



Legislation Text

File #: 09-0137, **Version:** 1

Recommendation to authorize City Manager to execute any and all documents necessary for a Lease with Robert Ross, Frances Ross and Scott Ross for a vacant lot at 2000 East Fourth Street for the construction of a temporary park-and-ride public parking lot, for a five-year term at an initial monthly rental rate of \$2,000. (District 2)

The Fourth Street Business Improvement District (District) is located on East Fourth Street, between Cherry Avenue and Junipero Avenue. As the District continues to grow and become more successful, there is an increased demand for additional parking facilities. Currently, the District has only street parking available for business owners and their employees, as well as for visitors to the area.

In an effort to provide additional parking for the District, the City proposes to construct a temporary 27-stall surface parking lot with bike racks at the southeast corner of East Fourth Street and Cherry Avenue, also known as 2000 East Fourth Street. Please see the attached site map (Exhibit "An"). The parking lot will be available to the general public, as well as to those using the lot as a park-and-ride facility during the day.

The parking lot will be available to the general public 24 hours a day, 7 days a week. From 9:00 A.M. to 9:00 P.M. each day, a parking fee of \$0.50 per hour will be charged. Free parking will be offered from 9:00 P.M. to 9:00 A.M.

To facilitate the parking arrangements at 2000 East Fourth Street, a short-term Lease has been negotiated with the property owners, Robert Ross, Frances Ross and Scott Ross. The proposed Lease contains the following major terms and conditions:

- Landlord: Robert Ross, Frances Ross and Scott Ross.
- Tenant: The City of Long Beach.
- Leased Premises: The leased premises shall consist of approximately 9,921 square feet of vacant land at 2000 East Fourth Street.
- Length of Term: The term of the Lease shall be for approximately five years, commencing on the date the Lease is executed and terminating on February 28, 2014. If Tenant loses funding allocated to pay the rental payments and parking lot improvements, as discussed below, then Tenant shall have the right to terminate the Lease at any time during the term, upon thirty (30) days' advance written notice to the Landlord.
- Option to Renew: The Tenant may extend the term of the Lease for one additional period of five years.
- Use: The leased Premises shall be used for a park and ride public parking lot.

- Rent: The monthly rent for the leased premises shall be \$2,000 (approximately ~0.20 per square foot).
- Utilities and Services: The Tenant shall, at its own expense, provide any utilities to the leased Premises and pay the monthly costs for such utilities. The Tenant shall also maintain the physical leased Premises. However, the Tenant may, at its own expense, contract with third parties to provide maintenance services. As such, the Fourth Street Business Improvement District shall maintain the lot on a daily basis, including, but not limited to trash and graffiti removal and the like.
- Taxes: The Landlord shall pay real property taxes.
- Parking Lot Improvements: The Tenant shall, at its own cost, construct a surface parking lot. Improvements shall include paving the leased Premises and painting and marking the stalls, as well as installing landscaping, bike racks and a parking fee collection facility.

This letter was reviewed by Deputy City Attorney Richard F. Anthony on January 15, 2009 and Budget Management Officer Victoria Bell on January 22, 2009.

SUSTAINABILITY

The parking fee collection facility will be solar-powered; thereby reducing the need for power supplied by utility companies and realizing a savings in utility costs.

Drought tolerant plants will be used in the landscaping, which will conserve water.

Bike racks will be installed to encourage the use of alternate means of transportation, thus reducing vehicle fuel emissions.

The parking lot will be available for use by transit commuters during commute hours.

City Council action is requested on February 10, 2009, in order to allow sufficient time to execute the Lease to facilitate the parking lot construction project at 2000 East Fourth Street.

The total Fiscal Year 2009 (FY 09) costs for the Lease are estimated to be \$64,000. Of this amount, the rental payment is estimated to be \$14,000 (\$2,000 x seven months) and the parking lot improvement costs are estimated to be \$50,000. Sufficient funds are budgeted in the Transportation Fund (SR 182) in the Department of Public Works (PW) to cover the costs. The funding source is Proposition "A" Local Return monies. Funding guidelines require parking meter revenues must be returned to the City's Proposition "A" Fund. The guidelines also require the Proposition "A" funds used to construct the temporary parking facility must be reimbursed to the City's Proposition "A" Fund upon termination of use of this parking lot. CDBG funds will be used for this reimbursement.

Approve recommendation.

DENNIS J. THYS
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TITLE

APPROVED:

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CITY MANAGER