

Stawis

OAKLAND CITY COUNCIL

RESOLUTION No. 77751 C.M.S. 03 JUL 25 AM 10:00

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN EXCLUSIVE NEGOTIATING AGREEMENT WITH BROADWAY/SWINERTON GROUP FOR A TERM OF SIX (6) MONTHS TO DEVELOP A NEW MULTI-PURPOSE FACILITY FOR THE OAKLAND POLICE DEPARTMENT

WHEREAS, the City of Oakland Police Department is responsible for the essential service of providing for the safety and security of the people of Oakland; and

WHEREAS, the current Police Administration Building, which houses most functions of the Police Department, sustained significant structural damage as a result of the Loma Prieta earthquake; and

WHEREAS, the temporary relocation of the Police Department to accommodate evacuation of the Police Administration Building needed in order to seismically retrofit the building to mitigate the hazard it poses is not practical nor feasible; and

WHEREAS, the City has recommended the Swinerton/Broadway Group to assemble real property on which to develop a new police facility in downtown Oakland; and

WHEREAS, the demolition of the existing Police Administration Building will mitigate a structural hazard while rendering the existing parcel available for development on a vital block of Broadway; and

WHEREAS, the development of a new Police facility will accommodate the current and future needs of the Department; and

WHEREAS, the Swinerton/Broadway Group project appears to be the most practical, effective and environmentally sound alternative after consideration of a range of options; and

WHEREAS, the Swinerton/Broadway Group would substantially reduce the risk of future damage, hardship or loss, resulting from a major disaster because it would result in the construction of a safe, secure and seismically strong essential services facility; and

WHEREAS, the City and the Swinerton/Broadway Group, as the prospective developer, wish to enter into a period of preliminary study and negotiations over the project proposal, understanding that this does not constitute a binding commitment on the part of the City to any project or developer for the property; and

WHEREAS, in consideration for the exclusive right to negotiate this project with the City, Swinerton/Broadway Group will deposit the amount of \$200,000 pursuant to the ENA; and

WHEREAS, the City has independently reviewed and considered this environmental determination, and the City finds and determines that this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to Section 15262 (feasibility and planning studies), Section 15306 (information collection) and Section 15061(b)(3) (general rule) of the CEQA Guidelines; now, therefore, be it

RESOLVED: That the City Manager is authorized to negotiate and enter into an Exclusive Negotiating Agreement with the Swinerton/Broadway Group, for purposes of studying and evaluating the feasibility of, and negotiating terms and conditions for the potential development of a new multi-purpose Police Department facility in downtown Oakland; and be it

FURTHER RESOLVED: That the exclusive negotiating period will be for six (6) months, with the option to extend said period by an additional thirty (30) days subject to the approval of the City Council; and be it

FURTHER RESOLVED: That the Exclusive Negotiating Agreement shall be reviewed and approved as to form and legality by the City Attorney prior to execution; and be it

FURTHER RESOLVED: That the City Manager or his designee shall cause to be filed with the County of Alameda a Notice of Exemption for this action; and be it

FURTHER RESOLVED: That the City Manager is further authorized to take whatever action is necessary with respect to the Exclusive Negotiating Agreement and the project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA APR 15 2003, 2003


PASSED BY THE FOLLOWING VOTE:

AYES- ~~BROOKS~~, BRUNNER, ~~CHANG~~, WAN, ~~MADEL~~, REID, QUAN, AND PRESIDENT DE LA FUENTE, - 5

NOES- Excused Chang, Brooks - 2

ABSENT-

ABSTENTION- Madel - 1

ATTEST: 
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California