

Date: April 5, 2021

To: Thomas B. Modica, City Manager 

From: John Keisler, Director of Economic Development 

For: Mayor and Members of the City Council

Subject: **Disposition of Former Fire Station 9**

The purpose of this memorandum is to provide an update to the City Council regarding next steps for the former location of Fire Station 9, and to recommend next steps for community input and disposition.

Background

In memorandums dated [August 20, 2019](#), [January 27, 2020](#), and [July 6, 2020](#), staff provided the City Council with information regarding the relocation of apparatus and personnel from Fire Station 9, located at 3917 Long Beach Boulevard. Given concerns over water penetration into areas inhabited by Fire Department personnel, the history of active mold in the station, illnesses reported by crew members, and the extent of required repairs, Engine 9 was relocated to Fire Station 16 (2890 East Wardlow Road), while Rescue 9 was moved to Fire Station 13 (2475 Adriatic Avenue). These apparatuses, and their respective crews, operated out of these locations for approximately 14 months until a single site could be found to house both Rescue 9 and Engine 9.

On July 14, 2020, the City Council authorized Lease No. 35645 for 2019 East Wardlow Road to allow Fire Station 9 to operate out of this temporary location until a permanent replacement site could be purchased, entitled, and constructed. On August 11, 2020, the City Council authorized the purchase of 4101 Long Beach Boulevard as the permanent replacement site for Fire Station 9. The City took ownership of the replacement site on December 29, 2020, and the design process for the construction of a new Fire Station 9 facility is currently underway. The permanent replacement site will require its own entitlement and environmental review process.

Potential for Reuse of Former Fire Station 9 Site

The property located at 3917 Long Beach Boulevard is City-owned property and remains vacant. The site measures approximately 5,893 square feet and is improved with a 5,548-square-foot wood-frame building. The site had operated as Fire Station 9 from 1938 until July 2019 when continued water penetration and resulting active mold necessitated its permanent closure. Significant and costly modifications would be required to reuse the building without guarantees against health concerns returning at some point. As such, the site is being considered for an alternate use, which could include reuse or demolition and new construction.

In compliance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared and circulated for public review to evaluate options for reuse of the site. Due to the age and architecture of the building, the building appears to be eligible for designation as a Long Beach Historic Landmark and listing in the National Register of Historic

Places (NRHP) and California Register of Historic Resources (CRHR). Therefore, Fire Station 9 has been analyzed as a historic resource pursuant to CEQA.

The City began the environmental review process pursuant to CEQA by distributing a Notice of Preparation (NOP) of the EIR for a 30-day agency and public review period starting on November 12, 2019 and ending on December 12, 2019 (SCH No. 2019110206). The Draft EIR was made available for public review and comment for a 52-day period (45-days required) pursuant to CEQA Guidelines. The public review period for the Draft EIR started on July 10, 2020 and ended on August 31, 2020. The City received five comment letters on the Draft EIR.

A Final EIR must be prepared after public review of the Draft EIR and prior to certification of the EIR. In addition, the City will make findings for each of the significant effects identified in this EIR and will support the findings with substantial evidence in the record. After considering the Final EIR in conjunction with the findings pursuant to CEQA Guidelines Section 15091, the lead agency may decide whether or how to approve or carry out the project. In addition, when approving a project, public agencies must also adopt a Mitigation, Monitoring and Reporting Program describing the changes that were incorporated into the proposed project or made a condition of project approval to mitigate or avoid significant effects on the environment.

At this time, the Final EIR and responses to public comments are in draft form. Upon finalization of the Final EIR, the document will be circulated for review to commenters and the decision-making body. All agencies who commented on the Draft EIR will be provided with written responses at least 10 days before certification of the Final EIR, pursuant to CEQA Guidelines Section 15088(b). The Final EIR will also be posted on the City's website.

Upon certification of the EIR, a Notice of Determination (NOD) will be filed with the Los Angeles County Clerk-Recorder within five business days, which would start a 30-day statute of limitations for CEQA-based challenges.

Disposition Process

Given that the City no longer can use this property as a fire station, the City would commence with the disposition process. Real property no longer needed for current or future municipal purposes that does not directly benefit the community would be considered for disposition. The disposition process is intended to maximize the benefit to the community and is usually accomplished through either the Request for Proposals (RFP) process or competitive listing. The RFP process includes preparing the scope of the solicitation, 30-60 day circulation period, and a 60-day evaluation period before a selection is determined. Certification of the RFP and the selected respondent are both subject to City Council approval. A competitive listing is an open market competition whereby the City lists the property for sale with a licensed real estate broker. Through this competitive process, the fair market value is determined by formal offers submitted by potential buyers. The City would set the lower limit of what it will accept as a purchase price. Potential uses the City will consider include:

- Open space for passive recreation
- Community or recreational center
- Affordable housing
- Commercial (office, retail, services)

- Institutional (government, education, public safety, workforce development)
- Public benefit (community development, nonprofit or social services)
- Other uses, as identified through the disposition process

Surplus Land Act

Before either an RFP process or competitive listing can be pursued, the property must be surplus in compliance with State of California Government Code Section 54220, also known as the Surplus Land Act. The Surplus Land Act requires the availability of any surplus property to be noticed to various parties, including the State Resources Agency, local parks and housing authorities, and affordable housing entities registered with the Department of Housing and Community Development. Each entity noticed has 60 days to notify the City it wishes to negotiate a purchase, and the City must enter into good faith negotiations with the entity for a minimum of 90 days.

Should negotiations be successful, neither an RFP nor a competitive listing are needed, and the negotiated purchase/sale is presented to the City Council for review and approval. If negotiations are unsuccessful, the City either begins negotiations with the next requesting entity or releases an RFP. It is important to note that if negotiations are unsuccessful and an RFP is released, the City is required to record a covenant on the property requiring any housing development with more than 10 units on the property restrict a minimum of 15 percent of the units to low income households.

Equity Lens

Future uses of the property present opportunities to address issues of equity identified by the City Framework for Racial Reconciliation. For example, affordable housing may provide more options for underserved persons in Long Beach. The installation of nonprofit or social services could also increase the availability of resources to serve communities of color, low-to-moderate income individuals, and potentially other under-represented communities. Commercial activity could create additional job opportunities.

Next Steps

At this time, staff recommend that the City Manager proceed with notification of surplus property to required entities while the EIR is finalized and the development of an RFP. That work will begin in April and the community will be notified when an RFP is available for review.

Please contact John Keisler by phone 8-5282 or by email john.keisler@longbeach.gov with additional questions.

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