RESOLUTION NO. 05-42

AUTHORIZING NEGOTIATIONS TO CONTRACT FOR SERVICES AND SUBLEASE UPON APPROVAL OF ARMY – PREMISES AT PRESIDIO OF MONTEREY TO CHILDRENS' CREATIVE LEARNING CENTERS INC FOR PROVISION OF CHILD DEVELOPMENT SERVICES - BUILDING NO. 566, PRIVATE BOLIO ROAD

WHEREAS, the Department of the Army and the City of Monterey executed that certain lease No. DACA05-1-96-554, dated August 16, 1996, granting the use of certain historic property in the Presidio of Monterey, California; and,

WHEREAS, the Department of the Army and the City subsequently amended said lease referred to as Supplemental Agreement No. 1, executed October 21, 1999, which added the Child Development Center, Building No. 566 on Private Bolio Road, to be incorporated into the leasehold; and,

WHEREAS, on May 4, 2000 the City of Monterey executed a Contract for Services and a Sublease of the premises for the provision of child development services, with ARAMARK Inc.; and,

WHEREAS, on April 24, 2003 the City of Monterey consented to the assignment of said sublease to the premises to Knowledge Learning Corporation, for the continued operation of the Child Development Center and related activities; and,

WHEREAS, on December 8, 2004 Knowledge Learning Corporation notified the City of Monterey that it would cease operating the Child Development Center effective, midnight March 11, 2005, and subsequently agreed to continue to operate the Center through April 1, 2005; and,

WHEREAS, on February 2, 2005 the City mailed a Request for Qualifications for a Qualified Licensed Childcare Provider for Subleasing and Operating the Child Development Center located at the Presidio of Monterey, Monterey, California. The Request was mailed to over 90 known child care providers in Monterey County. The due date

was extended from February 17, 2005 to February 28, 2005 at the request of a number of entities, but no responses were submitted to the City by the due date; and,

WHEREAS, on March 11, 2005 Childrens' Creative Learning Centers contacted the City of Monterey, and expressed interest in negotiating for leasing of the childcare center. The Childrens' Creative Learning Centers has formally expressed a willingness to immediately operate the Center upon vacating of the premises by Knowledge Learning Center Inc.; and,

NOW THEREFORE BE IT RESOLVED, the City Council of Monterey hereby authorizes the City Manager and his designee to enter into negotiations with Childrens' Creative Learning Center, as an emergency bridge provider and permanent operator as may be negotiated.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF MONTEREY, that the City hereby authorizes City Manager and his designee to negotiate with Childrens' Creative Learning Centers for a Contract for Services and Sublease to implement the exclusive right to operate a licensed child care center (the "Center") for 144 children between the ages of 6 weeks and 6 years, with additional care on an as needed basis for children up to age 12, on the subject leasehold.

BE IT FURTHER RESOLVED that staff is directed to prepare the necessary transaction documents, including a Sublease and Agreement For Services, generally consistent with the terms delineated herein, and consistent with City lease administration, risk management, and legal requirements.

BE IF FURTHER RESOLVED that upon approval of said documents by the Department of Army, the Mayor is hereby authorized and directed to execute all necessary documents to effect the transactions.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 15th day of March 2005, by the following vote:

AYES:	5	COUNCILMEMBERS:	ALBERT. DELLA SALLA. DOWNEY. HAFERMAN, ROBERSON
NOES:	0	COUNCILMEMBERS:	NONE
ABSENT:	0	COUNCILMEMBERS:	NONE

APPROVED:

Mayor of said City

ATTEST:

City Clerk thereof