

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Douglas Treadway

DATE: October 13, 2004

SUBJECT: Authorization to enter into an Operational Lease Agreement with the East Bay Regional Park District

---

Last year in November, the Board of Trustees approved a one-year lease agreement with the East Bay Regional Park District. The Board will recall that the lease was significantly modified at that time to permit the Board of Trustees maximum flexibility. This lease expires on November 30, 2004.

As required in the existing lease, the General Manager of the Park District, Mr. Pat O'Brien, provided the Board of Trustees with a report on the revenues and expenditures related to the leased area at the Board's September 8, 2004 meeting. Also, at the meeting Mr. O'Brien shared with the Board photographs of the new trail facilities constructed by the Park District. Finally, at the board meeting, Mr. Pat O'Brien requested that the Board of Trustees consider extending the lease with its current provisions for ten years.

Attached is the current lease with minor proposed modifications. First of all, in Section 2., the effective date has been changed to December 1, 2004. In Section 3., the lease term has been changed to ten years. Finally, in Section 7., the first paragraph has been lined through because the Park District has fulfilled its obligation to build new trail facilities.

Staff recommends approval of the extension of the current lease agreement for a period of ten years. There are ample safeguards provided to the College in this lease arrangement. A noticing period of 60 days to modify the lease premises, and a noticing period of 90 days to terminate the lease provides the Board with ample flexibility.

**RECOMMENDATION:**

The President/Superintendent recommends that the Board of Trustees approve the attached operational lease agreement with the East Bay Regional Park District.