



Legislation Details (With Text)

File #: 22-0217 **Version:** 1 **Name:** ED - Lease w/Killing Fields Memorial Center for a community memorial garden at 1501 E. Anaheim Street D6

Type: Agenda Item **Status:** Approved

File created: 2/8/2022 **In control:** City Council

On agenda: 3/1/2022 **Final action:** 3/1/2022

Title: Recommendation to authorize City Manager, or designee, to execute all documents necessary for a Second Amendment to Lease No. 34552 with Killing Fields Memorial Center, Inc., a California nonprofit corporation, to facilitate the completion of construction and operation of a community memorial garden at the City-owned premises located at 1501 East Anaheim Street. (District 6)

Sponsors: Economic Development

Indexes:

Code sections:

Attachments: 1. 030122-C-5sr&att

Date	Ver.	Action By	Action	Result
3/1/2022	1	City Council	approve recommendation	Pass

Recommendation to authorize City Manager, or designee, to execute all documents necessary for a Second Amendment to Lease No. 34552 with Killing Fields Memorial Center, Inc., a California nonprofit corporation, to facilitate the completion of construction and operation of a community memorial garden at the City-owned premises located at 1501 East Anaheim Street. (District 6)

On May 3, 2016, the City Council approved a Lease with Killing Fields Memorial Center, Inc. (Lessee), for the operation and maintenance of a memorial garden at City-owned property located at 1501 East Anaheim Street (Subject Property) (Attachment) to pay tribute and honor to those who suffered tragedy at the hands of the Khmer Rouge government, in what is today known as the Killing Fields of Cambodia genocide. The Lease includes a provision for the Lessee to exercise an option to purchase the Subject Property for \$1 so long as improvements have been completed and a covenant in perpetuity be recorded which provides for public access to the Subject Property and ongoing maintenance and capital reinvestment. On June 20, 2017, the City Council approved the First Amendment to the Lease memorializing the contribution of \$150,000 in one-time Sixth Council District infrastructure funds to cover costs associated with project management, architectural design, City permits and inspections, and fundraising for construction of the memorial park. The Lease expired on February 28, 2022.

Activities associated with permitting and construction of the site improvements, including additional required fundraising, were delayed by the onset of the COVID-19 pandemic. As activities have progressed and COVID-19 restrictions have eased, rough grading of the Subject Property commenced in September 2021. However, as additional time is needed to complete construction prior to the expiration of the current term, the Lessee has requested to extend the term to February 28, 2024. All other terms and conditions would remain the same including the purchase option. The Lessee would be required to complete construction of site improvements prior to February 28, 2024.

This matter was reviewed by Principal Deputy City Attorney Richard F. Anthony on February 4, 2022 and by Budget Operations and Development Officer Rhutu Amin Gharib on February 7, 2022.

City Council action is requested on March 1, 2022, to ensure the lessee may continue to make improvements to the Subject Property and complete the project.

There is no fiscal impact associated with this 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.

Approve recommendation.

JOHN KEISLER
DIRECTOR OF ECONOMIC DEVELOPMENT

APPROVED:

THOMAS B. MODICA
CITY MANAGER