



Consent Item 8

TO: East Bay Community Energy Board of Directors

FROM: Nicolas Chaset, Chief Executive Officer

SUBJECT: Lease Agreement for EBCE Office at 1999 Harrison Street, Oakland

DATE: September 21, 2022

Recommendation

Approve a Resolution authorizing the Chief Executive Officer to finalize negotiations and execute a 12-month Lease Agreement with BCAL LMP Harrison Property LLC for office space at 1999 Harrison St, Oakland, California.

Background and Discussion

In February 2019, EBCE staff identified a 3-year sublease at 1999 Harrison Street. Since August 1, 2019, EBCE staff has been occupying the space at 1999 Harrison Street, as a subtenant of Mechanics Bank. The Sublease expires on October 31, 2022 and EBCE looks to sign a new, 12-month lease, directly with the Building owner.

The major terms of the new lease will be as follows:

Commencement Date: November 1, 2022

Term: 12 months, expiring on October 31, 2023

License Fees (Rent): \$46,193.33 per month

Security Deposit: \$46,193.33

Landlord to pay for taxes, building insurance and utilities (electricity, water, and heating, ventilation and air-conditioning)

EBCE is continuing to work with Komorous-Towey Architects to finalize building design and layout with Sixth Dimension as the project manager for construction of the new building at 251 8th Street, Oakland, California 94607. We are receiving feedback that construction materials, labor/installation of infrastructure projects, and permitting of projects are experiencing delays and a lease extension is prudent in order to ensure that EBCE maintains an office space.

Fiscal Impact

The lease would require the payment of an approximately \$46,193.33 security deposit, and payment of a base lease rent of \$46,193.33 per month, over a 12-month lease.

Attachments

- A. Resolution

RESOLUTION NO. R-2022-__

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EAST BAY COMMUNITY ENERGY AUTHORITY AUTHORIZING THE CHIEF
EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT WITH BCAL
LMP HARRISON PROPERTY LLC THROUGH OCTOBER 31, 2023 AT 1999 HARRISON
STREET, OAKLAND**

WHEREAS The East Bay Community Energy Authority (“EBCE”) was formed as a community choice aggregation agency (“CCA”) on December 1, 2016, Under the Joint Exercise of Power Act, California Government Code sections 6500 *et seq.*, among the County of Alameda, and the Cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Piedmont, Oakland, San Leandro, and Union City to study, promote, develop, conduct, operate, and manage energy-related climate change programs in all of the member jurisdictions. The cities of Newark and Pleasanton, located in Alameda County, along with the City of Tracy, located in San Joaquin County, were added as members of EBCE and parties to the JPA in March of 2020.

WHEREAS EBCE is currently in negotiations with BCAL LMP Harrison Property LLC to lease office space on the 8th floor of 1999 Harrison Street in Oakland, CA,

WHEREAS the Parties have come to terms regarding the payment of security deposit and rent, the term of the sublease, and

WHEREAS the Parties are continuing to negotiate certain minor terms of the Lease.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE EAST BAY COMMUNITY ENERGY AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Chief Executive Officer is hereby authorized on behalf of EBCE to finalize negotiations, enter into and execute a lease for office space at 1999 Harrison Street, Oakland CA, with a term of no more than 12 months, pursuant to key terms outlined in the associated Staff Report. The Chief Executive Officer is hereby authorized to take all actions necessary or proper to implement or effectuate the actions approved by this Resolution.

ADOPTED AND APPROVED this 21 day of September, 2022.

Dianne Martinez, Chair

ATTEST:

Adrian Bankhead, Clerk of the Board