Legislation Details (With Text)

File #:	23-0483	**Version:**	1	**Name:**	ED - Lease w/St. Anthony HS for continued use of parking lot D1
Type:	Contract			**Status:**	CCIS
File created:	4/25/2023			**In control:**	City Council
On agenda:	5/16/2023			**Final action:**	5/16/2023
Title:	Recommendation to authorize City Manager, or designee, to execute all documents necessary for the Fourth Amendment to Revocable Permit No. 35437 with Archdiocese of Los Angeles Education and Welfare Corporation, on behalf of St. Anthony High School, for the continued use of a City-owned parking lot to the south of 854 East 7th Street, commonly known as the former Long Beach Armory Parking Lot, for one year, with a one-year renewal option, at the discretion of the City Manager. (District 1) Levine Act: Yes				
Sponsors:	Economic Development				
Indexes:					
Code sections:					
Attachments:	1. 051623-C-7sr				

Date	Ver.	Action By	Action	Result
5/16/2023	1	City Council	approve recommendation	Pass

Recommendation to authorize City Manager, or designee, to execute all documents necessary for the Fourth Amendment to Revocable Permit No. 35437 with Archdiocese of Los Angeles Education and Welfare Corporation, on behalf of St. Anthony High School, for the continued use of a City-owned parking lot to the south of 854 East 7th Street, commonly known as the former Long Beach Armory Parking Lot, for one year, with a one-year renewal option, at the discretion of the City Manager. (District 1)

Levine Act: Yes

On September 17, 2019, the City Council authorized Revocable Permit No. 35437 (Permit) with the Archdiocese of Los Angeles Education and Welfare Corporation, on behalf of St. Anthony High School (St. Anthony High School), for the use of a City-owned parking lot to the south of 854 East 7th Street, commonly known as the former Long Beach Armory Parking Lot (Subject Property) (Attachment A). Subsequently, the parties executed one-year amendments to the Permit, with the latest being the Third Amendment, which extended the Term through August 10, 2023. St. Anthony High School is now requesting to extend the Permit for an additional year to help meet the school's parking needs. Staff is supportive of the extension as it would activate the Subject Property, helping to mitigate blight while easing parking demand in the area. To extend the Permit, a Fourth Amendment is required.

The Fourth Amendment to the Permit will contain the following amended terms:

Permittor:	City of Long Beach, a municipal corporation.
Permittee:	Archdiocese of Los Angeles Education and Welfare Corporation, on behalf of St. Anthony High School.
Amended Term:	The Amended Term of the Permit will be for one year, through August 10, 2024.
Renewal Options:	The Term of the Permit may be extended for one additional year, at the discretion of the City Manager.
Permit Fee:	The Permittee will continue to pay the City a $500 per month Permit Fee to use the Subject Property. This is unchanged from the prior Permit.
Termination Option:	The Subject Property is being developed and is currently in escrow. Therefore, the City shall have the option to terminate this Permit with thirty (30) days' prior written notice to Permittee, should the City receive notice from the Developer that construction is imminent.

This matter was reviewed by Principal Deputy City Attorney Richard F. Anthony on April 20, 2023, and by Budget Management Officer Nader Kaamoush on April 24, 2023.

LEVINE ACT

This item is subject to the Levine Act. The Mayor, Councilmembers, and Commissioners who have received a contribution of more than $250 within 12 months prior from a party, participant, or their representatives involved in this proceeding may do either of the following: (1) disclose the contribution on the record and recuse themselves from this proceeding; OR (2) return the portion of the contribution that exceeds $250 within 30 days from the time the elected official knew or should have known about the contribution and participate in the proceeding.

All parties, participants, and their representatives must disclose on the record of this proceeding any contribution of more than $250 made to the Mayor or any Councilmembers within 12 months prior to the date of the proceeding. The Mayor, Councilmembers, and Commissioners are prohibited from accepting, soliciting, or directing a contribution of more than $250 from a party, participant, or their representatives during a proceeding and for 12 months following the date a final decision is rendered.

City Council consideration of this transaction is requested on May 16, 2023, to ensure the Fourth Amendment to the Permit can be executed in a timely manner.

The monthly Permit Fees revenue of $500, totaling $6,000 annually, will continue to accrue in the General Fund Group in the Economic Development Department for a period of one year with an option to renew for one additional year. The Subject Property is being developed and is currently in escrow. Therefore, the City shall have the option to terminate this Permit with

thirty (30) days' prior written notice to Permittee, should the City receive notice from the Developer that construction is imminent. 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.

Approve recommendation.

BO MARTINEZ
DIRECTOR
ECONOMIC DEVELOPMENT

APPROVED:

THOMAS B. MODICA
CITY MANAGER