



Office of the City Manager

RECESS ITEM
CONSENT CALENDER
April 14, 2020

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Andrew Greenwood, Chief of Police
Subject: Increase of Authorized Funding: Contract No. 8051 for Police Department Substation, 841 Folger Street/3000 Seventh Street

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager during recess to increase the amount of funding authorized under Contract No. 8051 by \$250,000 from \$1,995,725.99 to \$2,245,725.99 for rental of the property at 841 Folger Street/3000 Seventh Street.

NEGATIVE EFFECT IF ACTION IS DELAYED UNTIL AFTER COUNCIL RECESS

The Police Department will not be able to pay the rent for its Traffic Substation at 841 Folger Street/3000 Seventh Street since the authorized amount of funding for Contract No. 8051 has been expended.

FISCAL IMPACTS OF RECOMMENDATION

This request involves an increase of authorized funding in the amount of \$250,000 to Contract No. 8051 for a not to exceed total of \$2,245,725.99. The increased funding will allow the City to continue to pay the current monthly rent of \$18,225.00 for the next twelve months if needed.

Expenditures for the lease will continue to be funded by the General Fund (40%), budget code 011-71-703-812-0000-000-421-625110, and the Parking Meter Fund (60%), budget code 631-71-703-812-0000-000-474-625110.

CURRENT SITUATION AND ITS EFFECTS

The Police Department is preparing to move its Traffic Substation from 841 Folger Street/3000 Seventh Street to 125/127 University Avenue. Planned installation of fencing and required ADA upgrades to the property at 125/127 University Avenue initially scheduled for completion in February 2020 have been delayed until at least August 2020. The Police Department's lease with Sasha Shamszad for the Traffic Substation at 841 Folger Street/3000 Seventh Street is currently on a month to month basis. At this time, the cumulative contract amount has been fully expended; and therefore, unable to pay the monthly rent of \$18,225.00 without an increase in authorized funding.

Increase of Authorized Funding: Police Department Substation,
841 Folger Street/3000 Seventh Street

CONSENT CALENDER
April 14, 2020

This item seeks Council's approval that will authorize the City Manager to increase the authorized funding amount for Contract No. 8051 by \$250,000. The increased funding authorization will allow the Police Department to continue to pay the monthly rent for the use of 841 Folger Street/3000 Seventh Street until the work at the new facility has been completed.

BACKGROUND

The Police Department Substation moved from 3140 Martin Luther King Jr Way to 841 Folger Street in July of 2009. In February of 2018, the Berkeley Police Department began exploring whether it would make sense to move the location of the Traffic Substation when the current lease expired in July of 2019. After reviewing several different options the decision was made to move to 125/127 University Avenue.

City Staff identified several modifications to 125/127 University Avenue that would need to be completed prior to the move. These modifications included upgrading the restroom facilities to comply with ADA rules and building a fenced parking area for City Vehicles.

These projects were scheduled for completion in February of 2020, however have been delayed until at least August of 2020.

ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental opportunities or impacts associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

Due to the aforementioned delay of the required construction projects, the move from one facility to another cannot be completed as soon as had been planned and as a result the authorized funding threshold has been exhausted. This amendment will secure funding through December of 2020 in the event construction delays extend further.

ALTERNATIVE ACTIONS CONSIDERED

Staff discussed this issue with the Finance Department; however, this was the most prudent legal option available.

CONTACT PERSON

Andrew Greenwood, Chief of Police, 981-5700

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

INCREASE OF AUTHORIZED FUNDING: CONTRACT NO. 8051 FOR POLICE
DEPARTMENT SUBSTATION, 841 FOLGER STREET/3000 SEVENTH STREET

WHEREAS, The Berkeley Police Department is currently leasing 841 Folger Street/3000 Seventh Street for its Traffic Substation on a month to month basis until construction is completed at 125/127 University Avenue; and

WHEREAS, construction delays have pushed the projected move in date at 125/127 University Avenue from February 2020 until at least August 2020; and

WHEREAS, on July 15, 2009, the City entered into a contract with Sasha Shamszad to lease the property at 841 Folger Street/3000 Seventh Street for five years for a total amount not to exceed \$892,351.27 (Contract No. 8051) for a contract period expiring July 15,2014; and

WHEREAS, on June 27,2014, the City exercised its right to a five year option term to lease the property at 841 Folger Street/3000 Seventh Street for a total amount not to exceed \$1,103,374.72 (Contract No. 8051A) ; and

WHEREAS, Contract No. 8051 contains a holdover clause that allows the tenancy to continue on a month to month basis terminable on (30) days' Notice given at any time by either party; and

WHEREAS, Contract No. 8051 has reached the authorized total not to exceed amount of \$1,995,725.99 and is needed to continue paying rent at 841Folger Street/3000 Seventh Street until the construction has been completed at 125/127 University Avenue; and

WHEREAS, funds for the additional rent costs in the amount of \$250,000 will be provided from the following funds: General Fund (40%), budget code 011-71-703-812-0000-000-421-625110, and the Parking Meter Fund (60%), budget code 631-71-703-812-0000-000-474-625110.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager to execute an amendment to Contract No. 8051 with Sasha Shamszad, in an amount of \$250,000 for a total contract amount not to exceed \$2,245,725.99 for rental of the property at 841 Folger Street/3000 Seventh Street.

