



City of San Leandro

Meeting Date: July 20, 2015

Staff Report

File Number: 15-447 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.S

TO: City Council

FROM: Chris Zapata
City Manager

BY: City Attorney and
Rich Pio Roda
City Attorney

FINANCE REVIEW: Not Applicable

TITLE: Staff Report For A Resolution To Approve A Lease Agreement Between The City Of San Leandro And The San Leandro Improvement Association For The Caretaker Unit, Two Specific Parking Spaces, and Non-Exclusive, Non-Possessory Use of The Casa Peralta Buildings and Grounds For \$1,500.00 Per Month For A Two Year Term

SUMMARY AND RECOMMENDATIONS

The City Manager recommends that the City Council approve a resolution that does the following: Approves the basic lease terms between the City and the San Leandro Improvement Association of the Casa Peralta Caretaker Unit, two specific parking spaces, and Non-Exclusive, Non-Possessory use of the Casa Peralta Buildings and Grounds at \$1,500.00 per month for a total of two (2) years; and (2) authorizes the City Manager to negotiate the remaining terms and execute the Lease Agreement, subject to approval as to form by the City Attorney.

BACKGROUND

The San Leandro Improvement Association (SLIA) approached the City Manager and the Library Director to discuss renting and using the facilities at the Casa Peralta. According to the SLIA, it is set to commence an agreement with Stepping Stones to beautify public spaces along East 14th Street and needs a base of operations to stage and perform this work. The SLIA also needs parking for its vehicles, including a watering vehicle that uses City well water to perform various watering tasks around the Downtown. SLIA also seeks to provide a presence at the Casa Peralta throughout the day to activate the Casa Peralta grounds, assist in the prevention of all day or night encampments, and work with the City on public access and revenue opportunities for the Casa Peralta.

ANALYSIS

A proposed lease agreement between the City and the SLIA would commence August 1, 2015, which would do the following:

1. Lease the Casa Peralta Caretaker Unit, one parking space on the north side of the driveway area along the wall to park the SLIA maintenance truck, one parking space on the north side of the driveway to park the SLIA watering vehicle (a 300 gallon water wagon and hitch), and non-exclusive, non-possessory use of the Casa Peralta Buildings and Grounds for \$1,500.00 per month. The Lease would be for 2 years, with an option to renew for an additional two years upon a review of the lease and impact upon City and SLIA operations after completion of the term. SLIA would pay all water costs and utilities associated with its use.
2. Part of the lease would be non-exclusive, non-possessory use of the Casa Peralta buildings and grounds as the SLIA's base of operations. This would include having employees, agents, or representatives of SLIA on the Casa Peralta grounds seven days a week. SLIA employees, agents, or representatives would be present at the Casa Peralta throughout the day to ensure the buildings and grounds are clean and maintained, that no all day or overnight encampments would be established, and that the Casa Peralta had adequate staffing for visitors and permittees alike. SLIA staff would assist Library personnel as necessary with Library related activities. As a supplement to City Public Works staff, SLIA would provide basic litter removal service (grounds landscaping maintenance would remain under the purview of Public Works staff). SLIA would have access to use the Casa Peralta theater for its regular Board meetings, and Committee meetings. SLIA would also be permitted to erect a storage shed with the approval of Library staff. One of the conditions of approval for the storage shed would be that its design, size, and color would be compatible with the Casa Peralta's architecture and character. Finally, SLIA would work with the Library on proposals to activate the Casa Peralta grounds during daytime hours, including possible revenue raising options.

FISCAL IMPACT

No fiscal impact as to cost is anticipated. The small amount of rent collected would most likely be used to offset costs at the Casa Peralta and the San Leandro History Museum.

PREPARED BY: Richard D. Pio Roda, City Attorney



City of San Leandro

Meeting Date: July 20, 2015

Resolution - Council

File Number: 15-452

Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: City Attorney and
Rich Pio Roda
City Attorney

FINANCE REVIEW: David Baum
Finance Director

TITLE: RESOLUTION that Approves A Lease Of The Casa Peralta Caretaker Unit, Two Parking Spaces, And Non-Exclusive, Non-Possessory Use of The Casa Peralta Grounds With The San Leandro Improvement Association (Approves A Lease Of The Casa Peralta Caretaker Unit, Two Parking Spaces, and Use of The Casa Peralta Buildings and Grounds As The San Leandro Improvement Association's Base Of Operations For \$1,500.00 Month, and a Two Year Term)

WHEREAS, City of San Leandro Municipal Code section 4-27-100 provides that the City Council by resolution may adopt regulations necessary for the administration and protection of public buildings and property owned, occupied or administered by the City of San Leandro; and

WHEREAS, the Casa Peralta is on the national register of historical places and it is a designated City of San Leandro historical landmark that is owned by the City and is a key part of the City's history; and

WHEREAS, the Casa Peralta is located in Downtown San Leandro, it is itself an architectural treasure, and it houses historical artifacts, documents, records, photographs, and the San Leandro History Museum; and

WHEREAS, the San Leandro Improvement Association, which administers the San Leandro Downtown Business Improvement District, desires to use and activate the Casa Peralta to assist the City in promoting the Casa Peralta as a community resource to enhance civic pride, celebrate the City's history, and sustain the Casa Peralta for many years to come, all of which support the City Council's goals, and promote the public welfare; and

WHEREAS, the City desires to enter into a public / private partnership with the San Leandro Improvement Association to maintain and activate the Casa Peralta to promote Downtown San Leandro, and assist in the maintenance of a City historical treasure.

NOW THEREFORE, the City Council of the City of San Leandro RESOLVES as follows:

1. That the following basic terms of a Lease between the City and the San Leandro Improvement Association of the Casa Peralta Caretaker Unit, Two Particular Parking Spaces, and non-exclusive, non-possessory use of the Casa Peralta Buildings and Grounds for \$1,500.00 per month, exclusive of water and utilities, for a two year term are hereby approved, and the City Manager is authorized to negotiate and execute all documents to effect the Lease, subject to approval as to form by the City Attorney.