


0150-12236-0000

T R A N S M I T T A L

TO Council	DATE 12-09-22	COUNCIL FILE NO. 21-0909
FROM Municipal Facilities Committee	COUNCIL DISTRICT 14	

At its meeting held on November 17, 2022, the Municipal Facilities Committee (MFC) approved the recommendation of the attached Department of General Services (GSD) report, which is hereby transmitted for Council consideration. Adoption of the report would authorize GSD to execute a new Lease Agreement between the City and California Children's Academy (CCA) for a licensed childcare center located at 233 Breed Street (Council District 14). The term of the lease agreement is for five (5) years with no renewal option.

There is no General Fund impact as there is no revenue generated from this lease. CCA is responsible for all improvements, maintenance and repairs to the subject facility.


for Matthew W. Szabo
Chair, Municipal Facilities Committee

MWS:LRR/ajw:05230085d

CITY OF LOS ANGELES

CALIFORNIA

TONY M. ROYSTER
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CITY PURCHASING AGENT



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November 17, 2022

Honorable City Council
City of Los Angeles
C/o City Clerk
Room 395, City Hall
Los Angeles, CA 90012

Attention: Michael Espinosa, Legislative Assistant

**REVISED REQUEST OF AUTHORIZATION TO NEGOTIATE AND EXECUTE
A NEW LEASE AGREEMENT BETWEEN THE CITY OF LOS ANGELES
AND THE CALIFORNIA CHILDREN'S ACADEMY AT
233 BREED STREET, LOS ANGELES, 90033**

The Department of General Services (GSD) requests an updated authority to negotiate and execute a new lease agreement with the California Children's Academy (CCA) ("Tenant") and the City of Los Angeles (City) ("Landlord") in Council District 14 (CD-14) for a licensed childcare center located at 233 Breed Street, Los Angeles, CA 90033. On February 16, 2022, City Council adopted the MFC report requesting a retroactive renewal to November 1, 2021. Currently, a retroactive lease is not necessary and this updated authority will provide CCA with a five-year lease beginning as of the date of attestation. The current agreement is in holdover and will remain in that status until the new lease is in place.

BACKGROUND

On September 29, 2021, a Motion was adopted (Council File 21-0909) directing GSD to negotiate and execute a new lease replacing the current lease that is in holdover (Contract C-82112). This lease started April 1, 1990, and expired on March 30, 1993.

The proposed lease renewal allows the City to review the community benefits and provide a term lease so that CCA could apply and receive grant funding to repair the playground area and replace playground equipment. Due to application deadlines, CCA requested a retroactive lease agreement in order to qualify for grant funding. Since the initial MFC



report, grant funding has already been awarded contingent upon CCA supplying the Department of Social Services' Child Care Division a fully executed lease agreement with the City. Therefore, a retroactive lease agreement is no longer necessary and the new five-year lease term will be effective as of the date of attestation.

Furthermore, on August 30, 2022, the California Department of Housing and Community Development (HCD) found that leasing this City property at 233 Breed Street, Los Angeles, CA 90033 to the CCA was exempt from the Surplus Land Act due to agency use.

CCA helps families become financially independent by providing affordable licensed child care to low-income families. A sliding fee scale, as issued by the California Department of Education and the California Department of Social Services, takes the family's gross monthly income and number of household members into consideration. CCA was founded in 1971 as a non-profit 501(C) (3) agency for the purpose of providing childcare services to meet the needs of the East/Northeast community of Los Angeles.

Services are available for infants, toddlers, and preschool age children and their families. Currently, they have 97 children enrolled including 40 infants and 57 toddlers and preschoolers. The program offers an array of age-appropriate curriculum to meet the individual needs of each child. This includes early education readiness skills for successful transition to kindergarten, as well as bilingual and multicultural experiences to foster acceptance of all children. Balanced meals and snacks providing up to 80% of each child's daily nutritional requirements are also provided. CCA receives grants from the California Department of Education.

TERMS AND CONDITIONS

The proposed zero-cost lease will be for up to five (5) years with no options to extend. A complete set of terms and conditions are outlined on the attached term sheet.

COMMUNITY BENEFIT ANALYSIS

The City Administrative Office (CAO) completed the attached Community Benefit Analysis (CBA) which supports the recommendation for approval of the proposed terms and conditions. See the attached CBA.

MAINTENANCE/UTILITIES/LANDSCAPING


CCA shall maintain the site in good and sanitary condition. Any repairs, alterations or other improvements required from the specific use of the site shall be performed by the Tenant at their cost. The Tenant is also responsible for all utilities and landscaping.

FISCAL IMPACT

No revenue will be generated from this lease to the General Fund.

RECOMMENDATION

That the Los Angeles City Council, subject to the approval of the Mayor, authorize the Department of General Services to negotiate and execute a new lease agreement with the California Children's Academy at 233 Breed Street, Los Angeles, CA 90033 under the terms and conditions outlined in this report.



Tony M. Royster
General Manager

Attachments: Term Sheet
Community Benefit Analysis

LEASING TERM SHEET

MFC DATE

LANDLORD

ADDRESS

TENANT

ADDRESS

LOCATION

AGREEMENT TYPE

USE

SQUARE FEET

TERM

RENT START DATE

LEASE START DATE

OPTION TERM

HOLDOVER

SUBLET/
ASSIGNMENT

TERMINATION

RENTAL RATE

ESCALATION

RENTAL ABATEMENT

ADDITIONAL RENT

PROPERTY TAX

OPEX

CAM

OTHER	N/A
SECURITY DEPOSIT	N/A
MAINTENANCE/ REPAIR	Tenant <input type="text"/>
MAINTENANCE/ REPAIR DETAILS	Maintenance & repairs are the sole responsibility of the tenant.
TENANT IMPROVEMENTS	The tenant is requesting permission to upgrade/replacement the requirements for playground safety, ADA accessibility, ensure age appropriateness. These required repairs are linked to the tenants STATE funding.
PARKING	2 parking space
UTILITIES	Tenant
CUSTODIAL	Tenant
SECURITY	Tenant
PROP 13 PROTECTION	Landlord will NOT provide Prop 13 protection. <input type="text"/>
INSURANCE (City)	Tenant shall indemnify and hold harmless the City <input type="text"/>
OTHER:	Andrea Fernandez (she/ her) Vice President of Education California Children's Academy 2701 N. Main Street Los Angeles, CA 90031 Office (323) 223-3313 ext 225 Fax (323) 223-0954

**Report from
OFFICE OF THE CITY ADMINISTRATIVE OFFICER
Community Benefit Analysis for Proposed Non-Profit Lease**

I. Proposed Lease Terms and Conditions	
Facility Location:	233 North Breed Street, Los Angeles, CA 90033
Lessee:	California Children’s Academy (CCA), a non-profit 501(c)(3) organization
Council File Reference:	21-0909 (Motion adopted September 29, 2021)
Space Assignment:	Children’s Learning Center – Approximately 8,200 sq ft.
Term & Renewal Option:	Up to 5 years.
Market Rate:	\$1.85 – \$3.00 for similar size and highest best use. (8,200 sq ft x \$1.90 per s.f. x 12 month = \$186,960 annually)
Proposed Rental Rate:	\$0 per year
Clean-up and Associated Cost:	Tenant responsibility.
Tenant Improvements:	CCA is applying for grant funding in the amount of \$180,000 to upgrade the playground and repair cracked concrete in the play area.
II. History and Current Services	
Mission:	Working with parents and the community to provide high quality child care and education to children living in Los Angeles County.
Vision:	CCA’s vision is to provide the highest quality education and childcare programs for children; create a place where children may develop a positive self-esteem self-understanding while learning about themselves, others, and the world in which they live; develop programs to meet the individual needs, abilities, and interests of each child in our care; ensure that each child and their family are treated with respect and dignity; and, maintain an environment where children are nurtured, held, and encouraged through positive support and guidance throughout the day, and the uniqueness of each child is treasured.
Background / History:	CCA was founded in 1971 as a non-profit 501(c)(3) agency for the purpose of providing childcare services to meet the needs of the East/Northeast community of Los Angeles. In 1991, CCA expanded its service area to include the San Fernando Valley. CCA currently serves over 700 children per day among the 15 early education centers located across Los Angeles County.

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Current Services:	<p>CCA's programs for infants, toddlers, and preschool age children offer:</p> <ul style="list-style-type: none"> • Care in a safe, healthy, and nurturing environment; • Age-appropriate curriculum to meet the children's individual needs; • Early education readiness skills for successful transition to kindergarten; • Bilingual, multicultural experiences to foster acceptance of all children; • Balanced meals and snacks providing up to 80 percent of each child's daily nutritional requirements to help children learn and develop to their optimal potential; and, • Parent participation, education, resources, and referrals to strengthen the family unit.
III. Community Benefit Analysis	
Value of Direct Services:	<p>A. <u>Value of Dedicated Staff: \$1.27 million</u></p> <p style="padding-left: 20px;">11 teacher assistants - \$ 389,197</p> <p style="padding-left: 20px;">7 teachers - 285,934</p> <p style="padding-left: 20px;">4(3)* supervisors - 95,811</p> <p style="padding-left: 20px;">3(1)* maintenance staff - 83,169</p> <p style="padding-left: 20px;">3(1)* food service staff - 86,770</p> <p style="padding-left: 20px;">4(4)* directors - 63,570</p> <p style="padding-left: 20px;">9(9)* administrative staff - 60,883</p> <p style="padding-left: 20px;">Payroll taxes and benefits -204,850</p> <p>*Refers to personnel whose duties and salaries are prorated among the various CCA education centers.</p> <p>B. <u>Value of Services to Participants:</u></p> <ul style="list-style-type: none"> • Access to free or affordable childcare. A sliding fee scale takes the family's gross monthly income and number of household members into consideration. The value of this service is reflected in the value of the staff and budget described in A and C.
Value of Operational Budget:	<p>C. <u>Value of Operational Budget: \$314,816</u></p> <ul style="list-style-type: none"> • Temporary staff - \$92,716 • Payroll and staff expenses - \$7,877 • Staff development - \$30,230 • Classroom supplies - \$86,348 • Utilities/security - \$23,429 • Maintenance - \$27,835 • Various administrative costs (ex. insurance, outreach, telephone, internet) - \$46,381

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Additional Offsets / In-Kind Services:	<p>D. <u>Value of Additional Offsets</u></p> <ul style="list-style-type: none"> Anticipated one-time grant in the amount of \$180,000 to upgrade the playground and repair the cracked concrete in the play area. This amount is provided as informational and is not included in the Total Community Benefit calculation.
Total Community Benefit:	<u>\$1.59 million annually</u> (A+C)
Market Value for Leased Space	<p><u>\$186,960 annually</u></p> <p>Calculated at the market rate of \$1.90 per s.f. multiplied by the facility's estimated space of 8,200 sq ft multiplied by 12 months = \$186,960</p>
Benefits Finding & Recommended Action.	<p>Community benefits estimated at \$1.59 million annually exceeds the market value of the leased space by \$1.40 million.</p> <p>Approval of the proposed lease terms is recommended on the basis that the value of the community benefits exceeds the market value of the leased space.</p>

0220-05479-0017	Leah Chu	Bernyce Hollins	 Yolanda Chavez
Work Assignment Number	Analyst	Chief	Assistant CAO

Released Date: 11-23-21