

LONG BEACH REDEVELOPMENT AGENCY

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August 7, 2006

REDEVELOPMENT AGENCY BOARD MEMBERS City of Long Beach California

RECOMMENDATION:

Recommendation to request the City Attorney to prepare and authorize the Executive Director to execute a First Amendment to the Agreement Containing Covenants for Olson 737 – Long Beach 2, LLC for The Promenade development. (Downtown - District 2)

DISCUSSION

On August 23, 2004, the Redevelopment Agency approved a Disposition and Development Agreement (DDA) with Olson 737 – Long Beach 2, LLC (Developer) for redevelopment of land on the west side of The Promenade between 1st Street and Broadway (Exhibit A – Site Map).

The Agreement includes, as an attachment, the Promenade Maintenance Agreement, one of the elements of the Agreement Containing Covenants. At the time that the documents were executed, few details were known about the maintenance of The Promenade; however, more details have become available and the Agreement needs to be updated.

The substantive differences from the Covenants Agreement recorded against the Olson property and the proposed First Amendment are:

- Definition of Promenade Expenses limiting the cost of on-site security staffing services and more specifically identifying security equipment;
- Additional Promenade Parcel Owners the developers of the "D'Orsay Site" and the "MTA Site" will participate in a similar manner; and
- Allocation of Assessments As a property owner, for the first five years, the Agency will pay 25% of the cost, with the other three owners each paying 25%.

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The proposed Amendment will conform the Olson Promenade Maintenance Agreement to that of the other developers (Lennar and Lyon). SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

PATRICK H. WEST

EXECUTIVE DIRECTOR

APPROVED:

PHW:CAB:BEC

GERALD R. MILLER CITY MANAGER

Attachment: Exhibit A - Site Map

