



Legislation Text

File #: 12-0205, **Version:** 1

Recommendation to authorize City Manager to execute any and all documents necessary for the Third Amendment to Lease No. 30620 between the City of Long Beach and Navy Yacht Club - Long Beach, a California non-profit corporation, for the continued use of City-owned land and improvements at 223 Marina Drive. (District 3)

The NYCLB was established in 1967 for the purpose of providing and encouraging sailing to the military community. NYCLB is affiliated and sponsored by the United States Navy and its membership includes active duty military from all branches of the armed forces, retired military, veterans, and Coast Guard Auxiliary personnel. The organization actively participates in local charitable activities, including the Long Beach Charity Regatta benefiting the Children's Clinic of Long Beach.

Since 2004, NYCLB has leased City-owned land and improvements at 223 Marina Drive (Premises), which include approximately 3,500 square feet of land area and an approximate 300 square foot building. On December 4, 2007, the City Council authorized a Lease for a one-year term, with two, one-year renewal options. Both renewal options were exercised and memorialized by the First and Second Amendments to the Lease.

The Lease expired on November 30, 2010, and the NYCLB has continued occupying the Premises under a month-to-month holdover while it works with its members and City staff in exploring the feasibility of expanding the facility. While this process continues, staff recommends an amendment to the Lease to provide for a short-term extension under the following major terms and provisions:

- Lessor: City of Long Beach.
- Lessee: Navy Yacht Club - Long Beach, a California non-profit corporation.
- Premises: Approximately 3,500 square feet of land and 300 square feet of office space at 223 Marina Drive. A vicinity map is attached.
- Use: The Premises shall be used for the operation of a yacht club office including use for meetings and social events.
- Term: The term of the Lease shall be extended through November 30, 2013.
- Rent: The monthly base rent shall increase from \$689 to \$715 retroactive to December 1, 2011, and shall be subject to annual increases based upon the Consumer Price Index (CPI). Annual CPI increases shall be no less than three percent (3%) and no more than five percent (5%).

Pursuant to the existing terms of the Lease, either party may terminate the Lease upon ninety (90) days prior written notification. In addition, the Lessee shall continue to be responsible for all maintenance and

utilities.

All other remaining terms and provisions of Lease No. 30620 shall remain in full force and effect. This matter was reviewed by Deputy City Attorney Gary J. Anderson on February 1, 2012 and Budget Management Officer Victoria Bell on February 9, 2012.

City Council action on this matter is requested on March 13, 2012, in order to formalize and execute the Third Amendment to Lease No. 30620.

Revenue in the amount of \$8,580 per year shall accrue to the Marina Fund (TF 403) in the Department of Parks, Recreation, and Marine (PR). There is no known local job impact associated with the recommended action.

Approve recommendation.

MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS

GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER