



Legislation Details (With Text)

File #: 17-0150 **Version:** 1 **Name:** DHHS/EPD - Extension of Winter Shelter D9
Type: Resolution **Status:** Adopted
File created: 2/13/2017 **In control:** City Council
On agenda: 3/7/2017 **Final action:** 3/7/2017

Title: Recommendation to adopt resolution declaring a continued shelter crisis; suspending applicable provisions of local law, including those contained in the City's zoning ordinances and regulations; and, authorizing an extension of the operation of a winter shelter between the dates of March 7, 2017 and March 31, 2017, inclusive; and

Authorize City Manager, or designee, to execute any and all documents necessary for a First Amendment to Lease 34461 between Eddie N. John #1, a limited liability company, and the City, and a First Amendment to Sublease 34462 between the City and First to Serve, Inc., a California nonprofit organization, for the continued use of industrial space at 6845 Atlantic Avenue as a winter shelter. (District 9)

Sponsors: Health and Human Services, Economic and Property Development

Indexes: Amendments, Leases

Code sections:

Attachments: 1. 030717-C-11sr&att.pdf, 2. RES-17-0023.pdf

Date	Ver.	Action By	Action	Result
3/7/2017	1	City Council	approve recommendation and adopt	Pass

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On December 6, 2016, the City Council adopted Resolution 16-0121 declaring a shelter crisis and authorized the City Manager to execute Lease 34461 with Lessor and Sublease 34462 with Sublessee to operate a winter shelter at 6845 Atlantic Avenue (Site) between the dates of December 7, 2016, and March 6, 2017. Due to contract delays between the Los Angeles Homeless Services Authority (LAHSA) and the Sublessee, the opening of the winter shelter was delayed until December 23, 2016. Given the continued need for a winter shelter in Los Angeles County Supervisorial District 4, the County of Los Angeles and LAHSA have finalized negotiations to extend the Winter Shelter Program through March 31, 2017.

California Government Code Sections 8698.1 and 8698.2 allow local jurisdictions to declare a

shelter crisis. In making such a declaration, State law enables local jurisdictions to suspend local laws and regulations "to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis" for any City-owned, leased or maintained property. The Site requires an extension of this local declaration to allow for the continued operation of the winter shelter. To continue to use the Site as a City-leased property, a First Amendment to both Lease 34461 and Sublease 34462 has been negotiated by the Department of Economic and Property Development.

The proposed First Amendment to Lease 34461 will contain the following major terms and provisions:

- Lessor: Eddie N. John #1, a limited liability company.
- Lessee: City of Long Beach, a municipal corporation.
- Leased Premises: Approximately 12,000 rentable square feet of industrial space located at 6845 Atlantic Avenue.
- Term: The Lease shall be extended through March 31, 2017, inclusive.
- Rent: The base rent shall continue to be \$6,750 per month and shall be prorated for any partial month.
- Utilities and Incidentals: The Lessee shall continue to be responsible for reimbursement to Lessor for approximately \$6,000 for utilities and incidental costs for the Leased Premises.

The proposed First Amendment to Sublease 34462 will contain the following major terms and provisions:

- Sublessor: City of Long Beach, a municipal corporation.
- Sublessee: First to Serve, Inc., a California nonprofit corporation.
- Responsibilities: The Sublessee shall continue to be responsible for any and all obligations of the Sublessor under the terms of the Lease. Notwithstanding the foregoing, the Sublessee shall not be responsible for reimbursement to Sublessor for utilities and incidental costs.

This matter was reviewed by Deputy City Attorney Linda T. Vu on February 13, 2017 and by Budget Management Officer Rhutu Amin Gharib on February 17, 2017.

City Council action is requested on March 7, 2016, to adopt a Resolution declaring a shelter crisis and to execute the amendments to ensure the winter shelter remains operational.

The \$6,750 for March rent and the \$6,000 for utilities and incidentals will be paid through Homeless Services' one-time funding. Sufficient funds are currently appropriated in the General Fund (GP) in the Health and Human Services Department (HE). There is no local job impact associated with this recommendation.

Approve recommendation.

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APPROVED:

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