities for the Sunshine Academy and local high school students. Park maintenance, track repairs, and construction projects provided 450 hours of labor to the park.
- Eagle Scout Projects in the past include the building of a retaining wall, rebuilding of the Hank Horsveld Bridge and rebuilding of the canopy at the train station.
- Spring and fall train meets.

- OCME hosted events on site sponsored by the California Fire Museum, Costa Mesa Police Department, American Cancer Society, American Civil War Society, Lions Club, Kids with Cancer, Kiwanis Club, Junior Costa Mesa Fire Department, and the Raise Foundation.
- OCME hosts various model train clubs from around the world such as the group from Australia last year that brought their trains and ran them on the Fairview Park tracks.

OCME has an approved Master Plan of Improvements that is consistent with the Fairview Park Master Plan. Over the past ten (10) years the club and its volunteers have installed a shade structure at the train yard, installed safety gates at the loading dock, expanded the concrete walkway between the train station and train yard, rebuilt the train station canopy, and added approximately 1,000 linear feet of track.

At their meeting on June 27, 2013 the Parks and Recreation Commission recommended that the agreement with OCME be extended until the end of 2014. The Commission also recommended that the agreement be revisited after the Fairview Park Citizens Advisory Committee has completed their evaluation of the Fairview Park Master Plan.

FISCAL REVIEW:

There is no fiscal review required with this item.

LEGAL REVIEW:

The City Attorney’s office has reviewed the agreement and finds it acceptable as to form.

CONCLUSION:

The Parks and Recreation Commission recommends that the City Council renews the user agreement with the Orange County Model Engineers Inc. (OCME) for use of the east side of Fairview Park until December 31, 2014.

ERNESTO MUNOZ
Public Services Director

FARIBA FAZELI
Interim City Engineer

- ATTACHMENTS: 1- [Existing OCME License Agreement](#)
 2- [Proposed OCME License Agreement](#)

- DISTRIBUTION: Chief Executive Officer
 Assistant Chief Executive Officer
 City Attorney
 City Clerk
 Parks Project Manager
 Contract Administrator
 Staff
 File