



# CITY OF LONG BEACH

# C-7

DEPARTMENT OF COMMUNITY DEVELOPMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

November 20, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the City Manager to execute a First Amendment to Lease No. 30310 with the Los Angeles County Flood Control District for approximately 19 acres of unimproved property to extend the term for an additional 34 years for a total lease term of 99 years. (District 6)

## DISCUSSION

On June 19, 2007, the City Council authorized the execution of Lease No. 30310 (Lease) with the Los Angeles County Flood Control District (Landlord) for 19 acres of unimproved property, also known as both Chittick Field and the Hamilton Bowl, for a 65-year term for use for recreational purposes.

Subsequently, City staff has determined that a 99-year Lease is more appropriate for the proposed use of this site. City staff approached the Landlord with a proposal to extend the term of the existing Lease to 99 years. The Landlord has agreed to the request and intends to present the proposed First Amendment to its Board of Supervisors for approval.

The proposed First Amendment to Lease No. 30310 shall contain the following major terms:

- Landlord: Los Angeles County Flood Control District.
- Tenant: City of Long Beach.
- Term: The term of the Lease, which commenced on July 1, 2007, shall be extended an additional 34 years for a total 99-year term and shall expire on June 30, 2106
- Rent: The base rent for the premises shall remain at \$0 per year.

All other remaining terms and provisions of Lease No. 30310 shall remain in full force and effect.

This letter was reviewed by Deputy City Attorney Richard F. Anthony on November 12, 2007 and Budget Management Officer Victoria Bell on November 13, 2007.

TIMING CONSIDERATIONS

City Council action is requested on November 20, 2007, in order to execute the First Amendment prior to the meeting of the County Board of Supervisors on December 18, 2007.

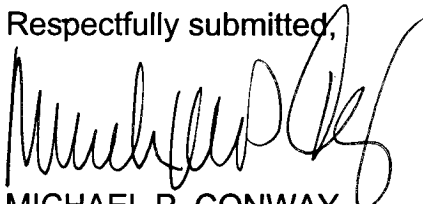
FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY  
ACTING DIRECTOR OF  
COMMUNITY DEVELOPMENT



PHIL T. HESTER  
DIRECTOR OF  
PARKS, RECREATION AND MARINE



CHRISTOPHER J. GARNER  
ACTING DIRECTOR  
OF PUBLIC WORKS

MPC:PTH:CJG:JLR:lej  
11.20.07 CC Ltr.Chittick Field lease

APPROVED:



PATRICK H. WEST  
CITY MANAGER



# CITY OF LONG BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT



333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

June 19, 2007

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Authorize the City Manager to execute any and all documents necessary for a Ground Lease with the Los Angeles County Flood Control District for approximately 19 acres of unimproved property, also known as Chittick Field, for a 65-year term. (District 6)

## DISCUSSION

Chittick Field, also known as the Hamilton Bowl, is a 19-acre flood control detention basin located between Walnut Avenue and just west of Gardenia Avenue, between Pacific Coast Highway and the Pacific Electric Right of Way (see Attachment). The City has enjoyed non-exclusive use of the property under a permit with the Los Angeles County Flood Control District (County) since March 1950 for baseball fields and other recreational purposes. Since October 2004, City staff has been in discussions with the County regarding the City's interest in acquiring or leasing Chittick Field, at a nominal cost, in order to enhance recreational grant applications for capital improvements. Activities since that time have revealed that, because of the method of acquisition, Chittick Field cannot be sold, but can be leased for an extended term to the City. Additionally, staff has conducted environmental Phase I and Phase II assessments of the property, which have revealed no recognized environmental conditions.

A Ground Lease has been negotiated by the City and County containing the following major terms and conditions:

- Landlord: Los Angeles County Flood Control District.
- Tenant: City of Long Beach.
- Term: The Term of the Ground Lease shall commence upon execution and shall terminate 65 years thereafter.
- Leased Premises: The Leased Premises shall consist of approximately 19 acres of unimproved property known as Chittick Field and also known as

Hamilton Bowl. The Leased Premises will continue to be used as a storm water detention facility.

- **Rent:** Rent for the Leased Premises shall be \$0 per year. If the Ground Lease is amended to allow for non-recreational purposes, Tenant may be required to pay increased rent based on fair market value rental rates.
- **Sublease:** Tenant shall have the right to sublease the Leased Premises upon the reasonable approval of Landlord.
- **Sale of a Portion of the Leased Premises:** In the event Landlord determines that certain portions of the Leased Premises are no longer needed for flood control purposes, such portion shall be offered for sale to Tenant on mutually acceptable terms and conditions.
- **Environmental Condition:** Tenant shall not be responsible for existing environmental conditions, if any, nor for environmental issues related to the storm water retention uses of the Leased Premises.
- **Landlord Facilities:** Landlord shall continue to operate and maintain flood control facilities and will reserve access for such ongoing activities. Tenant shall not interfere with Landlord's use of the Lease Premises for flood control purposes, nor for the City of Signal Hill's use for existing water quality improvements.
- **Cancellation:** Landlord shall have the right to terminate the Ground Lease upon 180-days prior written notice, if Landlord reasonably determines that the Leased Premises is required for flood control, watershed quality or water conservation purposes. Tenant shall have the right to terminate the Ground Lease for any reason upon 60-days prior written notice.
- **Repossession:** Landlord shall have the right to immediately repossess the Leased Premises for the purpose of preventing sabotage, or in an emergency where Landlord reasonably believes that lives, excessive property or environmental damage are threatened. Such possession may not terminate the Ground Lease. If possession continues for more than 180 consecutive days, the Term shall be automatically extended for a period equal to the period of possession by Landlord.

This letter was reviewed by Deputy City Attorney Richard F. Anthony on June 13, 2007 and Budget and Performance Management Bureau Manager David Wodynski on June 14, 2007.

#### **TIMING CONSIDERATIONS**

City Council action is requested on June 19, 2006, in order to execute the agreement prior to the meeting of the Board of Supervisors on July 3, 2007.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST  
DIRECTOR OF  
COMMUNITY DEVELOPMENT



PHIL T. HESTER  
DIRECTOR OF  
PARKS, RECREATION AND MARINE



CHRISTINE F. ANDERSEN  
DIRECTOR OF PUBLIC WORKS

PHW:PTH:CFA:MPC:lej  
6.19.07 CC Ltr Chittick Field  
Attachment

APPROVED:

  
 GERALD R. MILLER  
CITY MANAGER

ATTACHMENT



Chittick Field – Hamilton Bowl