

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

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## RESOLUTION AUTHORIZING THE LEASE EXTENSION WITH THE EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD) FOR THE ALICE STREET LEARNING CENTER AT 250 - 17<sup>TH</sup> STREET

**WHEREAS**, the City has established a downtown child care center through a partnership between the City of Oakland, the Oakland Unified School District and the YMCA of Oakland; and

**WHEREAS**, the property has been leased from EBMUD to accommodate the center since 1994; and

**WHEREAS**, the current lease amendment on the facility is due to expire April 30, 2001; and

**WHEREAS**, unless the City renews the lease, the continued operation of the facility beyond that date is in jeopardy; and

**WHEREAS**, EBMUD has agreed to lease 250 - 17<sup>th</sup> Street to the City under the following terms and conditions as outlined in the Third Amendment of the lease:

- a) Year one of the lease will be at a rate of \$2.00 per square foot or \$118,080 per year, plus the cost of utilities, maintenance, plumbing, janitorial services and taxes;
- b) Year two of the lease will be at a rate of \$2.10 per square foot or \$123,984 per year plus the cost of utilities, maintenance, plumbing, janitorial services and taxes;
- c) EBMUD shall be responsible for maintenance and repair of their structure and main support systems including roof, HVAC systems, electrical systems and existing parking lot paving;
- d) The City shall have two successive options to extend the term of the lease amendment for separate additional terms of one year each;
- e) The City shall have the right of first refusal to purchase the property provided EBMUD declares the property available for re-lease or sale;

### NOW THEREFORE BE IT

**RESOLVED:** That the City Manager is hereby authorized and directed to execute on behalf of the City of Oakland, a lease amendment with the East Bay Municipal Utility District consistent with this resolution; and be it

**FURTHER RESOLVED:** That funding be appropriated to cover the shortfall in the months of May and June 2001 in the amount of \$19,680 and in the amount of \$136,932 for the FY 01-03; and be it

**FURTHER RESOLVED**, That the Manager, Real Estate Services is authorized and directed to take any and all actions necessary to complete the lease transaction hereby approved; and be it

**FURTHER RESOLVED**, That the lease amendment shall be approved as to form and legality by the Office of the City Attorney and copies shall be placed on file in the Office of the City Clerk.

**IN COUNCIL, OAKLAND, CALIFORNIA PASSED BY THE FOLLOWING VOTE:**

AYES- BRUNNER, CHANG, MILEY, NADEL, REID, WAN, SPEES, AND  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST:

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CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California