

CITY OF LONG BEACH **R-32**

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9th Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

December 6, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Authorize the City Manager to execute all documents necessary for a lease (Lease) with Century Villages at Cabrillo, Inc., a California nonprofit corporation, for the use of excess Terminal Island Freeway right-of-way. (District 7)

DISCUSSION

Century Villages at Cabrillo, Inc., (CVC), developed, manages and operates a 26-acre supportive housing community in the City of Long Beach known as Villages at Cabrillo (Villages), a home to more than 1,000 Long Beach residents. Established to break the cycle of homelessness, CVC creates the physical and social conditions where individuals and families can succeed in overcoming homelessness through service-enriched affordable housing. Providing the tools necessary to change behaviors and overcome obstacles, CVC seeks to empower residents to build upon their dreams and to reintegrate into mainstream society.

At any given point in time, CVC and its network of service providers support approximately 414 children, who either live at the Villages or participate in any number of child-serving programs. These programs include affordable child care, a computer center for youth, after school homework assistance and tutoring, and education programs provided by Long Beach Unified School District's Bethune Transitional Center for homeless children and youth. Several hundred children reside at the Villages in emergency shelter facilities or transitional and permanent housing. The Villages is also home to a KaBOOM!-funded playground that universally serves all the children and is located next to the Terminal Island Freeway (Freeway), a major route for cargo trucks traveling to and from the Ports of Los Angeles and Long Beach.

The City is owner of an irregularly shaped 1.054 acre parcel of excess right-of-way (Site) along the eastern edge of the Freeway (see Attachment). Access to the Site from the Freeway is impeded by an existing open channel drainage culvert (Culvert). The Site is situated between the Culvert and the Villages and is not accessible via public streets. The City is responsible for maintenance of the Site. The Site has nominal value for leasing purposes due to its shape, location, lack of accessibility and use/zoning restrictions.

HONORABLE MAYOR AND CITY COUNCIL

December 6, 2011

Page 2

Earlier this year, CVC was awarded a grant, through the Port of Long Beach's Mitigation Grant Program for Schools and Related Sites, for its proposed Campus Landscape Barrier Project (Project). CVC proposes to utilize the Site to develop a comprehensive landscaping barrier along its western border. The Project includes a nine-foot-wide planting area to accommodate a landscape barrier that will function as a "biofilter" to help improve the air quality in the area adjacent to the Freeway. The barrier, composed of various "Canopy" and "Understory" trees, will also provide a year-round buffer from the noise, odors and visual impacts of the Freeway and the surrounding industrial uses.

City staff is supportive of the Project and seeks to assist CVC in its use of the Site. The Project will also have a positive impact on the City's stormwater sustainability initiative by increasing the on-site retention of stormwater for percolation and irrigation purposes. As such, a partnership between the City and CVC demonstrates an effective leveraging of resources, which will have the combined benefit of positively impacting quality of life for our community's children and the residents of the surrounding community, all while providing sound environmental stewardship.

City staff proposes to lease the Site to CVC under the following major terms and provisions:

- Landlord: City of Long Beach, a municipal corporation.
- Tenant: Century Villages at Cabrillo, Inc., a California nonprofit corporation.
- Premises: Approximately 1.054 acres of excess Terminal Island Freeway right-of-way.
- Use: The Premises shall be utilized solely for the installation and maintenance of a landscape barrier adjacent to the Terminal Island Freeway and for the development of open space for the residents of the Villages.
- Term: The term of the Lease shall be for 20 years commencing January 1, 2012. The Lease may be extended for three additional ten-year periods at the discretion of the City Manager.
- Termination: The City may terminate the Lease at any time for all or any portion of the Premises upon 90-days prior written notification if needed for any public purpose. Tenant may terminate the Lease at any time upon 90-days prior written notification.
- Rent: The Premises shall be leased for the nominal fee of \$1 per year. As additional consideration, Tenant shall be responsible for all maintenance and landscaping costs associated with the entire Premises, in addition to the landscape barrier. Tenant shall also install and maintain a chain-link fence along the western edge of the Premises in order to secure the Premises from trespassing from the Terminal Island Freeway. The City shall retain the right to replace/relocate the fence, at its sole cost and expense, with a more permanent fence.

HONORABLE MAYOR AND CITY COUNCIL

December 6, 2011

Page 3

This letter was reviewed by Deputy City Attorney Richard F. Anthony on October 31, 2011 and Budget Management Officer Victoria Bell on November 11, 2011.

TIMING CONSIDERATIONS

The grant from the Port of Long Beach for the Project is contingent upon the execution of an agreement between the City and CVC to secure the use of the Site. City Council action on this matter is requested on December 6, 2011, in order to formalize and execute the Lease in a timely manner.


FISCAL IMPACT

There is no fiscal impact to the General Fund and no known local job impact associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

Attachment
MPC:JMLR
12.06.11.Villages.Cabrillo.Lease v2.doc

APPROVED:



PATRICK H. WEST
CITY MANAGER

