

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2018 DEC -6 PM 5:09

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL
RESOLUTION NO. 87456 C.M.S.

RESOLUTION AMENDING RESOLUTION NO. 87403 C.M.S., WHICH GRANTED THE CITY ADMINISTRATOR AUTHORITY TO IMPLEMENT SEVERAL HOMELESS PROGRAMS, TO WAIVE THE COMPETITIVE REQUEST FOR PROPOSALS/QUALIFICATIONS REQUIREMENT AND AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH SERVICE PROVIDERS TO OPERATE A COMMUNITY CABIN SHELTER SITE AT 1449 MILLER AVENUE, AND INCREASE THE APPROPRIATION OF THE HOMELESS EMERGENCY AID PROGRAM GRANT IN THE FY2018-19 AMENDED MIDCYCLE BUDGET

WHEREAS, On November 30th, the City Council adopted Resolution No. 87403 C.M.S., which authorized the City Administrator to accept Homeless Emergency Aid Program ("HEAP") funding from the State of California and implement several homeless programs with the HEAP funding; and

WHEREAS, those programs included Community Cabin Shelter Sites at various locations in Oakland; and

WHEREAS, after further community input and site review at 3050 International Blvd, staff has determined that the site is not considered a viable location for a Community Cabin program; and

WHEREAS, after further community input and site review at 1449 Miller Avenue, staff has determined that the site is considered a more appropriate location for a Community Cabin program; and

WHEREAS, staff wishes to enter into an agreement with a service provider to be determined to operate a community cabin shelter site at 1449 Miller Avenue for a term of 18 months; and

WHEREAS, OMC section 2.04.051.A requires the City Administrator to conduct a request for proposal/qualifications ("RFP/Q") process for professional service contracts and OMC section 2.04.051.B allows Council to waive the RFP/Q requirements upon a finding by the Council that it is in the best interest of the City to do so; and

WHEREAS, City staff recommends waiving the RFP/Q requirements for contracts for the services at the community cabin sites because there is an urgent need to move people out of dangerous street encampments and into emergency shelter where they can be provided with essential services and because the impact of these encampments is putting a strain on the surrounding community and on City services; and

WHEREAS, the City Administrator has determined that these contracts are of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and

WHEREAS, HEAP grant funding in the amount of \$8,600,000 was earmarked in the FY2018-19 Midcycle Amended Budget in the State of CA Other Fund (2159), City-Wide Activities Organization (90591), Contract Contingencies Account (54011), DP900 Administrative Project (1000021) to address the homelessness crisis; now therefore be it

RESOLVED: that the City Administrator is authorized to execute agreements with service providers to operate a community cabin shelter for a term of 18 months at 1449 Miller Avenue in Oakland for an amount not to exceed \$950,000 including \$625,000 in operating costs, \$125,000 in Rapid-Rehousing funds, and \$200,000 in startup costs, and increase or adjust the amounts without returning to Council; and be it

FURTHER RESOLVED: That pursuant to OMC 2.04.051.B and for the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds that it is in the best interest of the City to waive the RFP/Q requirements for these contracts and so waives the requirements; and be it

FURTHER RESOLVED: That based on the information provided by the City Administrator, the Council finds that these contracts are of a professional and temporary natures and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED: that the City Council authorizes the City Administrator to amend and increase the HEAP grant appropriation to \$8,671,117 and reallocate funding to the Human Services Department - Community Housing Services Organization (78411), HEAP 06-30-21 HCFC Project (1004539) for the provision of various homelessness programs; and be it

FURTHER RESOLVED: That the City Council hereby finds and determines, after independent review and consideration, as supported by substantial evidence in the record and for the reasons set forth in this Resolution, and, each as a separate and independent basis, that the actions authorized under this resolution and the subsequent operation and administration of the proposed emergency shelter programs, Community Cabins, managed RV parking areas and encampments are exempt from additional review and analysis under the California Environmental Quality Act of 1970 (Public Resources Code section 21000 *et seq*; "CEQA") and the CEQA Guidelines (Cal. Code Regs., title 14, section 15000 *et seq*; "CEQA Guidelines") under CEQA Guidelines section 15303, "New Construction of Conversion of Small Structures," which exempts the construction of

limited numbers of new structures or facilities, and/or CEQA Guidelines section 15304, "Minor Alterations to Land," which exempts minor alterations in the condition of public land, including temporary uses, and/or CEQA Guidelines section 15311, "Accessory Structures," which exempts the construction of minor structures appurtenant to existing facilities, and/or CEQA Guidelines section 15332, "In Fill Development Projects," which exempts projects characterized as in fill development meeting certain specified criteria.

IN COUNCIL, OAKLAND, CALIFORNIA,

DEC 01 2018

PASSED BY THE FOLLOWING VOTE:

AYES - ~~Brooks~~ CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT REID - 7

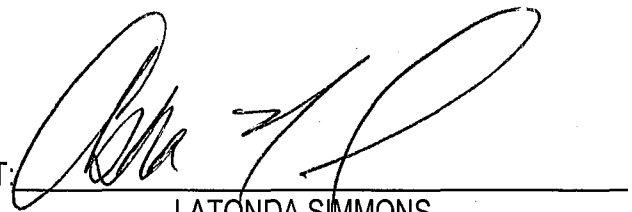
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 Brooks

ATTEST:



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