



staff report

TO: Honorable Mayor and Members of the City Council

ATTENTION: Jeffrey L. Stewart, City Manager

FROM: Len Gorecki, Director of Public Works
Bernardo Iniguez, Public Works Manager

SUBJECT: Consideration and possible action to authorize the City Manager to execute Amendment No. 1 to Agreement File No. 51.62, in a form approved by the Interim City Attorney, with the Los Angeles County Metropolitan Transportation Authority (Metro), to extend the term of the lease for use of the Pacific Electric Station buildings located at 16336 Bellflower Boulevard

DATE: March 14, 2016

EXECUTIVE SUMMARY

This action would authorize the City Manager to execute Amendment No. 1 to Agreement File No. 51.62 with Metro. The purpose of the Amendment is to extend the term of the Agreement to a month-to-month basis as of October 1, 2008.

RECOMMENDATION TO CITY COUNCIL

- 1) Authorize the City Manager to execute Amendment No. 1 to Agreement File No. 51.62, in a form approved by the Interim City Attorney; or
- 2) Alternatively, discuss and take other action related to this item.

FISCAL IMPACT

None.

DISCUSSION

On February 21, 2006, the City entered into a Lease Agreement with Metro (Agreement File No. 51.62) for use of the Pacific Electric Station buildings located at 16336 Bellflower Boulevard. The Agreement was for a 36-month term ending on September 30, 2008. Since that time, the lease was extended by operation of law on a month to month basis.

On February 11, 2016, Metro contacted the City seeking to amend the original lease to ensure that it was retroactively effective and memorialize the term of the agreement, i.e., to make sure it was a month-to-month lease. Metro did not provide an explanation regarding why it took so long for it to seek approval for an amendment or the policy reason behind changing the leases from a yearly to a monthly basis.

If approved, the draft amendment would retroactively amend the lease (starting in 2008) and add a termination provision allowing the parties to terminate the lease with 180 days written notice. There is no monetary compensation provided to Metro for this Agreement.

ATTACHMENT

AMENDMENT AGREEMENT

AMENDMENT AGREEMENT, made as of this 14th day of March, 2016, between the Los Angeles County Metropolitan Transportation Authority, a public agency existing under the authority of the laws of the State of California, hereinafter referred to as "LACMTA", and the City of Bellflower, a public corporation, hereinafter referred to as "Tenant".

RECITALS:

LACMTA and Tenant are now parties to a contract dated February 21, 2006, LACMTA's Contract No. RWSA000651, together with any and all modifications, supplements and amendments thereto, being hereinafter referred to as "Original Contract", for use of the old Pacific Electric Station buildings located on LACMTA's West Santa Ana Branch at 16336 Bellflower Blvd., City of Bellflower, County of Los Angeles, as a site for holding community events.

The parties desire to modify the Original Contract as hereinafter provided.

AGREEMENT:

It is mutually agreed that, retroactive to October 1, 2008, the Original Contract is hereby changed to read, as follows:

I. Item 4, Term, is DELETED in its entirety, and is REPLACED as follows:

The term of this lease shall be on a month-to-month basis until terminated by either party by delivering one hundred eighty (180) days' prior written notice, as provided in Section 1.2.

Except as specifically amended by this "Amendment Agreement" (effective October 1, 2008), all other provisions of the Original Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment Agreement in duplicate as of the day and year first above written.

LACMTA:

Los Angeles County Metropolitan Transportation Authority

By: _____

Name: Maria Guerrero-Garcia

Title Sr. Real Estate Officer

TENANT:

City of Bellflower

By: _____

Name: Jeffrey L. Stewart

Title City Manager