

April 18, 2023

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Acknowledge and consent to an Assignment and Assumption of the Purchase and Sale Agreement and Escrow Instructions, dated March 10, 2022, for the disposition of City-owned exempt surplus property located at 854 East 7<sup>th</sup> Street, commonly known as the former Long Beach Armory for an affordable housing development, from Armory Arts Collective, LP (Assignor), to Linc Armory, LP (Assignee); and,

Consent to a change in population type for the affordable housing development from general affordable housing to affordable housing restricted to senior adult households. (District 1)

**DISCUSSION**

On December 7, 2021, the City Council authorized a Purchase and Sale Agreement, dated March 10, 2022 (Purchase and Sale Agreement), with Armory Arts Collective, LP (Buyer/Developer/Assignor) for the development and adaptive reuse of City-owned exempt surplus property located at 854 East 7<sup>th</sup> Street, commonly known as the former Long Beach Armory (Subject Property) (Attachment) for the development of a 64-unit affordable housing project (Proposed Project).

In March 2023, the Buyer/Developer/Assignor notified the City that the Purchase and Sale Agreement would be assigned to Linc Armory, a California limited partnership (Assignee), to facilitate a change in developers for the Proposed Project. In addition to the assignment, a request was made to allow the Assignee to proceed with a change in the population type for the Proposed Project to increase competitiveness in a subsequent round of funding for tax credit financing. Therefore, the population for the Proposed Project would change from a general affordable project without any age restrictions to an affordable project restricted to senior adult households. To that end, an Assignment and Assumption of the Purchase and Sale Agreement and Escrow Instructions is required to be executed by the parties to memorialize the assignment and allow the Assignee to apply for tax credit financing funding targeting an affordable senior adult population type.

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This matter was reviewed by Principal Deputy City Attorney Richard F. Anthony on March 24, 2023, and by Budget Operations and Development Officer Rhutu Amin Gharib on March 30, 2023.

### TIMING CONSIDERATIONS

City Council action is requested on April 18, 2023, to acknowledge and consent to an Assignment and Assumption of the Purchase and Sale Agreement, thus allowing Assignee to apply for tax credit financing with the required amount of site control.

### LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than \$250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds \$250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than \$250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than \$250 from a party, participant, or their representatives during a proceeding and for 12 months following the date a final decision is rendered.

### FISCAL IMPACT

There is no fiscal impact associated with the recommended action. 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,



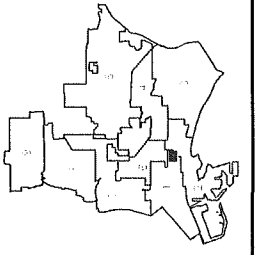
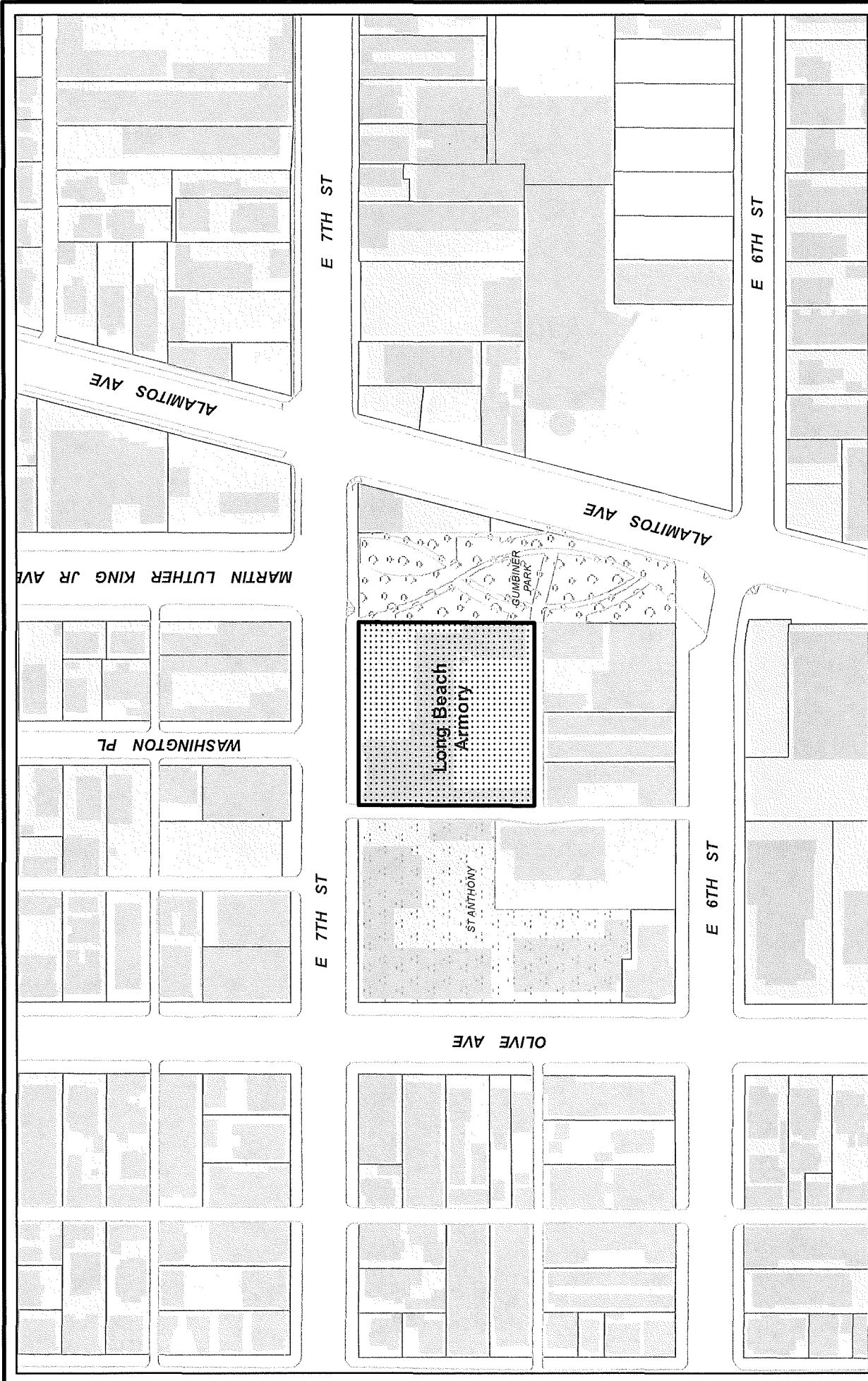
BO MARTINEZ  
DIRECTOR OF ECONOMIC DEVELOPMENT

APPROVED:



THOMAS B. MODICA  
CITY MANAGER

Attachment: Subject Property Map



# Attachment



**Subject Property:**

854 E 7th St

Council District : 1



## **LEVINE ACT DISCLOSURE STATEMENT**

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Long Beach City Councilmember, the Mayor, and Commissioner ("City Officer") from participating in any action related to a proceeding if they receive any political contributions totaling more than \$250 within the previous twelve months, while a proceeding is pending, and for 12 months following the date a final decision in a proceeding concerning a license, permit, entitlement, franchise or, contract (collectively "license, permit, or contract") has been made, from the person or company awarded the said license or contract. The Levine Act also requires a City Officer that has received such a contribution to disclose the contribution on the record of the proceeding.

City Officers are listed at the following sites:

- The Mayor and Councilmembers - <https://www.longbeach.gov/officials/>
- Harbor Commissioners - <https://polb.com/commission>
- Water Commissioners - <https://lbwater.org/about-us/current-water-commissioners/>
- Planning Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Parks and Recreation Commissioners - <https://www.longbeach.gov/mayor/action/commissions/>
- Board of Examiners, Appeals, and Condemnation - <https://www.longbeach.gov/mayor/action/commissions/>
- Cultural Heritage Commission - <https://www.longbeach.gov/mayor/action/commissions/>
- Long Beach Community Investment Company - <https://www.longbeach.gov/lbds/hn/lbcic/>

**Proposers are responsible for accessing these links to review the names prior to answering the following questions.**

1. Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to any City Officer in the 12 months preceding the date of the submission of your proposals or the anticipated date of any City Council, Board, or Commission action related to this license, permit, or contract?

YES

NO

If yes, please identify the City Officer(s):

2. Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any City Officer in the 12 months following any City Council, Board, or Commission action related to this license, permit, or contract?

YES

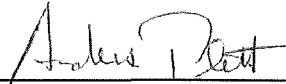
NO

If yes, please identify the City Officer(s):

Answering yes to either of the two questions above does not preclude the City of Long Beach from awarding a license, permit, or contract to your firm or any taking any subsequent action related to the said license, permit, or contract. It does, however, preclude the identified City Officers from participating in any actions related to this license, permit, or contract.

3/20/23

Date



\_\_\_\_\_  
Signature of authorized individual

**Anders Plett**

\_\_\_\_\_  
Type or write name of authorized individual

**Linc Housing Corporation**

\_\_\_\_\_  
Type or write name of company