

BOARD AGENDA ITEM

F-3

Meeting Date: November 23, 2010

Item Title: Resolution No. 10-0115 Termination of Bay Area School of Enterprise Lease Agreement

Item Type: Action

BACKGROUND: On October 12, 2010, the Board of Education approved the recommendation to relinquish Public Benefit Entitlement to the Miller Property and relocate Island High School to Woodstock Education Center in Summer 2011. Based on facility needs of Island High School, AUSD must terminate the current lease with Alternatives in Action and renegotiate a new lease with new terms.

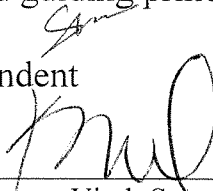
FISCAL IMPLICATIONS: Cost savings are entailed in vacating a non-AUSD property requiring capital improvements. \$25,000 is estimated for moving fees to relocate Island High School from Miller Property to Woodstock Education Center. Difference in renegotiated lease amount will be known upon new lease agreement.

RECOMMENDATION: The Board must decide whether to terminate the current lease with Alternatives in Action and renegotiate a new lease with new terms.

Alameda Unified School District Guiding Principle: #5 - Accountability, transparency and trust are necessary at all levels of the organization. **#6 -** Allocation of funds must support our vision, mission and guiding principles.

Submitted by: Sean McPhetridge, Assistant Superintendent

Approved for Submission to Board of Education


Kirsten Vital, Superintendent

RESOLUTION NO. 10-0115

Termination of Alternatives in Action Lease Agreement

WHEREAS, Alameda Unified School District (AUSD) entered into a lease agreement on December 11, 2007 with Alternatives in Action;

WHEREAS, on December 11, 2007, Alameda Unified School District leased certain real property located at 1900 Third Street (“Woodstock Education Center”) to Alternatives in Action (AIA) to operate its educational programs (“Lease”);

WHEREAS, the term of the Lease commenced on July 1, 2008, and is automatically renewed annually upon mutual agreement of the parties;

WHEREAS, during the first ten (10) years of the lease, AUSD may terminate the Lease or any renewal if the site is required for use by AUSD programs and students;

WHEREAS, AUSD voted on October 12, 2010 to relinquish its Public Benefit Entitlement to certain real property located at 190 Singleton Avenue (the “Miller Property”) which currently houses Island High School;

WHEREAS, as a result of relinquishing its entitlement to the Miller Property AUSD will be relocating Island High School to the Woodstock Education Center site as of July 1, 2011;

WHEREAS, Island High School’s educational program requires twelve classrooms, a multi-purpose room, office space, a media center, computer labs, outdoor space, a licensable child care center, sufficient space for a School-Based Health Center, space for after-school programs, a staff work room and storage spaces;

WHEREAS, Woodstock Education Center contains a total of twenty-nine classrooms, one media center, one multipurpose room with a small kitchen and office space, office space for administrators and clerical staff, and one staff room with a kitchen and outdoor yard area;

WHEREAS, the lease to AIA includes eight classrooms, a multi-purpose room with kitchen and office space, a small office, girls’ and boys’ restrooms, and a preschool play yard with access to the playground and parking lot;

WHEREAS, the current facilities configuration of Woodstock Education Center with current usage by AIA programs cannot accommodate both AIA and Island High School;

THEREFORE, be it resolved, that the Board hereby finds that AUSD requires space currently leased to AIA to house AUSD students.

BE IT FURTHER RESOLVED that the Lease with AIA be terminated.

BE IT FURTHER RESOLVED, that pursuant to the terms of the Lease, the Superintendent shall provide notice of this Resolution to terminate the Lease to AIA;

BE IT FURTHER RESOLVED, that the Superintendent or her designee shall enter into negotiations with AIA to attempt to agree upon terms of a new lease that accommodate both AIA's program and Island High School.

PASSED AND ADOPTED this 23rd day of November, 2010.

Ayes: Members:

Noes: Members:

Absent: Members:

Ron Mooney, President
Board of Education
Alameda Unified School District