

August 8, 2023

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager, or designee, to enter into a Facilities Use Agreement between the City of Long Beach and Long Beach Community College District, for the property located at 635 East South Street for the operation of a North Long Beach Higher Education Center, on the stated terms and conditions. (District 9)

DISCUSSION

On August 2, 2022, the City Council authorized the City Manager to enter into a Lease (Lease) with the Long Beach Arts District, LLC (Landlord), for the property located at 635 South Street, for operation of a North Long Beach Higher Education Center (Center). The Lease required certain improvements to be made to the Center including paint, new storefronts, a new roof, electrical upgrades, exterior lighting, and landscaping. Also included was the buildout of classroom space, including computer equipment, allowing the Center to pursue its goals of increasing the number of Long Beach residents who re-engage with the education and training system and providing greater access to economic and workforce training to residents in North Long Beach.

The establishment of the Center is the result of a multi-year effort by a partnership comprised of the City of Long Beach (City), the Long Beach Community College District (LBCC), Pacific Gateway Workforce Investment Network (PGWIN), and North Long Beach higher education experts and advocates. As contribution to these efforts, LBCC has agreed to provide and install computers and related equipment to outfit the classroom space and provide instruction, enrollment, and small business advising and consulting services. LBCC has also agreed to make the computers available to the City and its operator when not in use by LBCC. The City will continue its responsibilities, as Tenant under the Lease, including maintenance and utilities. The City will also procure a day-to-day operator who will be responsible for opening and closing the facility as well as ensuring compliance with all policies and procedures.

As the facility improvements have been completed, and LBCC wishes to proceed with installation of computers and related equipment, a Facilities Use Agreement (Agreement) is required to outline the roles and responsibilities related to operation of the Center. A Facilities Use Agreement has been negotiated containing the following major terms and conditions:

- Partner: Long Beach Community College District.
- Premises: Classroom and server room space located within 635 East South Street.
- Term: Commencing August 1, 2023 and continuing until terminated by either party upon sixty (60) days advance written notice, and after the completion of any classes then in-session.
- City Responsibilities: The City shall be responsible for all obligations as the Tenant under the Lease, including maintenance and utilities. The City will be responsible for procuring an operator for management and day-to-day operations including ensuring compliance with any policies and procedures related to the use of the classroom space and computer equipment.
- LBCC Responsibilities: LBCC is responsible for procurement and installation of approximately 30 computers and related equipment including dedicated servers and wiring for use in providing classroom services. LBCC will make the computers available to the City and the operator so long as the use does not conflict with the LBCC's classes and services. LBCC shall provide everything necessary for classroom instruction and enrollment services and shall offer small business advising and consulting services at the Center. LBCC shall maintain the server room and will be responsible for any taxes which may be assessed due to the Agreement.
- Insurance: The City and LBCC shall both maintain policies of insurance naming the other as additional insureds.

The process to identify an operator for the Center is ongoing. A management agreement will be required and will return to City Council for approval in the coming months.

This matter was reviewed by Principal City Attorney Richard F. Anthony on July 5, 2023 and by Budget Management Officer Nader Kaamoush on July 14, 2023.

TIMING CONSIDERATIONS

City Council action is requested on August 8, 2023, to ensure installation of computers and related equipment can proceed expeditiously.

FISCAL IMPACT

The approval of the Facilities Use Agreement will require the City to identify an operator for the Center. Staff will return to City Council for approval of the management agreement for the operator. It is anticipated the operator, to be selected, will receive use of office space within the Center in exchange for the management duties resulting in no additional cost to the City. This recommendation has 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



Subject Property:

635 E South St
 AIN: 7124-032-916
 Council District : 9

Attachment

