



OVERSIGHT BOARD

OF THE CITY OF LONG BEACH AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH

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November 4, 2013

OVERSIGHT BOARD MEMBERS

RECOMMENDATION:

Adopt a Resolution approving the decision of the Successor Agency to the Redevelopment Agency of the City of Long Beach to authorize the City Manager to execute any and all documents necessary or desirable to enter real property access or occupancy agreements with public or private parties for terms not to exceed six months, with a right of one six-month extension at the sole discretion of the City Manager, to provide immediate access or occupancy rights to Successor Agency-owned property.

DISCUSSION

There have been a number of occasions when public or private parties have been in immediate need of occupying City-owned property, both vacant lots and buildings, as a result of unforeseen or unplanned events or emergencies. These events or emergencies include staging areas for emergency response, air quality or hazardous material abatement and/or monitoring efforts, short-term parking needs and other similar activities. City Council has recently authorized the City Manager to enter short-term agreements to provide immediate occupancy rights to City-owned property.

As staff prepares for the disposition process of Successor Agency-owned real property, there is an expectation of similar access needs to rapidly conduct due diligence inspections and investigations or respond to emergencies. To be more responsive to interested parties and to better coordinate with emergency response partners, a process for immediate access or occupancy of Successor Agency-owned property is desirable.

To provide more flexibility and responsiveness, it is recommended that, subject to the approval of the Long Range Property Management Plan by the State Department of Finance, the City Manager be authorized to enter short-term access or occupancy agreements, with compensation, if any, reflective of the duration, use and public benefit of the occupancy, and with appropriate insurance and/or indemnification provisions. The term would initially be limited to six months to either address the short-term need for due diligence inspection or investigation, or for emergency occupancy. It is further suggested that this initial six-month term may be extended for an additional six-month term, at the discretion of the City Manager, if needed to complete due diligence or address the emergency. The Successor Agency will have the right to terminate the agreement at any time during the term upon 30 days advance written notice, in order to comply with any disposition requirements of the Long Range Property Management Plan.

OVERSIGHT BOARD MEMBERS

November 4, 2013

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This matter was approved by the Successor Agency to the Redevelopment Agency of the City of Long Beach on October 22, 2013.

Respectfully submitted,



PATRICK H. WEST
CITY MANAGER

PHW:AJB:MPC:bp

R:\Successor Agency\OVERSIGHT BOARD\STAFF REPORTS Oversight Board\2013\L November 4\Short-Term Agreements.dot

Attachment: Resolution

1 RESOLUTION NO. _____
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3 A RESOLUTION OF THE OVERSIGHT BOARD OF
4 THE CITY OF LONG BEACH AS THE SUCCESSOR
5 AGENCY TO THE REDEVELOPMENT AGENCY OF THE
6 CITY OF LONG BEACH AUTHORIZING THE CITY
7 MANAGER TO EXECUTE ANY AND ALL DOCUMENTS
8 NECESSARY TO ENTER INTO SHORT-TERM REAL
9 PROPERTY ACCESS OR OCCUPANCY AGREEMENTS,
10 WITH PUBLIC OR PRIVATE PARTIES, FOR SUCCESSOR
11 AGENCY-OWNED PROPERTY
12

13 WHEREAS, there have been a number of occasions when public or private
14 parties have been in immediate need of occupying City-owned property; and

15 WHEREAS, these events or emergencies include staging areas for
16 emergency response, air quality or hazardous material abatement and/or monitoring
17 efforts, short-term parking needs, and other similar activities; and

18 WHEREAS, the City Manager has been authorized to enter short-term
19 agreements to provide immediate occupancy rights for City-owned property; and

20 WHEREAS, as City staff prepares for the disposition process of Successor
21 Agency-owned real property, there is an expectation of similar access needs; and

22 WHEREAS, this matter was approved by the Successor Agency to the
23 Redevelopment Agency of the City of Long Beach on October 22, 2013;

24 NOW, THEREFORE, the Oversight Board of the City of Long Beach as the
25 Successor Agency to the Redevelopment Agency of the City of Long Beach ("Oversight
26 Board") resolves as follows:

27 Section 1. Approve the decision of the Successor Agency to the
28 Redevelopment Agency of the City of Long Beach to authorize the City Manager to

1 execute any and all documents necessary to enter into real property access or
2 occupancy agreements with public or private parties for a term of six months (subject to a
3 30-day unconditional early termination by the Successor Agency), with the option to
4 extend for an additional six-month term, for Successor Agency-owned property.

5 Section 2. This resolution shall take effect immediately upon its adoption
6 by the Oversight Board, and the City Clerk shall certify the vote adopting this resolution.

7 PASSED, APPROVED, and ADOPTED at a meeting of the Oversight Board
8 of the City of Long Beach as the Successor Agency to the Redevelopment Agency of the
9 City of Long Beach held this ____ day of _____, 2013 by the following vote:

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Ayes: _____

Noes: _____

Absent: _____

Chairperson, Oversight Board

APPROVED:

Secretary, Oversight Board