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Approved as to Form and Legality

D. Miller
Office of the City Attorney

OAKLAND CITY COUNCIL

Resolution No. 83294 C.M.S.

Introduced by Councilmember _____

A Resolution Authorizing The City Administrator To Negotiate and Execute A Two-Year Lease Agreement With Three Additional One-Year Renewal Options With The Port of Oakland For Property Located At 8135 Earhart Road To Use As A Storage Facility For Urban Search and Rescue Equipment For The Initial Amount Of \$24,517, Plus An Annual Rent Escalator Not To Exceed 5%

WHEREAS, the City of Oakland Fire Department (“OFD”) is the sponsor of the Urban Search and Rescue, California Task Force 4 (CATF-4) under supervision of the Federal Emergency Management Agency (“FEMA”) and the U.S. Department of Homeland Security; and

WHEREAS, FEMA has consistently awarded OFD Urban Search and Rescue (“USAR”) grants since 1993; and

WHEREAS, staff anticipates that OFD will continue to receive annual funding to sustain the USAR operation, including the warehouse payments; and

WHEREAS, the USAR grants required OFD to develop and continue a long-term plan for rescue equipment and related supplies, and to secure appropriate warehouse space for that equipment; and

WHEREAS, the Port of Oakland (the “Port”), owner, currently leases to OFD a 3,588 square foot warehouse and apron at 8135 Earhart Rd., Oakland, CA (the “Premises”) for storage of the rescue equipment and related supplies ; and

WHEREAS, OFD desires to enter into a new Lease for the Premises for a two (2) year term, with three (3) one year options to renew (the “Lease”); and

WHEREAS, the continuation of the long-term storage of the equipment and supplies in Oakland will benefit the City and its citizens by spending federal dollars locally and keeping the rescue equipment warehoused near residents in Oakland; and

WHEREAS, the Port is willing to enter into a new Lease for the Premises for an initial amount of \$24,517 for two (2) years, with three (3) one year options to extend, with rent escalators not to exceed 5% per year; and

WHEREAS, the City Council wishes to authorize the City Administrator to enter into a Lease to provide the OFD with a facility for continued long-term storage of supplies and equipment; and

WHEREAS, the requirements of CEQA, the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied; now, therefore, be it

RESOLVED: That the City Council finds and determines that it would be in the best interests of the City to continue to warehouse supplies and rescue equipment in the City of Oakland as provided for in the two FEMA grants under the Urban Search and Rescue Plan of California Task Force 4 (CATF-4), in which the Oakland Fire Department is the local sponsoring agency; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute a new Lease for a term of two (2) years for the initial sum of \$24,517 effective March 1, 2011, with three (3) one year options to extend with a not to exceed 5% rent escalator per year; and be it

FURTHER RESOLVED: For FY 2010-2011 the funds will be allocated from Federal Emergency Management Agency Fund (2124), Fire – U.S.A.R. Org. (20815), U.S.A.R. Project (G364910), and Special Operation Program (PS18); and be it

FURTHER RESOLVED: That the City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines that this action complies with CEQA because this action on the part of the City Council is exempt from CEQA under Section 15301 (existing facilities) of the CEQA Guidelines; and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to negotiate and execute, amend, or modify the Lease, and to take any and all actions necessary and consistent with this Resolution; and be it

FURTHER RESOLVED: That the City Administrator shall cause to be filed with the County of Alameda a Notice of Exemption and an Environmental Declaration (Fish and Games Code Sec. 711.4); and be it

FURTHER RESOLVED: That the Lease and any other related documents shall be reviewed and approved as to form and legality by the Office of the City Attorney and copies shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 5 2011

PASSED BY THE FOLLOWING VOTE:

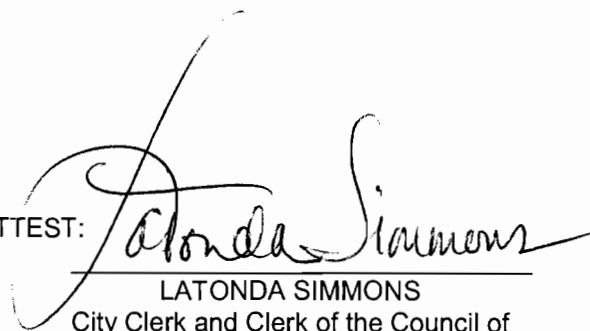
AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and
PRESIDENT REID - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LATONDA SIMMONS

City Clerk and Clerk of the Council of
the City of Oakland, California