



## Legislation Text

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**File #:** 19-347, **Version:** 1

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Resolution approving and authorizing the City Manager to enter into a lease agreement between the City of South San Francisco and the State of California Department of Transportation for public use and park improvements of Clay Avenue Park.

WHEREAS, in April 1969, the City of South San Francisco and the California Department of Public Works, now the Department of Transportation (Caltrans), entered into a 50 year lease agreement to allow the City to develop a public park on their property at the end of Clay Avenue, below Caltrans' Highway 280 right of way (the "1969 Lease"); and

WHEREAS, the 1969 Lease permitted the City to utilize the property to provide a neighborhood park referred to as Clay Avenue Park for \$100 per year; and

WHEREAS, Clay Park is a valuable City asset, enjoyed by thousands of families each year, and is a cornerstone of the West Winston Manor community, who utilize the park daily, as well as for regular neighborhood events, including their annual egg hunt, National Night Out, a children's Halloween event, and Kite Day, among others; and

WHEREAS, the 1969 Lease was set to expire on May 31, 2019; and

WHEREAS, the City of South San Francisco and Caltrans wish to enter into a new 10 year lease agreement, with an option to renew for three additional five-year terms, for a total of 25 years, for the City to continue maintaining Clay Avenue Park as a public park; and

WHEREAS, the proposed lease would effectively extend the 1969 Lease on substantially the same terms, but with a new proposed lease rate of \$2,000 per year plus an annual increase of \$100. Further, the proposed lease would also require the City to be responsible for all costs associated with maintenance and improvements to the property, as well as utility costs; and

WHEREAS, staff recommends that the City enter into the proposed new lease with Caltrans to continue utilizing Clay park to serve valuable community purposes.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of South San Francisco hereby approves the lease agreement between the City of South San Francisco and the State of California Department of Transportation for public use and park improvements of Clay Avenue Park, and authorizes the City Manager to execute the agreement, attached hereto as Attachment 1, in substantially the same form and subject to approval by the City Attorney.

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