

June 6, 2023

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive and file Contract No. 36576 with Long Beach Rescue Mission Foundation, Inc., a California public benefit corporation (Lessor) and the City of Long Beach (Lessee) and Contract No. 36578, a Sublease between the City of Long Beach (Sublessor) and First to Serve Ministries, Inc., a California nonprofit corporation (Sublessee), or its assignee, for approximately 17,000 rentable square feet of space at 702 West Anaheim Street, for use as an emergency shelter, made pursuant to Chapter 2.85 of the Long Beach Municipal Code (LBMC) and in response to the emergency proclaimed regarding homelessness. (District 1)

**DISCUSSION**

The County of Los Angeles (County) and the City of Los Angeles provide funding to the Los Angeles Homeless Services Authority (LAHSA) through a Joint Powers Agreement to oversee countywide homeless services and to operate a Winter Shelter Program. The Winter Shelter Program is a coordinated effort to increase the number of temporary emergency shelter beds available in the County, in each of the five Supervisorial Districts, from December 1<sup>st</sup> through March 31<sup>st</sup> each year, when the region usually experiences its most inclement weather. On December 13, 2022, the City Council authorized a lease between the City of Long Beach (City) and MWN Community Hospital, allowing the Hatfield Building portion of Community Hospital at 1720 Termino Avenue to operate as the Winter Shelter for Los Angeles County Supervisorial District 4.

On January 10, 2023, the City Council adopted a Resolution proclaiming the existence of a local emergency caused by conditions or threatened conditions of homelessness within Long Beach, allowing the City to facilitate requests to other local, State, and/or Federal jurisdictions, request the Governor and State Legislature to declare a state of emergency and direct resources to support local jurisdictions, and allow the City Manager, or designee, to take preventative measures necessary to protect persons and property within the scope of the local emergency. Due to the severity and frequency of winter storms, the lease for the Winter Shelter Program at Community Hospital was extended to April 30, 2023, under the emergency order.

While the 2023 Winter Shelter Program was winding down, an opportunity arose to enter into a short-term Lease for a for-sale property at 702 West Anaheim Street (Premises - Attachment). The Premises, which has been utilized in the past as a homeless shelter by the current owner, the Long Beach Rescue Mission Foundation, Inc. (Long Beach Rescue Mission), was made available to the City for short-term use in response to the ongoing emergency declaration on homelessness and the impending closure of the Winter Shelter at Community Hospital. To that

end, a short-term Lease (Lease) with the Long Beach Rescue Mission was negotiated under the emergency orders for the City to use the Premises as an emergency shelter from April 26, 2023, through July 31, 2023, while the Long Beach Rescue Mission proceeds with the sale of the Premises.

The Premises is being operated by the selected operator for the 2022-2023 program year, First to Serve Ministries, Inc. (Program Provider), also entered into a Sublease with the City acting as Sublessor, under the emergency orders. The Program Provider, pursuant to the Sublease, is required to furnish the following services: intake, shelter for individuals, case management, showers, and three daily meals. The Program Provider will further provide security and transportation assistance for people as they come and go from the shelter location. Case management services are focused on linking participants to additional programs to establish improved health and economic sufficiency.

The role of the Long Beach Health and Human Services Department (Department) is to coordinate with LAHSA to determine the location of shelter sites and access points and serve as a liaison between the City and LAHSA. The Department is also responsible for coordinating with First to Serve Ministries, Inc., to ensure the delivery of services. Participants in the emergency shelter are also able to access additional specialized services through the Multi-Service Center, such as medical care, benefits assistance, employment services, brief therapy, and mail.

To facilitate the use of the Premises for the emergency shelter program as a City-leased property, a Lease, and Sublease between Long Beach Rescue Mission, the City, and First to Serve Ministries, Inc., was negotiated by the Economic Development Department. The Lease contains the following major terms and provisions:

<b><u>Lessor:</u></b>	Long Beach Rescue Mission Foundation, a California public benefit corporation.
<b><u>Lessee:</u></b>	City of Long Beach, a municipal corporation.
<b><u>Premises:</u></b>	Approximately 17,000-square-foot building and appurtenant parking located at 702 West Anaheim Street.
<b><u>Use:</u></b>	Temporary housing and shelter program.
<b><u>Term:</u></b>	April 26, 2023 – July 31, 2023 (3 months and 5 days).
<b><u>Rent:</u></b>	\$19,550 per month.
<b><u>Utilities:</u></b>	Utilities are included as part of the rent.
<b><u>Security:</u></b>	Lessee will provide security at the Premises.
<b><u>Improvements:</u></b>	Lessee, at Lessee's sole cost and expense, is allowed to conduct the operations of the short-term emergency shelter.

- Restoration:** Prior to expiration of the Lease, Lessee shall return any Lessee-installed improvements back to original condition, unless Lessor has approved to remain.
- Parking:** Parking will be made available to Lessee for staff parking.
- Damages:** Lessee is responsible for repairing the Premises or shall reimburse Lessor for any repairs made to damage caused by Lessee's use.
- Right to Sublease:** Lessee has the right to sublease the Premises to the Sublessee.

The Sublease contains the following major terms and provisions:

- Sublessor:** City of Long Beach, a municipal corporation.
- Sublessee:** First to Serve Ministries Inc., a California nonprofit corporation.
- Responsibilities:** The Sublessee is responsible for any and all non-financial obligations of the Lessee/Sublessor under the terms of the Lease.

This matter was reviewed by Principal Deputy City Attorney Richard F. Anthony on May 24, 2023 and by Budget Management Officer Nader Kaamoush on May 25, 2023.

### TIMING CONSIDERATIONS

City Council action is requested on June 6, 2023, to ensure the City is in compliance with the Long Beach Municipal Code.

### FISCAL IMPACT

The requested action authorizes the contract amount of \$61,908 for rent and utilities for the term of April 26, 2023 through July 31, 2023. The cost of the lease will be offset by funding designated for homelessness emergency response efforts that is currently appropriated in the General Fund Group in the City Manager Department. The shelter will be operated through a sub-lease with the Program Provider who will be required to furnish and provide agreed services at the premises. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

HONORABLE MAYOR AND CITY COUNCIL

June 6, 2023

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



BO MARTINEZ  
DIRECTOR OF ECONOMIC DEVELOPMENT



KELLY COLOPY  
DIRECTOR OF HEALTH AND HUMAN SERVICES

ATTACHMENTS : RESOLUTION  
PREMISES

APPROVED:



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THOMAS B. MODICA  
CITY MANAGER

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH REDECLARING A SHELTER CRISIS; SUSPENDING APPLICABLE PROVISIONS OF LOCAL LAW, INCLUDING THOSE CONTAINED IN THE CITY'S ZONING ORDINANCES AND REGULATIONS; AND AUTHORIZING AN EMERGENCY SHELTER AT 702 WEST ANAHEIM STREET, IN THE CITY OF LONG BEACH, BETWEEN THE DATES OF APRIL 26, 2023, THROUGH JULY 31, 2023

WHEREAS, the purpose and intent of this resolution is to provide shelter and supportive services for the homeless in the City of Long Beach by maintaining such services at, and allowing the use of, the real property located at 702 West Anaheim Street, in the City of Long Beach, between the dates of April 26, 2023 and July 31, 2023; and

WHEREAS, at its meeting of December 13, 2022, the City Council of the City of Long Beach adopted Resolution No. RES-22-0214 redeclaring a "shelter crisis" pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code Sections 8698.1 and 8698.2); and

WHEREAS, on January 10, 2023, the City Council adopted a resolution proclaiming the existence of a local emergency caused by conditions or threatened conditions of homelessness within the City, allowing the City to facilitate requests to other local, State, and/or Federal jurisdictions, request the Governor and State Legislature to declare a state of emergency and direct resources to support local jurisdictions, and allow the City Manager, or designee, to take preventative measures necessary to protect persons and property within the scope of the local emergency; and

WHEREAS, pursuant to Government Code section 8698.1 et seq., and in response to the ongoing emergency declaration on homelessness, the City Council hereby

1 finds and re-declares that there still exists a “shelter crisis” and that the situation has  
2 resulted in, and will continue to result in, a threat to the health and safety of those persons;

3 NOW, THEREFORE, the City Council of the City of Long Beach resolves as  
4 follows:

5 Section 1. That the provisions of any state or local regulatory statute,  
6 regulation or ordinance, including but not limited to the City’s zoning regulations prescribing  
7 standards of use, housing, health or safety shall be suspended with respect to the above-  
8 described emergency shelter to the extent that strict compliance would in any way prevent,  
9 hinder or delay the operation of the emergency shelter during the declared shelter crisis.

10 Section 2. Notwithstanding any other provisions of local law, the City  
11 Manager is hereby authorized and directed to take all steps as may be reasonably  
12 necessary or appropriate to facilitate the operation of an emergency shelter between the  
13 dates of April 26, 2023 and July 31, 2023, which shelter is to be located at 702 West  
14 Anaheim Street, in the City of Long Beach.

15 Section 3. Any and all provisions of the City’s Zoning Ordinance and  
16 regulations, which otherwise might regulate, apply to or govern the continued operation of  
17 the emergency shelter, are hereby suspended and declared inapplicable to the proposed  
18 emergency shelter.

19 Section 4. The City Manager, or his designee, is hereby authorized to  
20 develop such rules and regulations related to health and safety standards which the City  
21 Manager deems necessary and appropriate to protect the public health, safety and welfare  
22 of the residents of the emergency shelter and those residents and/or businesses which  
23 may be affected by the operation of said shelter. To the extent applicable to those  
24 homeless individuals who occupy the shelter, such rules and regulations may be posted in  
25 at least one conspicuous location on the site.

26 Section 5. Pursuant to California Environmental Quality Act (“CEQA”),  
27 Public Resources Code section 21000, et seq., the Council hereby finds that this project is  
28 exempt from further environmental review under CEQA Guidelines 15301.

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Section 6. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of \_\_\_\_\_, 2023 by the following vote:

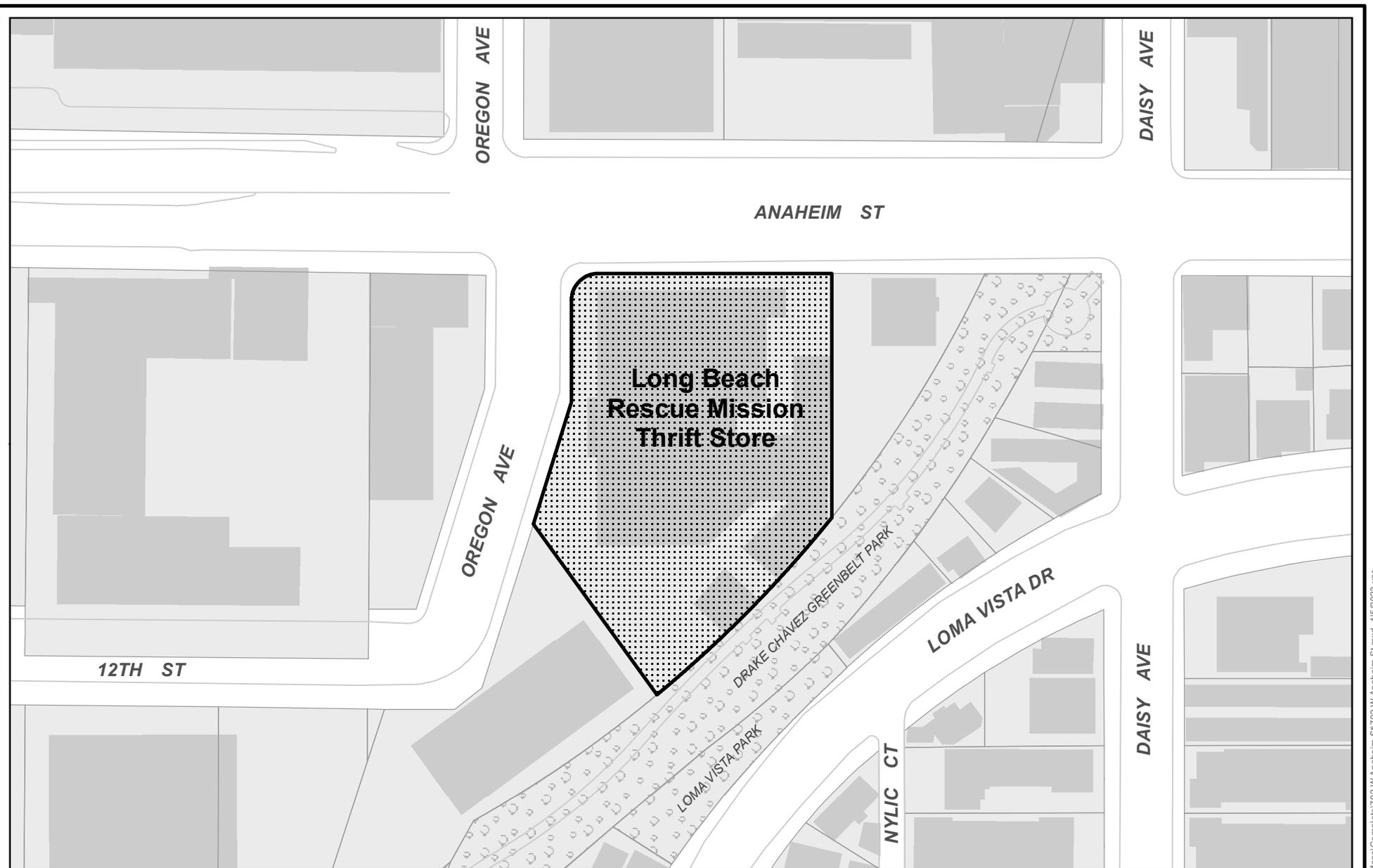
Ayes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

Absent: Councilmembers: \_\_\_\_\_  
\_\_\_\_\_

Recusal(s): Councilmembers \_\_\_\_\_

\_\_\_\_\_  
City Clerk



**Long Beach  
Rescue Mission  
Thrift Store**



**Subject Property:**  
702 W Anaheim St  
APN: 7271005009  
Council District: 1

**Attachment**

