

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2017 JUN 29 PM 12:56

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 86858 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING A LEASE AGREEMENT WITH THE OAKLAND UNIFIED SCHOOL DISTRICT FOR THE CITY'S USE OF THE MODULAR BUILDING AT 80 ECHO AVENUE FOR THE PIEDMONT AVENUE BRANCH LIBRARY FOR A FIVE YEAR TERM WITH LEASE PAYMENTS OF \$2,500 PER MONTH

WHEREAS, since 2012 the Piedmont Avenue Branch Library has been located on Oakland Unified School District (OUSD) property at 80 Echo Avenue at the Piedmont Avenue Elementary School; and

WHEREAS, the current lease agreement with OUSD for use of the modular building at 80 Echo Avenue expires September 6, 2017; and

WHEREAS, the City wishes to continue to operate a public library in this location; and

WHEREAS, the OUSD will lease the facility to the City at \$2,500 per month for five (5) years after the date of full execution of the lease agreement; and

WHEREAS, the OUSD is undertaking a comprehensive facilities master planning process which may identify standardized rates for agreements and which may call for an amendment to the proposed lease agreement and an adjustment to the lease payments, and City staff will seek City Council approval for any increase to the term of the lease or increase in the lease payments; and

WHEREAS, pursuant to the proposed lease, the City will be responsible for utilities on a prorated basis based on the square footage of the facility, and maintenance and custodial of the interior and surrounding premises of the facility; and

WHEREAS, the continuation of the library at this location will benefit not only OUSD students and area residents, but also others throughout the City; and

WHEREAS, the City desires to lease the property for a five-year period; and

WHEREAS, funding for the lease payments is available for fiscal year ("FY") 2017 - 2019, in Measure Q Fund (2241); and

WHEREAS, funding for the utilities, maintenance and custodial payments is available for FY 2017 - 2019, in City Facilities Services Fund (4400); now, therefore, be it

RESOLVED: That the City Administrator is hereby authorized to execute a lease agreement with the Oakland Unified School District for City's use of the modular building at the Piedmont Avenue Elementary School for a five (5) year term with lease payments of \$2,500 per month; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to amend the lease agreement, not including extensions of the term or rent increases, without returning to the City Council, and to take any and all actions with respect to the lease necessary and consistent with this Resolution; and be it

FURTHER RESOLVED: That the lease agreement and other documents 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, JUL 18 2017

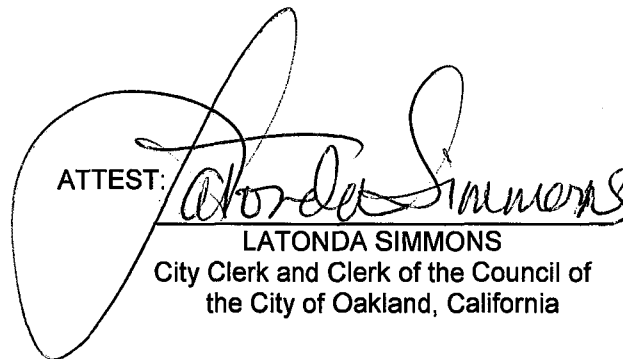
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT REID *8*

NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

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