

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2023-

RESOLUTION OF THE CITY OF SAN LEANDRO CITY COUNCIL TO APPROVE A MAINTENANCE AGREEMENT WITH 13847 SAN LEANDRO PARTNERS LLC FOR MAINTENANCE OF THE SAN LEANDRO SENIOR COMMUNITY CENTER PARKING LOT

WHEREAS, in 2005 the City purchased property located at 13909 E. 14th Street from the Eden Township Healthcare District (“Eden”) and constructed the San Leandro Senior Community Center (“Senior Center”) thereon; and

WHEREAS, in 2006, Eden granted the City easements over certain portions of the adjacent property for ingress/egress and parking; and

WHEREAS, in the subsequent years, Eden sold or transferred the property located adjacent to the Senior Center; and

WHEREAS, 13847 San Leandro Partners LLC (“San Leandro Partners”) owns the property adjacent to the Senior Center along E. 14th Street. which includes the parking lot located adjacent to 138th Avenue; and

WHEREAS, the City holds an exclusive easement for ingress/egress and parking over the parking lot (the “Easement Area”); and

WHEREAS, as the owner of the Easement, the City has an obligation to maintain the Easement Area and keep it in good and safe repair; and

WHEREAS, the City and San Leandro Partners have negotiated a new maintenance agreement specifying the duties and obligations of each party regarding maintenance of the Easement Area in detail; and

WHEREAS, the proposed maintenance agreement will also help the City ensure the parking lot serving the Senior Center is kept in good and safe condition; and

WHEREAS, as part of the maintenance agreement, the City is also agreeing to pay San Leandro Partners \$7,448.00 for a portion of the costs incurred by San Leandro Partners due to a leak in the irrigation system in the Easement Area and related repairs; and

WHEREAS, the City Council desires to approve the proposed maintenance agreement.

NOW, THEREFORE, the City Council of the City of San Leandro does **RESOLVE** as follows:

1. The above Recitals are true, correct, and made a part of this Resolution.
2. The City Council approves the Maintenance Agreement with 13847 San Leandro Partners LLC for maintenance of the San Leandro Senior Community Center Parking Lot and authorizes the City Manager to execute the Agreement in a form approved by the City Attorney.

3. The City Manager is authorized and directed to take all actions necessary to carry out the purpose and intent of this resolution.

Introduced by Councilmember _____ and passed and adopted this 5th day of June 2023, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Kelly B. Clancy, CMC
City Clerk