

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION:**

- 1. AMENDING RESOLUTION NO. 88240 C.M.S. TO INCREASE THE PROFESSIONAL SERVICES AGREEMENT WITH LOVING CAMPOS ASSOCIATES (LCA) ARCHITECTS FOR ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE FIRE STATION 4 PROJECT BY AN AMOUNT NOT-TO-EXCEED TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000.00), BRINGING THE TOTAL CONTRACT AMOUNT FROM ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00) TO FOUR MILLION TWO HUNDRED THOUSAND DOLLARS (\$4,200,000.00);**
- 2. WAIVING THE COMPETITIVE REQUEST FOR PROPOSAL/QUALIFICATIONS REQUIREMENTS; AND**
- 3. ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS.**

**WHEREAS,** Fire Station 4 (Station) was built in 1909 and is located at 1235 International Boulevard within District 2; and

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

**WHEREAS,** a feasibility and right of way acquisition study was prioritized and adopted through the Capital Improvement Program Budget process during Fiscal Year (FY) 2017-2019; and

**WHEREAS,** on July 28, 2020, City Council passed Resolution No. 88240 C.M.S. granting authorization for the City Administrator to enter into a professional services agreement in an amount of \$1,500,000.00 using Measure KK funds with Loving Campos Associates Architects (LCA) for community engagement, site feasibility analysis at up to two locations, master planning, facility design from schematic to construction documents phase and design support during construction for the Fire Station 4 Project (Project); and

**WHEREAS**, Oakland Fire Department (OFD) requested a site with a minimum square footage of approximately 33,600 square feet for a drive-through, three-bay station that is centrally located in District 2 to meet the needs of the community and to conform with accessibility, life safety and fire protection standards; and

**WHEREAS**, in December 2020, the City requested LCA to develop the San Antonio Park Master Plan that included relocation of the Station to San Antonio Park (Park); and

**WHEREAS**, a series of community engagement sessions from January 2021 to March 2022 were held at the Park and the community and Planning Department were opposed the relocation of the Station to the Park; and

**WHEREAS**, the Economic & Workforce Development Department's Real Estate Division (EWD) analyzed real property that fit OFD's site requirements around a two-mile radius and determined that 1745 14<sup>th</sup> Avenue (Property), currently occupied by the East Bay Blueprint & Supply Company (Company) was the most feasible site; and

**WHEREAS**, the owners of the Company were willing to negotiating a sale of the Property to the City at a fair price for use as the new Station site and in August 2024, the City obtained a fair market value appraisal of the property to establish "just compensation" pursuant to State law extending a written offer to the owner to purchase the Property, provide potential relocation sites and relocation advisory assistance; and

**WHEREAS**, the State of California disbursed \$5,000,000.00 in January 2024 to the City pursuant to Senate Bill 101, Chapter 12, Statutes of 2023 to purchase property for a new Station where the funds would be available until June 30, 2025 and EWD has been working to negotiate a final sale price with the owner since November 2024 but never received a counteroffer or independent appraisal; and

**WHEREAS**, to ensure the City does not lose State funding, Council approved Resolution No. 90738 C.M.S. on May 20, 2025, providing a resolution of necessity to utilize eminent domain to acquire the Property for the Station; and

**WHEREAS**, the Property fit OFD's criteria for the new location of the Station but has challenging conditions to resolve as determined by a geotechnical and environmental report prepared on March 2024 indicating a very shallow groundwater table and required mitigation of a hydraulic lift and leaking underground storage tank; and

**WHEREAS**, the City has prioritized replacing the Station and invested significant time and resources in attempting to relocate it to the Park leaving approximately \$700,000.00 remaining in the LCA contract; and

**WHEREAS**, the proposed amendment to increase LCA's contract by \$2,700,000.00 is needed and in the City's best interest to provide a hazardous materials remediation plan to allow for the Property to accommodate the Station, community engagement, a comprehensive fire station design tailored for the site and design support during construction; and

**WHEREAS**, funding for the additional design services for the Project (No. 1003435) is available from Measure KK – Series 4 Fund (5337); Capital Projects Organization (#92270); Award (24407); Program (IN06); and

**WHEREAS**, Oakland Municipal Code (OMC) Section 2.04.051(B) authorizes the City Council to waive the competitive Request for Proposal/Request for Qualifications (RFP/Q) selection requirement of Section 2.04.051(A) upon a finding that it is in the best interests of the City to do so; and

**WHEREAS**, the amendment to the professional services agreement is exempt from CEQA pursuant to CEQA Guidelines Sections 15268 (Ministerial Projects), 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15302 (Replacement or Reconstruction), 15303 (Small Structures), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the Environment); this proposed amendment is also exempt under CEQA, Public Resources Code Section 21065 and CEQA Guidelines Section 15378(b)(4) and (5), as they involve government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and it is also an organizational or administrative activity of government that will not result in direct or indirect physical changes to the environment; each of the aforementioned provides a separate and independent basis for CEQA compliance; and

**WHEREAS**, the City Council finds that this contract is for services of a professional, scientific or technical nature; and

**WHEREAS**, the City Council finds that services under the contract will be temporary in nature shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

**RESOLVED:** That the City Council amends Resolution No. 88240 C.M.S. to increase the agreement with LCA by an amount not-to-exceed two million seven hundred thousand dollars (\$2,700,000.00), bringing the total contract amount from one million five hundred thousand dollars (\$1,500,000.00) to four million two hundred thousand dollars (\$4,200,000.00); and be it

**FURTHER RESOLVED:** That pursuant to OMC Section 2.04.051(B), the City Council finds that it is in the best interests of the City to waive the competitive request for proposal/qualification selection requirement of OMC Section 2.04.051(A) to amend the existing professional services contract with LCA for the Project; and be it

**FURTHER RESOLVED:** That this proposed amendment to the professional services agreement is exempt under the California Environmental Quality Act (“CEQA”), Public Resources Code Section 21065 and CEQA Guidelines Section 15378(b)(4) and (5), as they involve government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and it is also an organizational or administrative activity of the government that will not result in direct or indirect physical changes to the environment. That the amendment to the professional services agreement is also exempt from CEQA pursuant to CEQA Guidelines Sections 15268 (Ministerial Projects), 15183 (Projects Consistent with a Community Plan, General Plan or Zoning), 15301(c) (Existing Facilities, Highways and Streets), 15302 (Replacement or Reconstruction), 15303 (Small Structures), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the

Environment). Each of the aforementioned provides a separate and independent basis for CEQA compliance; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to approve any subsequent amendments, modifications, or extensions of said agreement consistent with the purpose of this Resolution, excepting those related to increasing the amount of the contract above the amounts authorized herein.

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

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