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OAKLAND

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APPROVED AS TO FORM AND LEGALITY

Allen

CITY ATTORNEY

ORDINANCE NO. 13147 C.M.S.

**AN ORDINANCE, AMENDING ORDINANCE NO. 12079 C.M.S.,
AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE
AND EXECUTE TENANT LEASES IN THE CITY
ADMINISTRATION BUILDING COMPLEX**

WHEREAS, the City of Oakland owns certain property in the City Administration Building Complex currently known as the Lionel J. Wilson Building, the Dalziel Building, the Plaza Building, City Hall and the Frank H. Ogawa Plaza; and

WHEREAS, pursuant to Ordinance No. 12079 C.M.S. the City Administrator may execute tenant leases in the City Administration Building Complex subject to parameters provided in Ordinance No. 12079 C.M.S.; and

WHEREAS, the City desires to modify the leasing parameters within Ordinance No. 12079 C.M.S. to retain existing tenants and attract new tenants; now therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. The City Administrator may only execute City Administration Building Complex leases that fall within the following parameters:

- A. Applicable leases for the Dalziel Building shall be in compliance with the Wetmore/Pardee Relocation Agreement dated April 20, 1995; and
- B. Minimum monthly gross rent for non-Wetmore/Pardee Relocation Agreement retail tenants in the Dalziel Building shall be not less than \$1.25 per square foot excluding any rent credits for tenant improvements; and
- C. Minimum monthly triple net rent for retail tenants in the Lionel J. Wilson Building shall be not less than \$1.25 per square foot excluding any rent credits for tenant improvements; and
- D. Minimum monthly gross rent for office tenants in the Dalziel Building shall be not less than \$1.50 per square foot excluding any rent credits for tenant improvements and a credit for possessory interest; and
- E. Maximum tenant allowances for the Lionel J. Wilson Building retail and Dalziel Building retail and office spaces shall be \$25.00 per square foot; and
- F. Lease terms may be month-to-month or greater. There shall be no minimum lease term requirement; and
- G. As an incentive to retain existing tenants and attract new tenants, the City Administrator may offer 30% monthly rent reductions until December 31, 2014.

Section 2. The City Administrator may amend City Administration Building Complex leases to retroactively reduce monthly rent up to 30% as of September 1, 2012.

Section 3. The City Administrator is authorized to negotiate and execute a one year no cost lease for the 1425 Broadway space (Lionel J. Wilson Building) and a six month no cost lease for the 1423 Broadway space (Lionel J. Wilson Building).

Section 4. All leases executed by the City Administrator shall be approved by the Office of the City Attorney as to form and legality and a copy will be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 22 2013


PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, KALB, KAPLAN, GIBSON MCELHANEY, REID, SCHAAF AND PRESIDENT
KERNIGHAN - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: 1/30/13

Introduction Date DEC 18 2012

NOTICE AND DIGEST

AN ORDINANCE, AMENDING ORDINANCE NO. 12079 C.M.S., AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE TENANT LEASES IN THE CITY ADMINISTRATION BUILDING COMPLEX.

This ordinance amends Ordinance No. 12079 C.M.S., and authorizes the City Administrator to negotiate and execute tenant leases in the City Administration Building Complex which is comprised of the Lionel J. Wilson Building, the Dalziel Building, the Plaza Building, City Hall and the Frank H. Ogawa Plaza. Through this amended ordinance, the City Administrator would be authorized to execute tenant leases in the City Administration Building Complex within the following parameters:

- A. Applicable leases for the Dalziel Building shall be in compliance with the Wetmore/Pardee Relocation Agreement dated April 20, 1995; and
- B. Minimum monthly gross rent for non-Wetmore/Pardee Relocation Agreement retail tenants in the Dalziel Building shall be not less than \$1.25 per square foot excluding any rent credits for tenant improvements; and
- C. Minimum monthly triple net rent for retail tenants in the Lionel J. Wilson Building shall be not less than \$1.25 per square foot excluding any rent credits for tenant improvements; and
- D. Minimum monthly gross rent for office tenants in the Dalziel Building shall be not less than \$1.50 per square foot excluding any rent credits for tenant improvements and a credit for possessory interest; and
- E. Maximum tenant allowances for the Lionel J. Wilson Building retail and Dalziel Building retail and office spaces shall be \$25.00 per square foot; and
- F. Lease terms may be month-to-month or greater. There shall be no minimum lease term requirement; and
- G. As an incentive to retain existing tenants and attract new tenants, the City Administrator may offer 30% monthly rent reductions until December 31, 2014.