

RESOLUTION 2019-137

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF SAN PABLO AND THE SAN PABLO ECONOMIC DEVELOPMENT CORPORATION

WHEREAS, beginning in FY 2014/15, the City began considering options related to the current City Hall buildings due to their age and relatively poor condition. In September 2016, the City Council authorized staff to begin planning in earnest for a new City Hall building, given that the cost for rehabilitating the existing buildings exceeded the benefit of that investment;

WHEREAS, in 2017, the City Council authorized an Ad-Hoc Subcommittee (Paul Morris/Cecilia Valdez) to oversee policy development on site development plans for existing Civic Center and new City Hall development and in April 2017, the Ad-Hoc Subcommittee met to review final site plan, floor plan, and building elevations for New City Hall Project. The project was then presented to City Council and approved in January 2018. The final plans recommended by the Ad-Hoc Subcommittee included the designation of space for the San Pablo EDC on the first floor of the new City Hall;

WHEREAS, in addition to the need for new City Hall space, the City has had a need for storage space as space is cleared out at the old El Portal School site (2600 Moraga Road) in preparation for sale of that property. In the summer of 2018, adequate storage space was identified for the Community Services department in a suite at the Mission Plaza site, formerly owned by the San Pablo Redevelopment Successor Agency and now owned by the San Pablo EDC;

WHEREAS, in planning for the new City Hall and in light of the City's use of space at Mission Plaza, there is the recognition that both the City and the San Pablo EDC benefit from agreements to occupy space owned by the other entity. The revocable lease proposed here is intended to memorialize the mutual benefit of having San Pablo EDC located on the first floor of the new City Hall with the capacity to help with wayfinding for residents and visitors who may need assistance as they enter City Hall. It also memorializes the City benefit from having adequate storage space for Community Services until such time as the City can fund the development of a replacement Corporation Yard site which would provide that storage in the future;

WHEREAS, the primary business points for the City-San Pablo EDC lease include:

- Formalize SPEDC use of public property (New City Hall)
- San Pablo EDC staff will be present five days per week and provide greater presence for the City as well as providing way-finding services
- Formalize City use of SPEDC space at Mission Plaza

- Currently there is a mutual benefit; if that benefit goes away, the City and the San Pablo EDC would negotiate an appropriate level of rent or give notice to end the lease
- Either party may leave or be asked to leave with a one-year notice; and

WHEREAS, the proposed Lease supports policy item #401 - *Support the San Pablo EDC* in the FY2019-21 City Council Priority Workplan.

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. Approval of Lease. The City Council hereby approves the Lease, substantially in the form attached to the resolution as Exhibit 1. The City Manager is hereby authorized and directed to execute the Lease on behalf of the City, and to make such changes or additions thereto with the concurrence of the City Attorney as are necessary or appropriate and which do not substantially alter the rights and obligations of the City thereunder. The City Manager is further authorized to execute such other documents and take such other actions as are necessary to carry out and implement the obligations of the City under the Lease.

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ADOPTED this 3rd day of September, 2019, by the following votes:

AYES:	COUNCILMEMBERS:	Pineda, Xavier, Pabon-Alvarado and Cruz
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
RECUSAL:	COUNCILMEMBERS:	Kinney

ATTEST:

APPROVED:

/s/ Patricia Ponce
Patricia Ponce, City Clerk

/s/ Rich Kinney
Rich Kinney, Mayor