



Legislation Text

File #: 19-0380, **Version:** 1

Recommendation to authorize City Manager, or designee, to execute all documents necessary for a Lease with South Coast Air Quality Management District, a California public agency, for the continued occupancy of City-owned land, generally located at the southeast corner of Walnut Avenue and East 20th Street, in the City of Signal Hill. (Citywide)

Effective March 15, 2018, under the City's Short-Term Occupancy Program, the City of Long Beach (City) issued a six-month Right-of-Entry Permit (Permit) to the South Coast Air Quality Management District (SCAQMD) to establish an air-monitoring location on a City-owned parcel north of Chittick Field in the City of Signal Hill (Leased Premises) (Attachment A). Necessitated by the loss of the agency's prior leasehold in the Long Beach area, the Permit was subsequently renewed by SCAQMD for an additional six months that expired March 15, 2019. Due to the critical function of the site, the City and SCAQMD wish to enter into a long-term lease agreement (Proposed Lease).

SCAQMD is a public agency that regulates air pollution in the South Coast Air Basin, a region that is home to approximately 18 million people and includes Long Beach, all of Orange County, and non-desert areas of the Counties of Los Angeles, Riverside and San Bernardino. Continued operation of this air-monitoring location is vital for measuring criteria pollutants in the greater Long Beach and Port of Long Beach area, per Environmental Protection Agency air monitoring requirements.

An independent appraisal was conducted and determined the fair market rental value of the Leased Premises to be \$1,170 per month. SCAQMD, at the request of the City, has installed and will continue to maintain a perimeter fence around the Leased Premises, and will maintain the Leased Premises free of graffiti and illegally dumped materials.

The Proposed Lease contains the following major terms and provisions:

- Lessor: City of Long Beach, a municipal corporation.
- Lessee: South Coast Air Quality Management District, a California public agency.
- Leased Premises: Approximately 8,717 square feet of land located at the southeast corner of Walnut Avenue and East 20th Street in the City of Signal Hill. Park access is not required for access to the Leased Premises.
- Use: The Leased Premises will be used for the operation of an air-quality monitoring location.

- Term: The Lease will be for five years, from March 16, 2019 through March 15, 2024.
- Rent: Rent will be \$1,170 per month.
- Maintenance: Lessee will be responsible for maintenance of the Leased Premises and perimeter fence.
- Utilities: Lessee will pay for necessary utility services, including the cost of installation of connections for services, if needed.
- Insurance: Lessee will provide evidence of insurance coverage, including General Liability, Property, and other coverages as specified, at all times satisfactory to the Lessor.
- Termination: Either party may terminate the Lease upon 90 days' prior written notification.

This matter was reviewed by Deputy City Attorney Richard F. Anthony on April 1, 2019 and by Budget Management Officer Rhutu Amin Gharib on April 3, 2019.

City Council action is requested on April 23, 2019, to formalize and execute the Proposed Lease in a timely manner.

The Proposed Lease with SCAQMD will generate annual rental revenue of \$14,040, which will accrue in the General Fund (GF) in the Parks, Recreation and Marine Department (PR). The requested action is not expected to require additional staff hours 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.

Approve recommendation.

JOHN KEISLER
DIRECTOR OF ECONOMIC DEVELOPMENT

GERARDO MOUET
DIRECTOR OF PARKS, RECREATION AND MARINE

APPROVED:

PATRICK H. WEST
CITY MANAGER

