



# AGENDA REPORT

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**TO:** Jestin D. Johnson,  
City Administrator

**FROM:** Ashleigh Kanat  
Director, Economic &  
Workforce Development  
Department

**SUBJECT:** Resolution of Necessity For Fire  
Station 4 Land Acquisition


**DATE:** April 11, 2025

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City Administrator Approval

Date:

May 1, 2025

  
Jestin Johnson (May 1, 2025 21:19 PDT)

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt:**

**A Resolution Of Necessity For The Acquisition, By Eminent Domain, Of Real Property Located At 1745 14th Avenue, Oakland, California, And Authorizing The Initiation Of Condemnation Proceedings For The Acquisition Of The Property**

## **EXECUTIVE SUMMARY**

The recommended action would authorize acquisition of a private property located at 1745 14<sup>th</sup> Avenue by eminent domain for the construction of a new Fire Station 4 (the Project). The existing Fire Station 4 is one of the oldest buildings in the City of Oakland (City), does not meet modern fire station service standards and has several other limitations. The City received funds from the State of California to acquire a property for this purpose.

## **BACKGROUND / LEGISLATIVE HISTORY**

The existing Fire Station 4 (Fire Station 4) is located at 1235 International Boulevard. It was originally designed and constructed in 1909 and is one of the oldest public buildings in the City. It operates 24 hours a day, 365 days a year, and responds to approximately 4,000 calls per year.

Fire Station 4 does not meet modern fire station service standards, lacks adequate facilities for a mixed-gender workforce, and is a narrow building with a lack of distance between the street and firehouse doors creating traffic and other safety-related hazards.

Additionally, Fire Station 4 does not meet the standards of the Americans with Disabilities Act, the National Fire Protection Association or the Occupational Safety and Health Administration. It is also unable to serve as a hub for disaster recovery activities due to the facility's limited training, storage, and meeting space and it is unable to meet community response and resilience needs.

From at least 2019 to 2022, the City searched for suitable locations for relocating Fire Station 4. This was difficult given the mission-critical site requirements and dense, developed nature of the service area. However, Staff identified the privately-owned real property located at 1745 14th Avenue with Assessor Parcel Numbers 020-0213-019-02 and 020-0213-010 (Property) as a location that would provide the greatest public good and the least private injury.

**Attachment A** provides a map of the Property. A small, family-owned local business known as East Bay Blueprint & Supply Company operates on the Property. The owner of the Property also owns this business.

In August 2024, the City obtained a fair market value appraisal of the Property to establish "just compensation" for the Property, pursuant to State law, and in November 2024 the City extended a written offer to the owner(s) to purchase the Property. The City also provided the Owner with potential relocation sites and relocation advisory assistance. To date, the owner has not provided a counter-offer or independent appraisal, although discussions are ongoing.

In January 2024, the State of California disbursed \$5,000,000 to the City (State Funds) pursuant to Senate Bill 101, Chapter 12, Statutes of 2023 to purchase property for a new Fire Station 4. These funds are available until June 30, 2025.

The City is vested with the power to acquire by eminent domain any property or interest in property necessary to carry out the business of the City. This authority is governed by California Constitution Article 1, Section 19; the provisions of the California Eminent Domain Law found in Part III, Title 7 of the California Code of Civil Procedure; and Sections 2.41.020 and 2.41.040 of the Oakland Municipal Code ("O.M.C.").

California Code of Civil Procedure Section 1245.210, et seq., requires that the City Council adopt a "Resolution of Necessity" by a two-thirds (2/3) vote prior to commencing eminent domain proceedings. The purpose of the Resolution of Necessity is to make a formal determination of the public need for the property and establish the legal basis for its acquisition by eminent domain.

## **ANALYSIS AND POLICY ALTERNATIVES**

The Project would resolve the numerous limitations of Fire Station 4 by enabling the City to construct a replacement facility to modern standards on a nearby property. By locating on the Property, the Project would be centrally located within the Fire Station 4 service area and along an arterial thoroughfare, thereby allowing for fast and equitable response times.

The recommended resolution would serve as the Resolution of Necessity required by the laws cited above and would thereby authorize the City to prepare and carry out eminent domain proceedings so that the City may acquire the Property for the Project.

This Resolution of Necessity finds that the Property is necessary for the Project and that the public interest and necessity require that the City acquire the Property in order to best serve and protect the safety of the public. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

The City would use the State Funds provided to the City last year to purchase the Property. Based on the appraisal, staff expects that the State Funds will be sufficient to provide just compensation to the owner(s). These funds can only be used to purchase property for a new fire station and must be encumbered by June 30, 2025 or they will need to be returned to the State.

While acquisition of the Property would result in displacement of a small, local business, the City has offered and continues to offer viable relocation sites in Oakland to the business owner and would pay for the costs of relocation so that the business can continue to operate and its jobs are preserved. Up to nine people are employed by the business.

### **FISCAL IMPACT**

This Resolution of Necessity would authorize the City to deposit \$5,000,000 with the State Treasurer in the State Condemnation Deposits Fund, as provided by eminent domain statute. This will be used to pay the owner(s) the amount of just compensation as determined in subsequent eminent domain proceedings. These funds are located in Project Number 1003435, California Board of Corrections Fund 2152, and Organization 92270 (Engineering Design – Project Management).

### **PUBLIC OUTREACH / INTEREST**

The Fire Department, Public Works Department, and Economic & Workforce Development Department's Real Estate Division held a community meeting on potential relocation sites for Fire Station 4 in January 2022.

### **COORDINATION**

The Public Works Department, Economic & Workforce Development Department's Real Estate Division, Fire Department and City Attorney's Office have been coordinating on this matter.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The recommended action would invest \$5 million in State funding into an Oakland public facility.

**Environmental:** The City commissioned an environmental analysis of the Project, which determined that it would not have significant environmental impacts. The Project would replace a nearby, existing fire station and would serve the same general area. The new fire station would be of similar size and scale to the existing commercial building on the site and its construction would comply with all applicable City Standard Conditions of Approval, which are designed to reduce environmental impacts of new development. The Project is not expected to substantially generate more weekday or peak hour vehicular trips than the existing use. And the Project would not require any changes to trafficways or circulation off the project site.

**Race & Equity:** The recommended action would enable the development of a new fire station in an area identified as a High Priority Neighborhood according to the Department of Transportation's Geographic Equity Toolbox with a population that is 54% low income and 88% People of Color. The station would continue to serve immediately areas identified as Highest Priority Neighborhoods with populations that are over 60% lower income and over 90% People of Color.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

In consultation with the City Attorney's Office, City staff have determined that the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15302 (replacement and reconstruction), 15304 (minor alterations to land), and 15305 (minor alterations to land use limitations). On March 3, 2025, the City filed a Notice of Exemption ("NOE") with the County Clerk-Recorder and subsequently filed the NOE with the State Clearinghouse.

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt:

A Resolution Of Necessity For The Acquisition, By Eminent Domain, Of Real Property Located At 1745 14th Avenue, Oakland, California, And Authorizing The Initiation Of Condemnation Proceedings For The Acquisition Of The Property

For questions regarding this report, please contact Brendan Moriarty, Real Property Asset Manager, at [bmoriarty@oaklandca.gov](mailto:bmoriarty@oaklandca.gov) or (510) 238-6354.

Respectfully submitted,



Ashleigh Kanat (Apr 24, 2025 09:51 PDT)

Ashleigh Kanat, Director  
Economic & Workforce Development Department

Reviewed by:

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Attachments (1):

A: Map of the Property