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OFFICE OF THE CITY CLERK
OAKLAND

2016 JUN 30 PM 5:07

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: David Downing
Acting Assistant Chief of
Police

SUBJECT: OPD Oak Knoll Access Agreement

DATE: June 20, 2016

City Administrator Approval

Date:

6/30/16

RECOMMENDATION

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To Enter Into A Revocable Right Of Entry Agreement With SunCal Oak Knoll, LLC And Oak Knoll Acquisitions Venture, LLC, For Oakland Police Department (OPD) Personnel Training Purposes.

EXECUTIVE SUMMARY

OPD is recommending that the City Council approve a resolution that will authorize an Entry Agreement so that OPD can continue to have no-cost access to the Oak Knoll Naval Hospital area (Oak Knoll). OPD has used the area for several years for the purposes of canine, pursuit, and tactical training. The agreement will authorize access for no more than one year.

BACKGROUND / LEGISLATIVE HISTORY

OPD requires facilities to ensure that sworn personnel and police officer trainees have the opportunity to engage in canine, pursuit, and tactical training. Training involving canines and tactical operations require large open spaces. OPD does not own facilities ideal for such trainings. For several years SunCal Oak Knoll, LLC, the owner of Oak Knoll, has provided OPD with access to specific areas within Oak Knoll for such training events. SunCal Oak Knoll, LLC has never required OPD to pay for use of these facilities. This no-cost open space access enables OPD to provide critical training to sworn personnel.

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ANALYSIS AND POLICY ALTERNATIVES

Oak Knoll Acquisitions Venture, LLC is the authorized manager of Oak Knoll. Oak Knoll Acquisitions Venture, LLC is prepared to continue to offer OPD access to the Oak Knoll at no cost to OPD through a Revocable Permission of Right of Entry Agreement. The agreement will allow OPD to use the area specifically for conducting police training activities for one year unless either party chooses to revoke the agreement at an earlier date. The agreement will stipulate indemnification for Oak Knoll Acquisitions Venture LLC for when OPD uses the Oak Knoll Naval Hospital area. The agreement will also stipulate that OPD promptly repair any damage to the property caused by OPD while engaged in on-site training activities. Additionally, the City of Oakland will agree to maintain comprehensive general liability insurance and will provide proof of insurance to Oak Knoll Acquisitions Venture, LLC in order to execute this agreement.

FISCAL IMPACT

There is no fiscal impact connected with this Revocable Right Of Entry Agreement. SunCal Oak Knoll, LLC and Oak Knoll Acquisitions Venture, LLC are allowing OPD to use specific areas within the Oak Knoll area without any cost to the City.

PUBLIC OUTREACH / INTEREST

No public outreach was required in connection with this report.

COORDINATION

The Controller's Bureau and the Office of the City Attorney were consulted in preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic development opportunities associated with this report.

Environmental: OPD is helping the City to maintain a lower carbon footprint by using local training facilities for its personnel training needs.


Social Equity: OPD's efforts to ensure that all sworn personnel are well trained and prepared to serve as public safety officers ultimately helps all Oaklanders to have a safer city.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Approve A Resolution Authorizing The City Administrator Or Designee To Enter Into A Revocable Right Of Entry Agreement With Suncal Oak Knoll, LLC And Oak Knoll Acquisitions Venture, LLC For Oakland Police Department (OPD) Personnel Training Purposes

For questions regarding this report, please contact Lieutenant Sekou Millington, OPD, Training Section at (510) 238-3552.

Respectfully submitted,



David Downing
Acting Assistant Chief of Police
Oakland Police Department

Reviewed by:
Sekou Millington, Lieutenant
OPD, Training Section

Prepared by:
Bruce Stoffmacher, Legislation Manager
OPD, OCOP, Research and Planning

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Dicia Hayes
City Attorney

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OAKLAND CITY COUNCIL

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RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ENTER INTO A REVOCABLE RIGHT OF ENTRY AGREEMENT WITH SUNCAL OAK KNOLL, LLC AND OAK KNOLL ACQUISITIONS VENTURE, LLC, FOR OAKLAND POLICE DEPARTMENT (OPD) PERSONNEL TRAINING PURPOSES

WHEREAS, OPD requires diverse training facilities to ensure that sworn personnel and new police officer trainees have opportunities to train in such areas as K-9 pursuits and tactical maneuvers; and

WHEREAS, SunCal Oak Knoll, LLC is the owner of the area formerly occupied by the Oak Knoll Naval Hospital (Oak Knoll); and

WHEREAS, Oak Knoll Acquisitions Venture, LLC is the authorized manager of Oak Knoll; and

WHEREAS, Oak Knoll Acquisitions Venture, LLC has allowed OPD for several years to use open space areas at Oak Knoll; and

WHEREAS, Oak Knoll Acquisitions Venture, LLC has provided OPD with access to Oak Knoll at no cost to OPD or the City of Oakland; and

WHEREAS, OPD wishes to continue to use Oak Knoll Naval Hospital area for personnel training purposes; and

WHEREAS, Oak Knoll Acquisitions Venture, LLC is prepared to continue to offer OPD access to Oak Knoll at no cost to OPD through a Revocable Permission of Right of Entry Agreement; and

WHEREAS, the Revocable Permission of Right of Entry Agreement will allow OPD to specifically use the area for conducting police and K-9 training activities; and

WHEREAS, the Revocable Permission of Right of Entry Agreement will authorize OPD's access to a specifically designated part of the Oak Knoll Naval Hospital area; and

WHEREAS, the Revocable Permission of Right of Entry Agreement will authorize OPD's access for one year unless either party chooses to revoke the agreement at an earlier date; and

WHEREAS, the Revocable Permission of Right of Entry Agreement will stipulate indemnification for Oak Knoll Acquisitions Venture, LLC for when OPD uses the Oak Knoll Naval Hospital area; and

WHEREAS, the Revocable Permission of Right of Entry Agreement will also stipulate that OPD will promptly repair any damage to the property caused by OPD while engaging in on-site training activities; and

WHEREAS, the City of Oakland will agree to maintain comprehensive general liability insurance and will provide proof of insurance to Oak Knoll Acquisitions Venture, LLC; therefore be it

RESOLVED: That the City Administrator or designee is authorized to enter into a Revocable Right of Entry Agreement with SunCal Oak Knoll, LLC and Oak Knoll Acquisitions Venture, LLC for OPD personnel training purposes; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to complete all required negotiations, certifications, assurances, and documentation required to accept, modify, extend and/or amend this Revocable Right of Entry Agreement without returning to the City Council; and be it

FURTHER RESOLVED: That the City Attorney shall review and approve said Revocable Right of Entry Agreement with SunCal Oak Knoll, LLC and Oak Knoll Acquisitions Venture, LLC as to form and legality, and a copy of the fully executed agreement shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California