



## Legislation Text

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File #: 17-1081, Version: 1

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### WITHDRAWN

~~Recommendation to authorize City Manager, or designee, to execute any and all documents necessary for the Second Amendment to Lease No. 27347 and Right of First Refusal with Bruce Tanaka, as authorized administrator of the Jean Asako Tanaka Estate, for City-leased property at 1400 West Wardlow Road for its continued use as Tanaka Park. (District 7)~~

On June 21, 2011, the City Council authorized the execution of the First Amendment to Lease No. 27347 with Jean A. Tanaka, an individual, for City-leased property at 1400 West Wardlow Road (Leased Premises) for the continued use as Tanaka Park. Completed in January 2004, Tanaka Park was developed through a unique collaboration between the Seventh District Council Office, the surrounding community, various City departments, and the Tanaka family. The Leased Premises consists of approximately 1.38 acres of land and serves as additional outdoor recreational space in a densely populated area of Long Beach. Tanaka Park is primarily passive, but includes a playground, a half-court basketball court, benches and a rubberized perimeter-walking trail.

The current term of the Lease ended on April 30, 2016, and both parties have been operating under a month-to-month holdover arrangement. The Tanaka family is amenable to extending the term of the lease for the continued use of the property as Tanaka Park. The proposed Second Amendment to Lease No. 27347 and Right of First Refusal has been negotiated containing the following major terms and provisions:

- Landlord: Bruce Tanaka, as authorized administrator of the Jean Asako Tanaka Estate.
- Tenant: City of Long Beach, a municipal corporation.
- Leased Premises: Approximately 1.38 acres of land located at 1400 West Wardlow Road.
- Term: The Lease shall be extended through April 30, 2027.
- Early Termination: Either Landlord or Tenant may terminate the Lease at any time throughout the Term by providing six (6) months prior written notice to the other party.
- Option to Extend: One option to extend the Lease for a period of five (5) years upon the mutual agreement of the parties.

- Right of First Refusal: Landlord grants Tenant a right of first refusal to purchase the property if Landlord solicits and/or receives an offer to purchase the property which Landlord is willing to accept.

All remaining terms and provisions of Lease No. 27347 shall remain in full force and effect.

This matter was reviewed by Deputy City Attorney Richard F. Anthony on November 8, 2017 and by Budget Analysis Officer Julissa Josè-Murray on November 7, 2017.

City Council action is requested on December 5, 2017, to execute the document allowing the continued use of the Leased Premises as Tanaka Park.

There is no rental fee to the City associated with this transaction. Sufficient funds are budgeted in the General Fund (GF) in the Department of Parks, Recreation, and Marine (PR) for the ongoing maintenance of Tanaka Park. There is no local job impact associated with this recommendation.

Approve recommendation.

JOHN KEISLER  
DIRECTOR OF ECONOMIC DEVELOPMENT

MARIE KNIGHT  
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST  
CITY MANAGER