

August 8, 2023

C-11

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager or designee to execute all documents necessary for the First Amendment to Right-of-Entry Permit No. P-00318 between City of Long Beach and City of Signal Hill, for the continued use of City-owned property located at the southwest corner of Cherry Avenue and Burnett Street, Assessor Parcel Number 7215-002-271, within the City of Signal Hill, to extend the term for an additional one year, with two (2) one-year extensions, upon mutual agreement. (Citywide)

DISCUSSION

On September 17, 2013, the City Council authorized the City Manager to execute any and all documents necessary for the City of Long Beach (City) to enter into real property occupancy agreements with public or private parties for terms not to exceed six months, with a right of one six-month extension, to provide immediate occupancy rights to City-owned properties such as vacant lots or buildings due to unforeseen or unplanned events or emergencies. On September 1, 2022, under the City's Short-Term Occupancy program, the City entered into Right-of-Entry Permit No. P-00318 (Initial Permit) with the City of Signal Hill (Permittee) for the exclusive use and occupancy of approximately 60,225 square feet of vacant City-owned property located at the southwest corner of Cherry Avenue and Burnett Street within the City of Signal Hill (Premises) for the express purpose of maintenance and development of open space and associated with temporary public amenities. The Permittee has developed the Premises as part of the construction of Permittee's Heritage Point Park.

The Initial Permit will expire on September 1, 2023. To accommodate the Permittee's interest in the continued use of the Premises, the City and Permittee agreed to extend the term of the Initial Permit for an additional one-year period with two additional one-year extensions upon mutual agreement of the City and the Permittee. As consideration for the occupancy of the Premises, the Permittee shall maintain the improvements at the Premises to comply with the City of Signal Hill's Vacant Parcel Ordinance (Signal Hill Municipal Code Chapter 12, Section 16) (VPO). The proposed First Amendment to Right-of-Entry Permit No. P-00318 contains the following major terms and provisions:

City/Permitter: City of Long Beach, a municipal corporation.

Permittee: City of Signal Hill, a California municipal corporation.

Permit Area: Approximately 60,225 square feet of open space and associated temporary public amenities.

Term: One year commencing September 1, 2023 through August 31, 2024.

Renewals: Two additional one-year extensions upon the mutual agreement of City and Permittee.

All other remaining terms and provisions of Right-of-Entry Permit No. P-00318 shall remain in full force and effect.

This matter was reviewed by Principal Deputy City Attorney Richard F. Anthony on July 17, 2023 and by Budget Management Officer Nader Kaamoush on July 21, 2023.

TIMING CONSIDERATIONS

City Council action is requested on August 8, 2023, to execute the First Amendment in a timely manner.

FISCAL IMPACT

This recommendation has no fiscal impact and no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

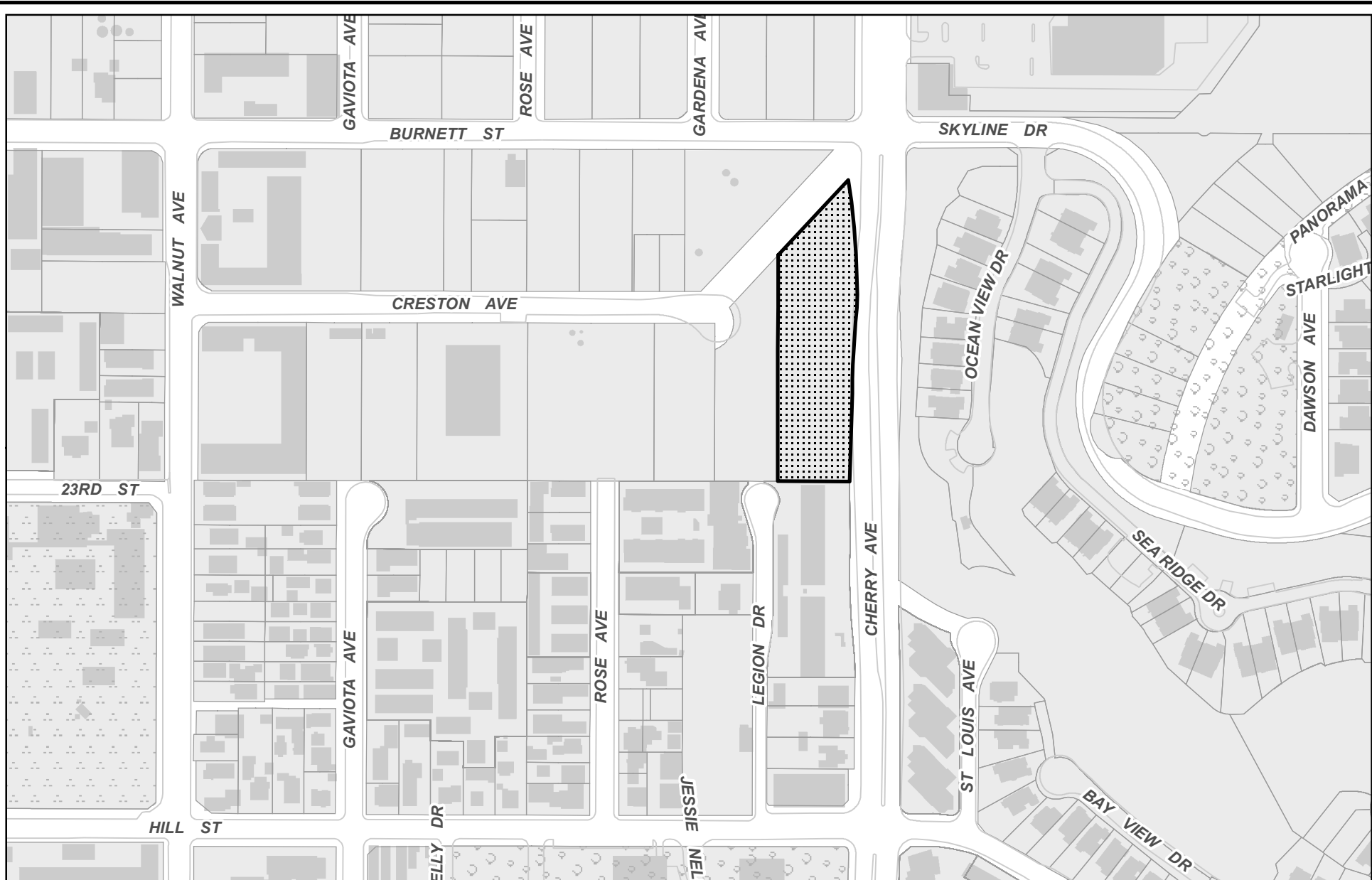


BO MARTINEZ
DIRECTOR
ECONOMIC DEVELOPMENT

APPROVED:



THOMAS B. MODICA
CITY MANAGER



As of July 2023



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Subject Property:

APN: 7215-002-271

City of Signal Hill

Attachment A

