



**CITY OF LODI
COUNCIL COMMUNICATION**

TM

AGENDA TITLE: Adopt Resolution Approving Lease Amendment for **300** West Pine Street
 MEETING DATE: September **19,2007**
 PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution approving the attached lease amendment for 300 West Pine Street.

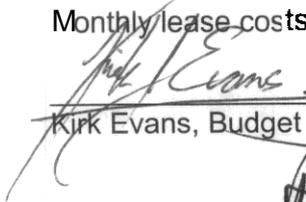
BACKGROUND INFORMATION: The City of Lodi's Finance Department is located in leased space at 300 West Pine Street. The lease term initiated on February 1, 2004, was for a three-year term and included options to renew the lease for seven one-year extensions. The first one-year extension was exercised, extending the lease termination date to January 31, 2008. The Lessor has agreed to an additional one-year extension subject to the City's ability to vacate upon providing the Lessor with six months notice of such intent.

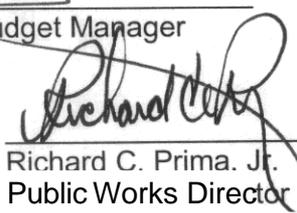
The City's intent is to convert the existing County Court portion of the Public Safety Building, located at 230 West Elm Street, to use by the City Finance Department. When this project is completed, it will no longer be necessary for the City to lease space for the Finance Department.

The City of Lodi does not want to extend the lease at 300 West Pine Street for another full year, anticipating that tenant improvements on the remodeled Court space should be complete in mid-2008. The Lessor has agreed to amend the lease to require the City of Lodi to provide a six-month's written notice of intent to vacate, while maintaining all other terms and conditions of the lease. This provides the Lessor with more than a month-to-month commitment and gives adequate notice prior to vacating, yet allows the City to serve notice to vacate once the design/construction/move process approaches its conclusion.

FISCAL IMPACT: No change.

FUNDING AVAILABLE: Monthly lease costs of \$1 1,003 are budgeted for the 2007/08 fiscal year.


 Kirk Evans, Budget Manager


 Richard C. Prima, Jr.
 Public Works Director

Prepared by Dennis J. Callahan, Fleet and Facilities Manager
 RCP/DJC/pmf
 Attachment
 cc: City Attorney
 Russ Munson

APPROVED: 
 Blair King, City Manager

RESOLUTION NO. 2007-185

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING AMENDMENT OF LEASE AGREEMENT
FOR 300 WEST PINE STREET

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve an amendment to the lease agreement for 300 West Pine Street requiring the City to provide a six-month written notice of intent to vacate to the Lessor; and

BE IT FURTHER RESOLVED that all other terms and conditions of the lease agreement dated March 1, 2004, shall remain the same.

Dated: September 19, 2007

I hereby certify that Resolution No. 2007-185 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 19, 2007, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Katzakian, Mounce,
and Mayor Johnson
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk

AGREEMENT AND AMENDMENT TO LEASE
BETWEEN
RUSSELL G MUNSON, KATHRYN A. MUNSON, AND BEVERLY J. MUNSON
AND
THE CITY OF LODI
FOR
300 WEST PINE STREET, LODI, CALIFORNIA

The undersigned, Russell G. Munson, Kathryn A. Munson, and Beverly J. Munson (Lessor) and City of Lodi (Lessee) agree that Lessee shall be permitted to exercise its option to renew pursuant to paragraph 29 of the Lease between the parties dated March 1, 2004. Lease will now terminate on January 31, 2009. Parties further agree to amend the Lease to add the following **as** paragraph 29.1.

29.1 NOTICE ~~OF~~ INTENT TO VACATE:

The Lessee agrees to provide the Lessor **six** (6) month's notice ~~of~~ its intent to vacate the Premises, which will be presented in writing in the manner set forth in paragraph 30 ~~of~~ this Lease.

All other terms and conditions of the Lease will remain as written

Russell G. Munson, Kathryn A. Munson,
and Beverly J. Munson
Hereinabove called "Lessor"

CITY OF LODI, a municipal corporation
hereinabove called "Lessee"

RUSSELL G. MUNSON

BLAIR KING, City Manager

KATHRYN A. MUNSON

Attest:

BEVERLY J. MUNSON

RANDI JOHL, City Clerk

Approved as to Form:

JANICE D. MAGDICH, Deputy City Attorney



CITY COUNCIL

BOB JOHNSON, Mayor
JOANNE L. MOUNCE
Mayor Pro Tempore
LARRY D. HANSEN
SUSAN HITCHCOCK
PHIL KATZAKIAN

CITY OF LODI

PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
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EMAIL pwdept@lodi.gov
<http://www.lodi.gov>

BLAIR KING
City Manager
RANDI JOHL
City Clerk
D. STEVEN SCHWABAUER
City Attorney
RICHARD C. PRIMA, JR.
Public Works Director

September 14, 2007

Mr. Russ Munson
1530 Edgewood Drive
Lodi, CA 95240

SUBJECT: Adopt Resolution Approving Lease Amendment for 300 West Pine Street

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, September 19, 2007. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Randi Johl, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Dennis Callahan, Fleet and Facilities Manager, at 333-6800, extension 2690.

R. Prima
for: Richard C. Prima, Jr.
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk