

2007 MAY 31 PM 3: 22

Approved as to Form and Legality

Oakland City Attorney's Office

### OAKLAND CITY COUNCIL

Resolution No. **80643** C.M.S.

Introduced by Councilmember \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A TWO-YEAR LEASE WITH AN ADDITIONAL TWO YEAR OPTION, WITH PETER AND HELEN SHIU FOR REAL PROPERTY LOCATED AT 530 LAKE PARK AVENUE, FOR USE AS A COMMUNITY MEETING FACILITY IN AN ANNUAL AMOUNT NOT TO EXCEED \$40,000 PLUS TELEPHONE AND UTILITY COSTS AND A \$200 MONTHLY WATER CHARGE, FOR THE INITIAL TERM AND THE OPTION TERM**

**WHEREAS**, since July 1998 the City of Oakland (the "City") has leased the property at 530 Lake Park Ave. for use as a Community Meeting Facility and Community Police Station; and

**WHEREAS**, the current lease expires in June 2007 and the City desires to continue the lease with Peter and Helen Shiu ("Owners") for a term of two years plus one additional two year option period at an annual rent not to exceed \$40,000 plus telephone and utility costs; and a water charge reimbursement to Landlord of \$200.00 per month (fixed) added to the Rent for the initial term and the option term; and

**WHEREAS**, neighborhood groups in the Lake Park Avenue community wish to renew this lease to continue with established civic and business engagement activities and programs for the local community; and

**WHEREAS**, over the past six months, the Real Estate Division conducted site searches for a possible relocation site, seeking the best location, based on available parking, size, location and price; and

**WHEREAS**, comparison of alternative rental sites affirmed that 530 Lake Park Avenue is the best site to meet the needs of the community groups who use the facility; and

**WHEREAS**, the Owners are willing to extend the lease for the Premises for an additional two years at an annual rental not to exceed \$40,000 per year, plus \$200 per month for water charges, with one additional two year option; and

**WHEREAS**, the City Council wishes to authorize the City Administrator to enter into a lease extension to provide a neighborhood meeting center and support continued operation of OPD's Neighborhood Services Coordinators; and

**WHEREAS**, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now therefore be it

**RESOLVED:** That the City Council finds and determines that it would be in the best interests of the City to continue to lease the location at 530 Lake Park Avenue for the period of the proposed lease for community and police uses; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to execute a lease agreement for the sum not to exceed \$40,000 per year plus telephone and utility costs, including a monthly water charge of \$200, for two years with one two year option; Funds for the lease and operating costs are available by re-allocating funds from existing citywide projects in the General Fund 1010; and be it

**FURTHER RESOLVED:** That the City Council has independently reviewed and considered this environmental determination and the Council finds and determines that this action complies with CEQA, because this action is exempt from CEQA pursuant to Section 15301 (existing facilities) of the CEQA Guidelines; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized and directed to take any and all actions necessary and consistent with this Resolution to complete the Lease Agreement transaction and to decide, in her discretion, to exercise the option without returning to the City Council; and be it

**FURTHER RESOLVED:** That the City Administrator shall cause to be filed with the County of Alameda, a Notice of Exemption; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 19 2007, 2007

**PASSED BY THE FOLLOWING VOTE:**

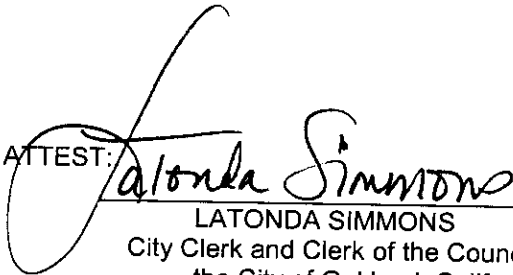
AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND  
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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