

Deicia Jones
City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

2016 JUN 30 PM 5:07

RESOLUTION No. 86314 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, JUL 1 9 2016

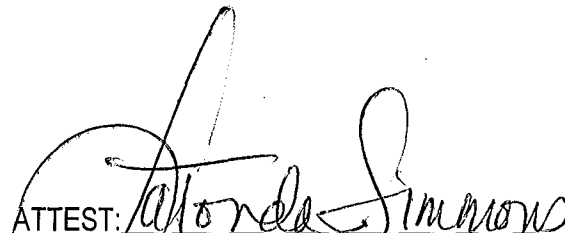
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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