



Legislation Text

File #: 21-469, **Version:** 1

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Commercial Revitalization Agreement with Wannawin San Leandro, LLC and Authorizing the City Manager to Execute a Grant of Easement to Pacific Gas and Electric Company for Connecting Gas and Electric Facilities to the Property Located at 1495 East 14th Street through City Owned Property Located at 1490 Washington Avenue (APN 077-0545-024-01)

WHEREAS, Wannawin San Leandro, LLC (“Landowner”) is the owner of that certain real property located at 1495 E. 14th Street, San Leandro, California (the “Commercial Property”), which is currently improved with a building that was formerly used as a bank; and

WHEREAS, Landowner desires to renovate and modernize the Commercial Property for commercial uses which are proposed to include a restaurant, brewery and outdoor dining, and has commenced the rehabilitation of the Commercial Property for such uses; and

WHEREAS, the rehabilitation of the Commercial Property is expected to attract additional restaurants, office uses and retail businesses to locate in the downtown area of the City, which will help to strengthen the downtown economy and provide substantial employment, sales and property tax benefits to the City; and

WHEREAS, in order to renovate the Commercial Property, it is necessary for an electrical transformer to be installed to supply electricity to the Commercial Property (the “Transformer”), and because the improvements on the Commercial Property cover the entire site, the Transformer must be located in other offsite real property located adjacent to the Commercial Property; and

WHEREAS, the City of San Leandro owns certain real property located to the west of and adjacent to the Commercial Property, which is currently used as a public parking lot, situated in the City of San Leandro, California, at 1490 Washington Avenue (the “City Property”); and

WHEREAS, the Landowner has requested that City grant an easement to Pacific Gas and Electric (“PG&E”) over the City Property for the installation of the Transformer and for related utility lines that will service the Commercial Property (the “Easement”); and

WHEREAS, PG&E desires to obtain a non-exclusive Easement for the installation, maintenance, and use of gas and electric equipment and appurtenances thereto on a portion of the City Property; and

WHEREAS, the City’s grant of the Easement over the City Property will facilitate the rehabilitation of the Commercial Property, and advance the City’s goals of establishing a firm foundation for long-term fiscal sustainability, and supporting projects and programs promoting sustainable economic development, including transforming the City into a center for innovation; and

WHEREAS, City staff and the Landowner have negotiated the terms and conditions under which the City would grant the easement to PG&E, and have drafted a proposed Commercial Revitalization Agreement, in the form attached to this Resolution as Exhibit "A", copies of which have been provided to the City Council; and

WHEREAS, City staff and PG&E have agreed to the terms and conditions of the easement to PG&E, and have drafted a Grant of Easement, in the form attached to this Resolution as Exhibit "B", copies of which have been provided to the City Council; and

WHEREAS, the City is not providing any economic development subsidies (as defined in Government Code Section 53083) to the Developer pursuant to the Commercial Revitalization Agreement, as the value of the easement does not exceed One Hundred Thousand Dollars (\$100,000); and

WHEREAS, the City Council finds that the economic interests of the City's residents and the public health, safety and welfare will be best served by entering into the Commercial Revitalization Agreement; and

WHEREAS, the City of San Leandro has determined it is proper and in the public interest to grant the non-exclusive easement to PG&E; and

WHEREAS, the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of said agreement.

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

1. The City Council finds that the foregoing Recitals are true and correct and are incorporated into this Resolution.
2. The City Council approves the Commercial Revitalization Agreement with WannaWin San Leandro, LLC and the Grant of Easement to PG&E pursuant to the terms and conditions set forth in the Commercial Revitalization Agreement and Grant of Easement.
3. The City Council authorizes the City Manager (or designee), on behalf of the City, to execute the Commercial Revitalization Agreement and the Grant of Easement substantially in the form attached, and to make revisions and amendments to such documents, subject to approval as to form by the City Attorney, so long as such actions do not materially or substantially add to the costs incurred or to be incurred by the City as specified in the Commercial Revitalization Agreement or Grant of Easement.
4. That original executed agreements shall be attached to and made a part of this resolution.