


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CITY OF OAKLAND V. STEVEN O. VON QUERNER ET AL., AND DOES 1-100, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 25CV125156, FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 1745 EAST 14TH STREET FOR THE FIRE STATION 4 RELOCATION PROJECT, IN THE AMOUNT OF FIVE MILLION DOLLARS (\$5,000,000), AND AUTHORIZING RELATED SETTLEMENT TERMS INCLUDING, BUT NOT LIMITED TO THE CITY ADMINISTRATOR NEGOTIATING A TEMPORARY LEASEBACK ARRANGEMENT FOR UP TO EIGHTEEN MONTHS CONTINGENT ON CITY COUNCIL ADOPTION OF AN ORDINANCE APPROVING THE LEASE TERMS

WHEREAS, the City of Oakland (“City”) initiated eminent domain proceedings pursuant to California Code of Civil Procedure sections 1230.010 through 1273.050 to acquire the real property located at 1745 East 14th Street, Oakland, California (“Property”) for the Fire Station 4 Relocation Project; and

WHEREAS, the Fire Station 4 Relocation Project is intended to improve emergency response capabilities, modernize public safety infrastructure, and provide a replacement facility better suited to serve the surrounding community; and

WHEREAS, prior to commencing eminent domain proceedings, the City obtained an appraisal of the Property, made a written offer to purchase the Property consistent with applicable law, and engaged in negotiations with the Property owners regarding voluntary acquisition; and

WHEREAS, on May 20, 2025, the City Council adopted Resolution No. 90738 C.M.S. finding and determining that the public interest and necessity required acquisition of the Property for the Fire Station 4 Relocation Project, that the project was planned and located in the manner most compatible with the greatest public good and least private injury, that the Property was necessary for the project, and that the offer required by law had been made to the owners of record; and

WHEREAS, on June 2, 2025, the City filed a complaint in eminent domain in Alameda County Superior Court captioned *City of Oakland v. Steven O. Von Querner, et al.*, Alameda County Case No. 25CV125156, seeking to acquire fee title to the Property and naming as defendants the record owners, tenants, lienholders, and all persons claiming any interest in the Property (collectively, “Owners”); and

WHEREAS, the City has received and encumbered Five Million Dollars (\$5,000,000) in State funding toward acquisition of the Property, which funding currently must be expended by June 30, 2026; and

WHEREAS, the City Council previously authorized City staff and the City Attorney’s Office to negotiate a settlement for acquisition of the Property in an amount consistent with the proposed settlement; and

WHEREAS, the parties have reached a proposed settlement whereby the Owners agree to sell the Property to the City for Five Million Dollars (\$5,000,000); and

WHEREAS, as part of the settlement, the Owners have requested a temporary leaseback arrangement allowing continued occupancy of the Property following transfer of title to the City at a monthly rent of Seven Thousand Nine Hundred Dollars (\$7,900) for a term of twelve (12) months, with a month-to-month extension for up to an additional six (6) months, or a total lease period of eighteen (18) months, if the City is not ready to commence construction; and

WHEREAS, the City Council finds that settlement of the litigation is in the best interests of the City because it avoids the uncertainty, delay, expense, and risks associated with continued eminent domain litigation, facilitates timely expenditure of State funding for the Fire Station 4 Relocation Project, and advances delivery of critical public safety infrastructure; now, therefore, be it

RESOLVED: That the City Council hereby authorizes and directs the City Attorney to settle the case of *City of Oakland v. Steven O. Von Querner, et al.*, Alameda County Superior Court Case No. 25CV125156, for the acquisition of the Property located at 1745 East 14th Street, Oakland, California, in the amount of Five Million Dollars (\$5,000,000); and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or designee, to negotiate and execute all documents necessary to effectuate the settlement, including but not limited to a purchase and sale agreement, stipulated judgment, escrow instructions, grant deed, and related settlement documents, subject to approval as to form and legality by the City Attorney; and be it

FURTHER RESOLVED: That the City Council authorizes related settlement terms including a temporary leaseback arrangement for the Property to the former Owners at rent of Seven Thousand Nine Hundred Dollars (\$7,900) per month for a term of twelve (12) months following close of escrow, with the option for month-to-month extensions for up to an additional six (6) months if construction has not commenced, subject to separate Council authorization of the lease pursuant to ordinance; and be it

FURTHER RESOLVED: That the City Council finds that the temporary leaseback arrangement at a below-market-rate serves the public interest by generating interim revenue to the City, maintaining an occupied and monitored site pending construction, reducing risks of blight, vandalism, trespass, and illegal dumping, and allowing both the City additional time to complete design, permitting, and construction preparations for the Fire Station 4 Relocation Project and the Owners a reasonable amount of time to find an alternative location for their business; and be it

FURTHER RESOLVED: That this Resolution shall take effect immediately upon passage.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California