



## Legislation Details (With Text)

**File #:** 17-0270      **Version:** 1      **Name:** EPD - Agreement w/California Military Department  
**Type:** Contract      **Status:** CCIS  
**File created:** 4/7/2017      **In control:** City Council  
**On agenda:** 4/11/2017      **Final action:** 4/11/2017

**Title:** Recommendation to authorize City Manager, or designee, to execute any and all documents necessary to enter into a License Agreement with the California Military Department for the property located at 854 East 7th Street. (District 1)

**Sponsors:** Economic and Property Development

**Indexes:**

**Code sections:**

**Attachments:** 1. 041117-NB-17sr&att.pdf

Date	Ver.	Action By	Action	Result
4/11/2017	1	City Council	approve recommendation	Pass

Recommendation to authorize City Manager, or designee, to execute any and all documents necessary to enter into a License Agreement with the California Military Department for the property located at 854 East 7th Street. (District 1)

The California Military Department (CMD) currently owns property located at 854 East 7th Street, also commonly referred to as the Long Beach Seventh Street Armory (Subject Property) (Attachment). The Subject Property is approximately 41,200 square feet, improved with an assembly hall and adjoining office space. The CMD currently utilizes the Subject Property to meet operational and deployment requirements of the 640th Aviation Support Battalion. The Subject Property has experienced an increase in transient issues resulting in a public health concern for local residents and students of St. Anthony High School. The CMD has agreed to allow the City to install temporary and permanent fencing to address these concerns and support the needs of the local community. The CMD has also agreed to allow the City to utilize, and/or sub-license, the entire Subject Property once the CMD fully vacates the property, currently estimated to be in summer 2017.

The License Agreement proposes the following major terms and conditions:

- Licenser: California Military Department.
- Licensee: City of Long Beach, a municipal corporation.
- Subject Property: Approximately 41,200 square feet located at 854 East 7th Street.
- Purpose/Use: The Subject Property shall be used initially for the installation of temporary and subsequent permanent fencing along 7th Street. Once the CMD fully vacates the Subject

Property, the City will be allowed to use or sub-license the entirety of the Subject Property upon written approval by the CMD.

- Term: The License Agreement will be effective upon execution and shall expire twelve (12) months after the City occupies the entire Subject Property, which cannot occur until CMD fully vacates the Subject Property. The Term may be extended upon agreement of both parties.
- Rent: The rent shall be \$5,000 per month. The City will be eligible for credit against rent, equal to the total cost of installation of both temporary and permanent fencing.
- Maintenance/Utilities: Licensee shall be responsible for keeping the lot clear of dumping and debris. Licensor shall remain responsible for all other utilities/maintenance/repair not arising from Licensee's direct use of the Subject Property.
- Termination: The Agreement may be terminated by either party with 30 days written notice.

This matter was reviewed by Deputy City Attorney Richard F. Anthony on April 6, 2017 and by Budget Analysis Officer Julissa Jose Murray on April 7, 2017.

City Council action is requested on April 11, 2017, to ensure that immediate installation of temporary fencing can occur.

The total annual rent associated with the License Agreement is \$60,000, at \$5,000 a month. Sufficient funding is appropriated in the General Fund (GF) in the Economic and Property Development Department (EP). The amount of the total cost of installation of both temporary and permanent fencing will be credited against rent.

Approve recommendation.

JOHN KEISLER  
DIRECTOR OF ECONOMIC AND PROPERTY DEVELOPMENT

APPROVED:

PATRICK H. WEST  
CITY MANAGER