

ORDINANCE No. _____ C. M. S.

ORDINANCE APPROVING A TEN (10) YEAR LEASE AGREEMENT BETWEEN THE CITY OF OAKLAND AND THE EAST BAY ZOOLOGICAL SOCIETY, INC., FOR THE MANAGEMENT, OPERATION AND IMPROVEMENT OF THE KNOWLAND PARK/OAKLAND ZOO

WHEREAS, the City of Oakland, a municipal corporation (hereinafter called "City"), and the East Bay Zoological Society, Inc., a California non-profit public interest corporation (hereinafter called "Society"), seek to enter into an agreement for the purpose of maintaining, operating, improving and rehabilitating Knowland Park/Oakland Zoo for the use and benefit of the public, the real property owned by the City commonly referred to as Knowland Park/Oakland Zoo, which includes the Park, Zoo and Snow Building, as well as all other structures thereon, at 9777 Golf Links Road, Oakland, California, all of which real property and improvements are hereinafter collectively referred to as "Zoo and Park"; and

WHEREAS, the City desires to promote and aid in said property's maintenance and improvement as an educational and entertainment area consisting of, but not limited to, zoological and botanical gardens; and

WHEREAS, the Society desires to maintain, operate and rehabilitate said real property consistent with the City's desire; and

WHEREAS, the "Zoo and Park" is a unique and important asset for the education, enjoyment and recreation of the City's children, residents and visitors; and

WHEREAS, on June 22, 1982, the City Council approved Ordinance No. 10229 C.M.S. which authorized a ten (10) year management agreement between the City and East Bay Zoological Society, Inc. which expired on August 1, 1992; and

WHEREAS, the City and Society have negotiated a new lease agreement with a term of ten (10) years commencing upon execution hereof, and may be extended by the City and the Society an additional five (5) years; and

WHEREAS, the City will provide an annual subsidy to the Society in the amount of two hundred twelve thousand five hundred fourteen dollars (\$212,514) which includes all costs and expenses of two (2) City employees including wages, withholding taxes and benefits; and

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WHEREAS, the Society is responsible for: (1) payment of all utilities; (2) facility and grounds maintenance; (3) facility and grounds rental; (4) improvements to animal exhibits; (5) sub-concessionaire agreements; (6) fiscal management and operations; and (7) procuring, carrying and maintaining comprehensive General Liability Insurance with a limit not less than four million dollars (\$4,000,000); and (8) Property and Workers Compensation Insurance; and

WHEREAS, all requirements related to the provision of an annual budget, quarterly reports, and annual financial audits by the Society shall remain the same as in the original agreement; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds and determines the foregoing to be true and correct and that it is in the best interest of the public to enter into a new agreement with the East Bay Zoological Society, Inc., to maintain, operate, improve and rehabilitate Knowland Park/Oakland Zoo, as well as other structures thereon for the benefit of the public; and be it

SECTION 2. The City Manager is hereby authorized to execute on behalf of the City of Oakland an agreement with the East Bay Zoological Society.

I certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Oakland, California.

on _____

CEDA FLOYD
City Clerk and Clerk of the Council

Per _____ Deputy

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