

## RESOLUTION 2017-044

### RESOLUTION OF THE CITY COUNCIL OF THE CITY SAN PABLO RESCINDING RESOLUTION 2017-028 WHICH APPROVED A SUBLEASE AGREEMENT BETWEEN THE CITY OF SAN PABLO AND EAST BAY COFFEE COMPANY FOR A PORTION OF THE NEW SAN PABLO LIBRARY AND DIRECTING THE CITY MANAGER TO EXPLORE OTHER POTENTIAL VENDORS

WHEREAS, On February 6, 2017, City Council adopted Resolution 2017-028 which approved a Sublease Agreement (Sublease) between the City of San Pablo (City) and East Bay Coffee Company (East Bay) for a sublease of a portion of the New San Pablo Library (Space);

WHEREAS, shortly after the Sublease was approved, East Bay met with City staff expressing its inability to perform its obligations under the Sublease;

WHEREAS, East Bay sent staff an e-mail communication formally requesting withdrawal from its Sublease of the Space; and

WHEREAS, the proposed resolution rescinds Resolution 2017-028 and directs the City Manager to explore other potential vendors and to enter into formal negotiations for the sublease of the Space.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN PABLO DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein.

Section 2. Rescission of Resolution 2017-028. The City Council hereby rescinds Resolution 2017-028.

Section 3. Explore Potential Vendors. The City Council hereby directs the City Manager to explore other potential vendors and to enter into formal negotiations for the sublease of the Space with any proposed Subleases to be presented to the City Council for its consideration.

\* \* \* \* \*

PASSED AND ADOPTED this 6<sup>th</sup> day of March, 2017, by the following vote:

AYES:	COUNCILMEMBERS:	Cruz, Kinney, Morris, Calloway and Valdez
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:

/s/ Ted J. Denney  
Ted J. Denney, City Clerk

/s/ Cecilia Valdez  
Cecilia Valdez, Mayor