

CITY OF ALAMEDA RESOLUTION NO. _____

APPROVING A REAL PROPERTY LEASE AGREEMENT WITH THE
ALAMEDA UNIFIED SCHOOL DISTRICT

WHEREAS, the Alameda Unified School District ("District") is the owner of real property on which is located at the Emma Hood Swim Center ("Swim Center Property") and the Alameda High School ("the High School Property"); and

WHEREAS, the Swim Center Property has been used as "recreational real property" pursuant to Education Code 17485 and following since 1955, but due to issues concerning certain facilities on the Swim Center Property, Alameda County Environmental Health Department has imposed deadlines which could close those facilities in May 2021; and

WHEREAS, the City of Alameda ("City") has made a commitment to create a conceptual design and to seek funding opportunities for a new aquatic center on the Swim Center Property which the City would construct, operate and maintain to serve the public, including the Alameda High School aquatic teams; and

WHEREAS, no other available publicly owned land in the vicinity of the Swim Center Property is adequate to meet the existing and foreseeable needs of the community for a new aquatic center; and

WHEREAS, City is the City in which the Swim Center Property is situated in accordance with Education Code section 17489 and desires to lease from the District the Swim Center Property, demolish the existing structures thereon, and construct, operate, and maintain a new aquatic center to serve the public; and

WHEREAS, District's Board of Education has determined by formal resolution, following the recommendation by a District Advisory Committee, that the Swim Center Property is surplus property; and

WHEREAS, on June 25, 2019, District and City worked collaboratively and executed a Memorandum of Understanding ("MOU"), under the terms of which the District and the City would consider entering into a lease agreement for the Swim Center Property, and the City would take measures to secure funding for a new aquatic center ("City Aquatic Center"), demolish the existing structures and undertake the design and construction of the City Aquatic Center; and

WHEREAS, a City Committee and a District Committee, along with City and District staff, with significant input from the residents of the communities that the City and District serve, have negotiated a 60 year Real Property Lease Agreement that will provide for the opportunity to secure funding for the City Aquatic Center, demolish the existing structures, undertake the design of the City Aquatic Center and sets forth other terms and conditions, including the District's use of the City Aquatic Center; and

WHEREAS, the City Council has considered the Real Property Lease Agreement at its regular meeting on January 21, 2020 and has considered the agenda report, staff comments and comments from the public.

NOW, THEREFORE, the City Council of the City of Alameda resolves as follows:

1. The Real Property Lease Agreement is approved and the City Manager is authorized to execute the Agreement on behalf of the City.
2. This Resolution shall take effect immediately upon its adoption.

* * * * *

I, the undersigned, hereby certify that the foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Alameda in a regular meeting assembled on the 21st day of January 2020 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Alameda this 22nd day of January 2020.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda