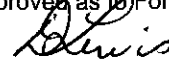


2006 AUG 31 AM 10: 53

Approved as to Form and Legality



Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. **80121** C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND A LEASE WITH WILLARD AND CELESTE KORN FOR AN ADDITIONAL 3 YEARS AND 3 MONTHS BEGINNING JULY 2006, AT 35 HEGENBERGER PLACE IN THE AMOUNT OF \$63,960 PER YEAR PLUS AN ANNUAL 4% RENT ESCALATOR, FOR THE STORAGE OF URBAN SEARCH AND RESCUE MATERIAL FOR THE OAKLAND FIRE DEPARTMENT .

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 awarded OFD a Weapons of Mass Destruction (“WMD”) grant in October 2002 and April 2006; and

WHEREAS, the above grant required OFD to develop and continue a long-term plan for rescue equipment and related supplies, and to acquire appropriate warehouse space to store that equipment; and

WHEREAS, the continuation of the long-term storage in Oakland will benefit the City and the citizens by supporting local property owners and keeping the rescue equipment warehoused in Oakland; and

WHEREAS, OFD currently occupies a 6,500 square foot warehouse at 35 Hegenberger Place, Oakland (Premises) for “long-term” storage and desires to extend the Lease for an additional term of 3 years and 3 months; and

WHEREAS, property owners Willard & Celeste Korn are willing to amend the lease for the Premises at an annual rental of \$63,960 for three (3) years and three (3) months with a 4% annual rental escalator; and

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

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("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 an amendment to the lease agreement for the sum of \$63,960 per annum, plus a 4% rent escalator per year, for three (3) years and three (3) months, through Fund 2124, Org. 20815, Project G284110; and be it

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

FURTHER RESOLVED: That the City Administrator shall cause to be filed with the County of Alameda a Notice of Exemption; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized and directed to take any and all actions necessary and consistent with this Resolution to complete the Amended Lease Agreement transaction, and to amend, modify and extend the Lease at no additional cost; and be it

FURTHER RESOLVED: That the lease shall be 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, **SEP 19 2006**, 2006

PASSED BY THE FOLLOWING VOTE:

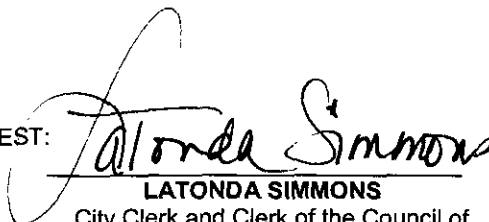
AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS

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



NOTICE AND DIGEST

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND A LEASE WITH WILLARD AND CELESTE KORN FOR AN ADDITIONAL 3 YEARS AND 3 MONTHS BEGINNING JULY 2006, AT 35 HEGENBERGER PLACE IN THE AMOUNT OF \$63,960 PER YEAR PLUS AN ANNUAL 4% RENT ESCALATOR, FOR THE STORAGE OF URBAN SEARCH AND RESCUE MATERIAL FOR THE OAKLAND FIRE DEPARTMENT

The Oakland Fire Department has received grants from the Federal Emergency Management Agency to continue long-term storage for urban search and rescue equipment and supplies. The current warehouse lease will be extended for an additional 3 years and 3 months.