

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 SEP -3 AM 9:10

**CITY OF OAKLAND**  
**AGENDA REPORT**

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Division Agency  
DATE: September 15, 2009

RE: **Resolution Authorizing The City Administrator To Enter Into An Amended Lease With Willard And Celeste Korn For The Storage Of Urban Search And Rescue Material For The Oakland Fire Department, For An Additional (1) Year With Five (5) One Year Options To Extend, Beginning October 2009 At 35 Hegenberger Place, In The Amount Of \$67,860 Per Annum Plus An Annual Rent Escalator Not To Exceed 4%**

---

**SUMMARY**

The Oakland Fire Department sponsors the local California Task Force 4 (CATF-4) for Urban Search and Rescue under supervision of the Federal Emergency Management Agency (FEMA) and the U.S. Department of Homeland Security. The Oakland Fire Department has received additional federal grant funding to continue a long-term storage plan for rescue equipment and related supplies. The grant will allow the City to extend its existing lease at its present warehouse location at 35 Hegenberger Place (*Attachment A*) for storage of emergency response equipment.

It is recommended that this lease be approved in the annual amount of \$67,860, plus an annual rent escalator not to exceed 4% per annum. The amended Lease of this free-standing, 6,500 +/- square foot warehouse is for a term of 1 year with five (5) one year options to extend. The lease payments will be made from the grant funds received from FEMA.

**FISCAL IMPACT**

This warehouse will function solely as a "drop-storage" facility and will not require any additional fire department staff or other employees to staff this facility. The CATF-4 received a Weapons of Mass Destruction (WMD) grant from FEMA in October 2002 and the current grant in April 2006. For FY 2009-2010 the funds will be allocated from Federal Emergency Management Agency Fund (2124), Fire – U.S.A.R. Org. (20815), U.S.A.R. Project (G364810). The grant provides the cost of leasing a facility as a provision within the grant. The approval of the Amended Lease will not require any City funds nor will it have any fiscal impact on the City, as no matching funds are required.

Item: \_\_\_\_\_  
Finance and Management Committee  
September 15, 2009

## **BACKGROUND**

The City has been leasing the warehouse space at its present location since July 1, 2003 and the lease expires in September of 2009. The Oakland Fire Department participates along with other Fire Departments throughout the State in regional or local groupings to support State sponsored Urban Search and Rescue Task Forces. The Oakland Fire Department sponsors the local group known as California Task Force 4 (CATF-4).

This Task Force encompasses neighboring cities on Oakland's borders to which any of the cities would be able to draw down on the rescue supplies and equipment in an event or emergency situation requiring such response. Because Oakland is the most centrally located city and the Oakland Fire Department is the sponsoring agency, it is logical to house the supplies and equipment in Oakland.

Neither FEMA nor the State requires that the supplies and equipment be housed or located in Oakland, the lease of a warehouse and its location could be anywhere inside or outside of the Oakland city limits should this Amended Lease not be approved.

## **KEY ISSUES AND IMPACTS**

Approval of the Resolution will allow the Oakland Fire Department to support a local property owner through rental, enable the Fire Department to make local purchases of goods and materials supporting the warehousing operation; reduce travel time and costs of Oakland Fire Department personnel in accessing the site at various times and days. The location of this storage facility in another jurisdiction would be contrary to City Policy to spend monies locally.

The advantage to keeping the storage here in Oakland would be a huge benefit to the citizens that live and work here, because the emergency equipment and supplies could be quickly and more readily available to the Oakland citizens during an emergency response. Location in another City would require the Oakland Fire Department to travel to that City and back with required emergency supplies and equipment.

The Real Estate Division has negotiated the lease extension terms. There are no legal issues, other than a final review of the negotiated Amendment to the Lease by the City Attorney. There are no regulatory issues with the intended use of this warehouse site.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The project will generate additional business taxes and other revenue to the City and support local property ownership.

**Environmental:** There are no identifiable environmental issues arising from this use.

**Social Equity:** The social benefits flow from the increased safety that the location brings to the community by having these supplies and equipment within the City.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

This facility is not open to the public and is for dry storage only. There is no impact on disability and/or senior citizen access.

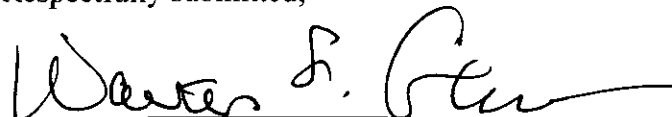
## **RECOMMENDATION AND RATIONAL**

Staff recommends approving the Resolution authorizing the lease extension of warehouse space at 35 Hegenberger Place, Oakland, CA 94621 in the amount of \$67,860 per annum for 1 year, and a not to exceed 4% rental rate adjustment per annum for five (5) one year options to extend. A search for a replacement warehouse was conducted over a 7-month period and the 35 Hegenberger Place, Oakland, CA 94621 facility presents the best economics, security and location accessibility over other sites visited.


**ACTION REQUESTED OF THE CITY COUNCIL**

Staff requests that City Council approve this Resolution amending the existing Lease for the warehouse facility at 35 Hegenberger Place, Oakland, CA94621 for an additional term of 1 year effective October 2009 and provide for five (5) one year options to extend, for the annual rent of \$67,860 per year plus an annual rent escalator not to exceed 4% per annum.

Respectfully submitted,




Walter S. Cohen, Director  
Community and Economic Development Agency

Reviewed by: Gregory Hunter, Deputy Director   
Economic Development and Redevelopment

Reviewed by: Frank Fanelli, Manager  
Real Estate Services Division

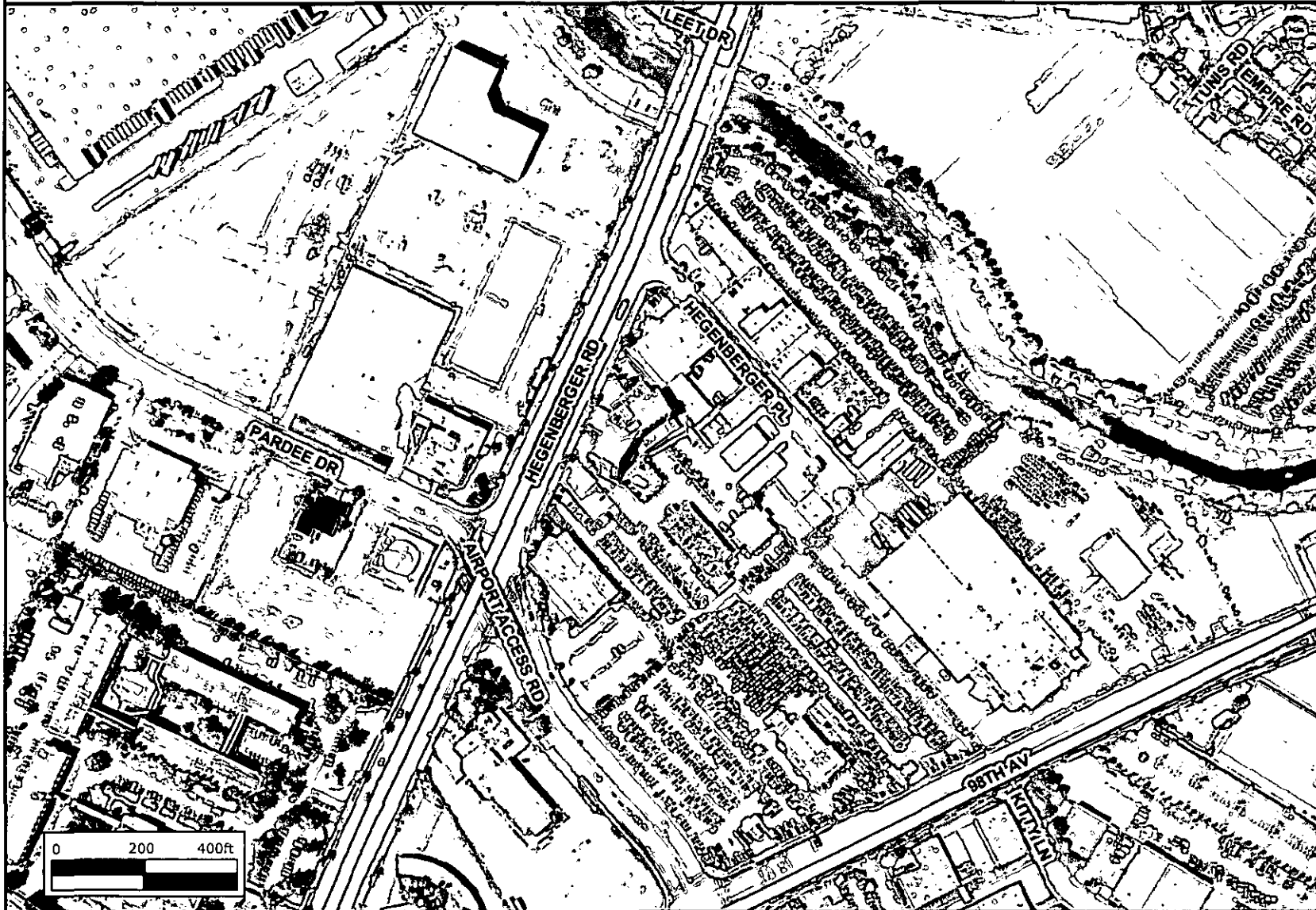
Prepared by: William Wilkins  
Supervising Real Estate Agent

APPROVED FOR FORWARDING TO THE  
FINANCE AND MANAGEMENT COMMITTEE:









  
Office of the City Administrator

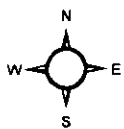
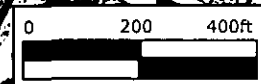
# ATTACHMENT "A"

35 HEGENBERGER PL



## Legend

-  Selected Features
-  City Facilities Footprint
- City Limits**
-  Parcels
-  Freeways
-  Major Sts
-  Streets
-  Water
-  Land



It is imperative that you obtain BOTH the Zoning and General Plan designations for the property(s) you are searching for.

Questions? Contact a planner at (510)238-3911.

Printed: 8/21/2009 9:17:34 AM



FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2009 SEP -3 AM 9:10

Approved as to Form and Legality

D. Miller  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

---

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AMENDED LEASE WITH WILLARD AND CELESTE KORN FOR THE STORAGE OF URBAN SEARCH AND RESCUE MATERIAL FOR THE OAKLAND FIRE DEPARTMENT, FOR AN ADDITIONAL (1) YEAR WITH FIVE (5) ONE YEAR OPTIONS TO EXTEND, BEGINNING OCTOBER 2009 AT 35 HEGENBERGER PLACE, IN THE AMOUNT OF \$67,860 PER ANNUM PLUS AN ANNUAL RENT ESCALATOR NOT TO EXCEED 4%**

**WHEREAS**, the City of Oakland Fire Department (OFD) is the sponsor of the Urban Search and Rescue, California Task Force 4 (CATF-4) under supervision of the Federal Emergency Management Agency (FEMA) and the U.S. Department of Homeland Security; and

**WHEREAS**, FEMA awarded OFD a Weapons of Mass Destruction (WMD) grant in October 2002 and April 2006; and

**WHEREAS**, the above grants required OFD to develop and continue a long-term plan for rescue equipment and related supplies, and to acquire appropriate warehouse space for that equipment; and

**WHEREAS**, Willard & Celeste Korn (owners) currently lease to OFD 6,500 square feet of warehouse space at 35 Hegenberger Place, Oakland, CA 94621-1301 (Premises) for storage of the rescue equipment and related supplies (the "Lease"); and

**WHEREAS**, OFD desires to amend the Lease to extend the term for an additional 1 year, with five (5) one year options; and

**WHEREAS**, the continuation of the long-term storage of the equipment and supplies in Oakland will benefit the City and the citizens by supporting local property owners and keeping the rescue equipment warehoused in Oakland; and

**WHEREAS**, the owners are willing to amend the Lease for the Premises at an annual rental of \$67,860 for one year, with five (5) one year options to extend with rent escalators not to exceed 4% per year; and

**WHEREAS**, the City Council wishes to authorize the City Administrator to enter into a Lease amendment to provide the OFD with a facility for continued long-term storage of supplies and equipment; and

**WHEREAS**, lease of the storage space by the City of Oakland has no significant effect on the environment and therefore said lease is exempt from the requirements of the California Environmental Quality Act "CEQA" by Section 15301 (existing facilities) of the CEQA Guidelines; now therefore be it

**RESOLVED:** That the City Council finds and determines that it would be in the best interests of the City to continue to warehouse supplies and rescue equipment in the City of Oakland as provided for in the two FEMA grants under the Urban Search and Rescue Plan of California Task Force 4 (CATF-4), in which the Oakland Fire Department is the local sponsoring agency; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to execute an amendment to the Lease extending the term of the Lease for one (1) year for the sum of \$67,860 per annum rent for the first year effective, October 1, 2009, with five (5) one year options to extend with a not to exceed 4% rent escalator per year ("Amended Lease"); and be it

**FURTHER RESOLVED:** For FY 2009-2010 the funds will be allocated from Federal Emergency Management Agency Fund (2124), Fire – U.S.A.R. Org. (20815), U.S.A.R. Project (G364810); and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is hereby authorized and directed to take any and all actions necessary and consistent with this Resolution to complete the Amended Lease transaction; and be it

**FURTHER RESOLVED:** That the City Administrator shall cause to be filed with the County of Alameda a Notice of Exemption; and be it

**FURTHER RESOLVED:** That the Amended Lease shall be approved as to form and legality by the Office of the City Attorney and copies shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California