



Legislation Text

File #: 08-0789, **Version:** 1

Recommendation to authorize City Manager to execute all documents necessary for a lease with Bay Shore Community Congregational Church, for shared use of the City-owned parking lot located at the intersection of The Toledo and Livingston Drive in Belmont Shore, for a ten-year term at the initial monthly rental rate of \$300. (District 3)

Since 1954, the Bay Shore Community Congregational Church (Church) has been permitted exclusive use of the neighboring City-owned surface lot for parking by its Church staff, congregation and guests. The surface parking lot is bounded by The Toledo, Livingston Drive and Argonne Avenue in Belmont Shore.

To accommodate the Church's interest in continued use of the parking lot and to concurrently provide benefits to the community, the City has negotiated a new agreement. The proposed Lease contains the following major terms and conditions:

- Landlord: The City of Long Beach.
- Tenant: Bay Shore Community Congregational Church.
- Premises: The leased premises shall contain approximately 0.32 acres (13,940 square feet) of paved parking space located at the intersection of The Toledo, Livingston Drive and Argonne Avenue in Belmont Shore.
- Use: The Tenant shall have the exclusive use of the Premises beginning each Saturday at noon and continuing until the immediately following Sunday at noon. Otherwise, the Premises shall be available to the community for public parking.
- Rent: Subject to the Church's completion of certain parking lot improvements and related rent offsets, the initial monthly base rent shall be \$300 ($\60 per month/30 days = $\$2$ per day x 35 stalls = $\$70$ x 52 weeks = $\$3,640$ /12 months = $\$300$). Thereafter, there shall be an annual three percent rent increase.
- Length of Term: The term shall be for 10 years, commencing on September 1, 2008 and terminating on August 31, 2018.
- Options to Renew: The Tenant shall have two additional options to renew for periods of five years each.
- Parking Lot Improvements: Within one year of the Lease commencement date and subject to the Landlord's prior approval, the Tenant shall invest a minimum of \$75,000 up to a maximum of \$100,000 on improvements to the Premises. The improvements shall include re-paving,

striping, landscaping, irrigation and other items. Tenant may offset the rental payment in an amount equal to the 20-year straight-line depreciation of the improvements, as determined on a monthly basis.

- Utilities and Maintenance: The Landlord shall maintain the Premises and pay for all utilities.

This letter was reviewed by Deputy City Attorney Richard F. Anthony on July 14, 2008 and Budget Management Officer Victoria Bell on July 29, 2008.

City Council action is requested on August 19, 2008 in order to formalize the Lease with the Bay Shore Community Congregational Church.

The initial annual rent of \$3,640 (less rent offsets) shall accrue to the General Fund (GP) in the Department of Community Development (CD).

Approve recommendation.

DENNIS J. THYS
DIRECTOR
DEPARTMENT OF COMMUNITY DEVELOPMENT

APPROVED:

PATRICK H. WEST
CITY MANAGER