

## **RESOLUTION 2019-030**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO DETERMINING THE FIRE STATION 70 CONSTRUCTION PROJECT FEASIBLE UNDER THE MEMORANDUM OF UNDERSTANDING DATED JUNE 19, 2017 BY AND BETWEEN THE CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT AND THE CITY OF SAN PABLO AND APPROPRIATING \$4.5 MILLION FROM GENERAL FUND DESIGNATED RESERVES – FIRE/EMS SERVICES FS#70 TO ACCOUNT CODE 100-1110-44000**

WHEREAS, the City has long partnered with the Contra Costa County Fire Protection District (the “District”) to provide fire and emergency medical services (“EMS”) for the City;

WHEREAS, Fire Station 70 crews had been operating out of a “temporary” modular building for many years, and with the addition of an EMS Squad, they no longer have adequate living space;

WHEREAS, both the City and the District desire to construct a new Fire Station 70 (“New Station 70”) in the City with sufficient capacity to house the EMS Squad and other District personnel and apparatus;

WHEREAS, on June 19, 2017, the City entered into a Memorandum of Understanding (“MOU”) with the District for the funding and construction of the New Station 70 on City-owned land located at 1800 23<sup>rd</sup> St. (“1800 23<sup>rd</sup> Street”);

WHEREAS, the City will acquire the current Fire Station 70 located at 13928 San Pablo Avenue (“Existing Station 70 Property”) from the District in exchange for 1800 23<sup>rd</sup> Street where the District will construct the New Fire Station 70;

WHEREAS, the City will contribute forty percent (40%) of the District’s cost of constructing the New Station 70 (“New Station 70”), up to a maximum of \$4.5 million;

WHEREAS, if the District no longer provides fire or emergency medical services within the boundaries of the City, or decides to sell the New Station 70, the City will have the right of first offer to purchase the New Station 70 for 40% of the fair market value determined by an independent appraiser;

WHEREAS, the District will be responsible for the design and construction of the New Station 70. Moreover, the District is also tasked to determine the feasibility of the project including CEQA compliance, environmental review, title review, project specifications, project budget, verification of bids and overall project feasibility;

WHEREAS, on February 12, 2019, the City received a letter from the District determining the Project to be feasible;

WHEREAS, the District has completed its due diligence on its lowest bidder and intends to award the construction contract at the County Board of Supervisors ("BOS") meeting on March 12, 2019;

WHEREAS, at the same meeting, the BOS will also make its feasibility determination required under the MOU;

WHEREAS, the total Project cost is \$13,000,000 and the City's financial contribution will be \$4,500,000;

WHEREAS, the proposed resolution will find the Project feasible and authorize the City Manager to execute necessary documents and carry out the City's obligations under the MOU; and

WHEREAS, the proposed resolution also appropriates \$4.5 million from General Fund Designated Reserves – Fire/EMS Services FS#70 to the Special Department Expenses account in the City Council budget (100-1110-44000).

NOW, THEREFORE, the City Council of the City of San Pablo does hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein.

Section 2. Determining the New Fire Station 70 Construction Project to be Feasible. The City Council hereby determines the New Fire Station 70 Project to be feasible in accordance with the terms set forth in the MOU and confirms the contribution of \$4.5 million to the project.

Section 3. City Manager Authorization. The City Council hereby authorizes the City Manager to execute documents and take such other actions as are necessary to carry out and implement the obligations of the City under the MOU, and, with the consent of the City Attorney, to approve minor, non-monetary amendments to the documents.

Section 4. Appropriation of Funds. The City Council hereby authorizes the appropriation of \$4.5 million from General Fund Designated Reserves – Fire/EMS Services FS #70 (100-0000-00000) to account code 100-1110-44000 in the City Council budget to fund the City's obligations under the MOU.

\* \* \* \* \*

PASSED AND ADOPTED this 4<sup>th</sup> day of March, 2019 by the following vote:

AYES:	COUNCILMEMBERS:	Pineda, Xavier, Pabon-Alvarado, Cruz and Kinney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:

APPROVED:

/s/ Patricia Ponce  
Patricia Ponce, City Clerk

/s/ Rich Kinney  
Rich Kinney, Mayor