

By: [Signature]

OAKLAND CITY COUNCIL

RESOLUTION No. 76236 C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING A ONE-YEAR LEASE EXTENSION WITH NORMAN HERSCH, DANIEL P. KAHN AND SHERI ANNE LEMPert AT 1680 14th STREET FOR THE MUSEUM OF CALIFORNIA CONSERVATION LABORATORY

WHEREAS, the Oakland Museum is currently leasing approximately 18,180 +/- square feet of warehouse and office space and adjoining parking lot at 1680 14th Street for its Conservation Laboratory, hereinafter referred to as the Premises. Said lease is due to expire on January 31, 2001; and

WHEREAS, the Museum is in the process of developing an alternative site for its Conservation Laboratory, which is estimated to take up to one year to complete the required tenant improvements; and

WHEREAS, the Museum needs to extend the lease on the Premises for an additional year, beginning February 1, 2001, and terminating January 31, 2002. Real Estate Services has negotiated an extension of the lease with NORMAN HERSCH, DANIEL P. KAHN AND SHERI ANNE LEMPert, hereinafter referred to as the "Lessor", to continue leasing the Premises at 1680 14th Street, for a **firm** one-year period; and

WHEREAS, the Lessors have agreed to lease the Premises to the City at a rate of \$16,000 per month. Current market conditions have driven up rental rates of similar property. The negotiated rent of \$16,000 per month or \$.88 per square foot is below the current market rate. All other terms and conditions of the existing lease, except as specifically modified by this resolution shall remain unchanged during the extended period, and

WHEREAS, the funds to cover the rent increase of \$9,700 per month for the 5 months remaining in FY 2000/01 are available in the Museum Public Trust Fund 7640 and in FY 2000/01 the entire monthly rent of \$16,000 will be budgeted in CEDA Real Estate; now, therefore, be it

RESOLVED: that the City Manager is hereby authorized and directed to execute a lease extension for the Premises, consistent with the terms and conditions of this resolution; and be it

FURTHER RESOLVED, the Office of the City Attorney shall approve the lease extension as to form and legality, and a copy of said lease extension shall be on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: that \$48,500 be appropriated from the Museum Public Trust Fund 7640 fund balance to fund the 5 months of the lease for FY 2000/01; and be it

FURTHER RESOLVED: that the City Manager, for unforeseen contingencies, is hereby authorized to modify, to make changes to, or exceed the leased area by up to thirty percent (30%), provided that the cost of the additional leased space is covered by appropriated funds; and be it

FURTHER RESOLVED: that the manager, Real Estate Services be authorized to take all actions as may be required to carry out the intent of this resolution.

IN COUNCIL, OAKLAND, CALIFORNIA -- JAN 16 2001

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, ~~MILEY~~, NADEL, REID, WAN, SPEES, AND
PRESIDENT DE LA FUENTE **7**

NOES- None

ABSENT- None

ABSTENTION- None

ATTEST:



CEDA FLOYD

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