

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 MAY 30 PM 4:27

APPROVED AS TO FORM AND LEGALITY

[Signature] FOR THE CITY ATTORNEY
CITY ATTORNEY

13179

ORDINANCE NO. _____ C.M.S.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A LEASE OR LICENSE AGREEMENT WITH CALIFORNIA CAPITAL & INVESTMENT GROUP, INC., FOR INSTALLATION OF AIR QUALITY MONITORING FACILITIES, EQUIPMENT AND UTILITIES AT RAIMONDI PARK IN WEST OAKLAND

WHEREAS, as part of the construction of public infrastructure on the former Oakland Army Base (Infrastructure Project) and the community benefits associated with the Lease Disposition and Development Agreement approved for the development of the Army Base, the City and its agent, California Capital & Investment Group, Inc. (CCIG), have agreed to complete air quality monitoring during the Army Base Infrastructure Project construction, the Army Base development program construction, and the operations of the development after the completion of construction; and

WHEREAS, CCIG proposes to install the air quality monitoring facilities, equipment and utilities in the City-owned Raimondi Park in West Oakland; and

WHEREAS, the installation of the air quality monitoring equipment requires a flat, open area of more than 32 feet in diameter with easy access to the equipment to maintain the equipment and obtain monitoring data; and

WHEREAS, CCIG proposes to install the air quality monitoring equipment in a fenced, 12' x 12' area in Raimondi Park; and

WHEREAS, the City and CCIG wish to enter into a lease or license for an approximately 144 square feet of area in the park for a seven (7) year term with an annual rent rate of \$6 per square foot; now, therefore

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

Section 1. The City Council finds and determines the foregoing recitals to be true and correct and hereby makes them a part of this Ordinance.

Section 2. The City Council hereby authorizes the City Administrator, without returning to Council, to negotiate and enter into a lease or license agreement with CCIG for a term of up to seven (7) year term with an annual rent rate of \$6 per square foot for

approximately 144 square feet of area in Raimondi Park (West Oakland) for the installation and maintenance of air quality monitoring and related equipment.

Section 3. This action (1) implements actions previously approved by the Oakland City Council; (2) is within the scope of the already approved 2012 Army Base Project; (3) the 2012 Army Base project Initial Study/Addendum adequately describes the current action for purposes of CEQA; and (4) no further CEQA review is required pursuant to CEQA Guidelines 15164.

Section 4. The City Administrator or her designee is hereby authorized to negotiate and execute all agreements and to take whatever other action is necessary with respect to the transaction(s), consistent with this Ordinance and its basic purposes.

Section 5. The City Attorney shall review and approve all documents and agreements related to this lease or license agreement as to form and legality, and a copy shall be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 2 2013

PASSED BY THE FOLLOWING VOTE:

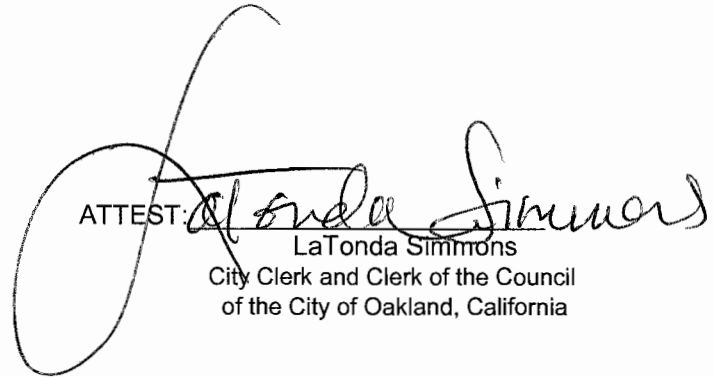
AYES - BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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

Introduction Date JUN 18 2013

Date of Attestation July 12, 2013

NOTICE AND DIGEST

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A LEASE OR LICENSE AGREEMENT WITH CALIFORNIA CAPITAL & INVESTMENT GROUP, INC., FOR INSTALLATION OF AIR QUALITY MONITORING FACILITIES, EQUIPMENT AND UTILITIES AT RAIMONDI PARK IN WEST OAKLAND

This ordinance authorizes the City Administrator to negotiate and enter into a lease or license agreement with California Capital & Investment Group, Inc. for Installation of Air Quality Monitoring Facilities, Equipment and Utilities at Raimondi Park in West Oakland.

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