


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

- 1. ACCEPTING FROM THE STATE OF CALIFORNIA HOMELESS, HOUSING, ASSISTANCE, AND PREVENTION (HHAP) ROUND 4 FUNDS IN THE AMOUNT OF \$26,044,615, AND ANY ADDITIONAL HHAP FUNDS THAT BECOME AVAILABLE FOR THE PROVISION EMERGENCY HOMELESS INTERVENTIONS; AND**
- 2. AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH ALAMEDA COUNTY AS A CONDITION OF ACCEPTING THE HHAP FUNDS; AND**
- 3. WAIVING THE LOCAL/SMALL LOCAL BUSINESS ENTERPRISE (L/SLBE) REQUIREMENT FOR FOUR (4) PROVIDERS IDENTIFIED IN TABLES 1 AND 2 FOR THE PROVISION OF HYGIENE SERVICES AT HOMELESS ENCAMPMENTS AND THE 66TH AVENUE RV SAFE PARKING PROGRAM; AND**
- 4. AWARDING AND/OR EXTENDING GRANT AGREEMENTS AND PROFESSIONAL SERVICES AGREEMENTS TO THE HOMELESS SERVICE PROVIDERS AND FOR THE TERMS IDENTIFIED IN TABLES 1 AND 2, USING UP TO \$18,334,876 OF HHAP FUNDS, UP TO \$2,676,658 OF GENERAL PURPOSE FUNDS (GPF), AND UP TO \$4,578,346 OF MEASURE Q FUNDING; AND**
- 5. AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND THE OCCUPANCY AGREEMENT BETWEEN THE CITY AND VIMA HARRISON 1, LLC FOR THE LAKE MERRITT LODGE LOCATED AT 2332 HARRISON STREET, FOR AN ADDITIONAL TERM THROUGH JUNE 30, 2024 AT A MAXIMUM ANNUAL RENTAL AMOUNT NOT TO EXCEED \$5,883,125, FOR UP TO 92 ROOMS OF EMERGENCY NON-CONGREGATE SHELTER**

WHEREAS, on June 7, 2022, the City Council passed Resolution No. 89247 C.M.S., which, among other things, awarded grant agreements and professional services agreements to homeless service providers for a term through June 30, 2023 using Homeless, Housing, Assistance and Prevention (HHAP) funds, and appropriated Measure Q funds (MQ) funds; and

WHEREAS, on December 20, 2022, the City Council received an informational report which, among other things, detailed the HHAP Round 4 application and funding goals for the provision of emergency homeless interventions; and

WHEREAS, the State of California has since notified the City of their HHAP-4 allocation in the amount of \$26,044,615 and the City awaits final contract execution by the State; and

WHEREAS, HHAP funds are integral to the City of Oakland's homeless intervention system to maintain existing emergency homeless interventions; and

WHEREAS, the City of Oakland Fiscal Year 2023-2024 Biennial Budget includes approximately \$5,073,391 million in Measure Q funding for homelessness programs and services; and

WHEREAS, the State of California is requiring the City and County to collaborate on more aggressive goals toward ending homelessness requiring repurposing of funds toward additional exit resources; and

WHEREAS, as a condition of the agreement accepting the HHAP funds, the State of California is requiring the City and Alameda County to enter into a Memorandum of Understanding that will address the jurisdictions' joint response to homelessness; and

WHEREAS, to continue homeless programming at the current service level including the provision of hygiene services, waivers to the local/small local enterprise business requirement are needed for four operators including TBS Services, Clean Site Services, We Hope, and Urban Alchemy, all of which provide critical health services including shower and porta potty hygiene services; and

WHEREAS, the Human Services Department desires to waive any Local and Small Local Business Enterprise Program (L/SLBE) program requirements in order to contract with Clean Site in an amount up to \$300,000 in FY 2023-24, for the provision of portable toilets and wash stations in encampments; and

WHEREAS, the Human Services Department desires to waive any L/SLBE program requirements in order to contract with TBS Site Services, an African American woman owned small business serving San Francisco and Alameda Counties, which is certified by the State of California as a Minority Business Enterprise (MBE), Women Business Enterprise (WBE), and Disadvantaged Business Enterprise (DBE) in an amount up to \$300,000 in FY 2023-24, for the provision of portable toilets and wash stations in encampments; and

WHEREAS, the Human Services Department desires to waive any L/SLBE program requirements in order to contract with WeHope in an amount up to \$755,000 in FY 2023-24, for the provision of mobile showers and laundry; and

WHEREAS, the Human Services Department desires to waive any L/SLBE program requirements in order to contract with Urban Alchemy in an amount up to \$564,000 in FY 2023-24, for the provision of portable toilets and wash stations in encampments; and

WHEREAS, as a condition of accepting the HHAP funds, the State of California is requiring the City and Alameda County to enter into a Memorandum of Understanding committing to address homelessness in a collaborative manner; and

WHEREAS, staff now seeks authorization to enter into agreements for homeless services with service providers from July 1, 2023 through June 30, 2024 using HHAP and local funds including Measure Q funds as stated in Tables 1 and 2 below; and

WHEREAS, in order to increase the service quality and safety of the City's shelter interventions, staff also seeks authorization to increase the amounts of certain contracts as specified in Table 1a up to \$250,000 per contract, should additional funding from private sources, additional HHAP funds, competitive grants, or other sources, subject to Council appropriation if applicable and funding requirements; and

WHEREAS, the State of California, Interagency Council on Homelessness (Cal ICH) is strongly encouraging the use of HHAP and other funds for capacity building and professional development for service providers, including removing barriers to contracting with culturally specific service providers and building capacity of providers to administer culturally specific services; and

WHEREAS, Urban Alchemy was granted an agreement for operation of a RV Safe Parking site located on 66th Avenue in an amount of \$1,209,375 for a term of eight months, and staff now seek authorization to waive the L/SLBE requirements and to amend the agreement with Urban Alchemy extending the term through June 30, 2024 and increasing the grant total to \$3,376,375; and

WHEREAS, Jewel'd Legacy was granted an agreement in the amount of \$250,000 to provide professional development to homeless services providers supporting these small agencies operated by leaders who identify as Black, Latin and/or have lived experience in Oakland, and staff now seek authorization to amend the agreement with Jewel'd Legacy increasing the agreement by \$250,000 for a term ending June 30, 2025; and

WHEREAS, the 92-room Lake Merritt Lodge provides dignified shelter for the vulnerable homeless population in Oakland and the City Council has identified Lake Merritt Lodge as a priority to continue funding; and

WHEREAS, the occupancy agreement between the City and Vima Harrison 1, LLC and the service contract with Housing Consortium of the East Bay for the Lake Merritt Lodge both expire in June 2023 and there is \$8,559,783 appropriated in project 1000017 for continued homeless services at Lake Merritt Lodge; and

WHEREAS, staff now seek to extend both the occupancy agreement for the Lake Merritt Lodge on the same terms as the existing agreement (daily room rate of \$132 per room for one occupant plus \$50 for each additional occupant) for a maximum annual rental amount up to \$5,883,125, and also the program service contract with Housing Consortium of the East Bay in an up to amount of \$2,277,050, each through June 30, 2024; and

WHEREAS, the City Administrator has determined that the agreements are professional, scientific or technical and temporary in nature, and the performance of the agreements shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, staff may need to shift HHAP and Measure Q funds between the agreements in Table 1 and Table 2 or between fiscal years to ensure that all funds are timely expended and align with regulatory requirements; and

WHEREAS, many of the programs identified in Table 1 and Table 2 are located on City-owned or City-leased land, and the City Administrator has authority under O.M.C. 2.42.100.C to enter into licenses with these entities provided that the licenses are terminable by the City with 30 days' notice or otherwise approved by Ordinance, and provided that the City Council finds that the providers' use of the land for no additional rental fee would be in the best interests of the City under O.M.C. 2.42.110; and

WHEREAS, the City does not typically charge a rental fee for programs funded by the City, whether through HHAP, GPF, or Measure Q, because the project budget and City costs would need to be increased to cover the rental fee and therefore the City would have less funding to devote to program operations; and

WHEREAS, funding for the HHAP programs is appropriated in the State of California Fund (2159), Community Housing Services Organization (78411), Projects –HHAP Round 2/3 FY2023-2025 (1006326/1006126), Homeless Services & Support (NB41) and allocated towards the awards set forth in Table 1 below; and

WHEREAS, funding for Measure Q is appropriated in Measure Q - Parks & Recreation Preservation, Litter Reduction, and Homelessness Support Act Fund (2244) Community Housing Services Organization (78411), Measure Q Homeless Project (1005349), Homeless Services & Support (NB41) and allocated towards the awards set forth in Table 2 below; and

WHEREAS, General Purpose Funding is appropriated in General Purpose Fund (1010) Community Housing Services Organization (78411) & Homelessness Organization (02141), DP020 Administrative (1000002) & DP780 Administrative (1000017) Projects, Homeless Services & Support (NB41) and allocated towards the awards set forth in Table 2 below; and

RESOLVED: That the City Council accepts and appropriates from the State of California HHAP funds an amount of \$26,044,615 and any additional HHAP funds that become available in Fiscal Year 23/24 for the provision of emergency homeless interventions into Fund (2159) collaborating on addressing homelessness; and be it

FURTHER RESOLVED: That the City Council finds that it is in the best interest of the City to waive the L/SLBE requirements and award professional services agreement to four (4) providers, TBS Services, Clean Site Services, We Hope, and Urban Alchemy for FY 2023-24, for the reasons set forth in the accompanying staff report, and hereby waives this requirement; and be it

FURTHER RESOLVED: That the City Council awards the following grants and professional services agreements for homeless intervention services in an amount not to exceed the specified amount for July 1, 2023 through June 30, 2024 in Table 1a below using the “actual amount” of HHAP funds identified below, or the “up to amount” should additional funds become available, subject to any applicable funding regulations and requirements:

Table 1a: HHAP funded agreements with term of July 1, 2023 through June 30, 2024

Provider	Grant/Professional Services Agreement (PSA)	Numbers Served	Up to Amount	Actual Amount	Notes
Roots Community Health Center	Miller Navigation Center PSA (CC)	38 beds	\$1,325,000	\$1,075,000	Includes shower services-RFQ
Family Bridges	Oak St Navigation Center PSA (CC)	38 beds	\$1,150,000	\$900,000	Increase from FY 22/23-RFQ
Operation Dignity	Northgate Navigation Center PSA (CC)	40 beds	1,000,392	\$800,392*	Funded through two sources-RFQ
Operation Dignity	Mandela Navigation Center PSA (CC)	76 beds	\$2,300,000	\$1,800,000	Includes two sites-RFQ
Housing Consortium of the East Bay	3 rd /Peralta Navigation Center PSA (CC)	40 beds	\$1,150,000	\$900,000	RFQ
Housing Consortium of the East Bay	71st Ave. Navigation Center PSA (RVSP)	40 spaces	\$1,150,000	\$850,000	RFQ
Housing Consortium of the East Bay	High Street Navigation Center PSA (RVSP)	40 spaces	\$1,050,000	\$800,000	RFQ
Building Opportunities for Self Sufficiency (BOSS)	Wood St. Navigation Center PSA (RVSP)	40 spaces	\$1,213,484	\$963,484	Decreased from FY 22/23 – includes full FTE housing navigation and increased security-RFQ
Saint Vincent de Paul	Emergency Shelter PSA	100 beds	\$1,300,000	\$1,300,000	RFQ

Provider	Grant/Professional Services Agreement (PSA)	Numbers Served	Up to Amount	Actual Amount	Notes
Operation Dignity	Street and Mobile Outreach PSA	25 beds (hotel vouchers)	\$450,000	\$450,000	RFQ
Clean Site	Porta potties	Up to 35 sites	\$300,000	\$300,000	L/SLBE Waiver
United Site Services	Porta potties	Citywide	\$225,000	\$225,000	City-wide contract
Project WeHope	Mobile Showers PSA	1,360 sessions	\$755,000	\$755,000	RFQ – L/SLBE
Urban Alchemy	Mobile Showers PSA	520 sessions	\$564,000	\$564,000	RFQ – L/SLBE
Youth Spirit Artworks	Youth Transitional Housing Grant	22 beds	\$450,000	\$450,000	RFQ
Housing Consortium of the East Bay	HomeBase Trailers PSA	128 beds	\$1,535,000	\$1,535,000	28 beds added-RFQ

*Northgate Navigation Center is funded by HHAP and GPF

; and be it

FURTHER RESOLVED: That the City Council authorizes the amendment of a professional services agreement to Urban Alchemy for operation of a RV Safe Parking site located on 66th Avenue in an amount not to exceed the specified amount for July 1, 2023 through June 30, 2024 in Table 1b below using accepted and appropriated HHAP funds, subject to any applicable funding regulations and requirements:

Table 1b: HHAP funded agreement with term of January 1, 2023 through June 30, 2024

Provider	PSA	Capacity	Amended Amount	FY 23/24 Amount
Urban Alchemy	RV Safe Parking	Up to 110 households – RFQ/L/SLBE Waiver	\$3,376,375	\$2,167,000

; and be it

FURTHER RESOLVED: That the City Council authorizes the amendment of a professional services agreement to Jewel’d Legacy for cohorts 3 and 4 of the Capacity Building program in an amount not to exceed the specified amount for July 1, 2023 through June 30, 2025 in Table 1c below using accepted and appropriated HHAP funds, subject to any applicable funding regulations and requirements:

Table 1c: HHAP funded agreement with term of July 1, 2022 through June 30, 2025

Provider	PSA	Capacity	Amended Amount	FY 23/24 Amount
Jewel'd Legacy	Capacity Building for small emerging agencies	Up to 30 agencies	\$500,000	\$250,000

Total HHAP allocated Table 1		\$18,334,876	\$16,684,446
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; and be it

FURTHER RESOLVED: That the City Council awards the following grants and professional services agreements for homeless intervention services in an amount not to exceed the specified amount for July 1, 2023 through June 30, 2024 in Table 2a below using appropriated Measure Q funds, subject to any applicable funding regulations and requirements; and be it

Table 2a: Measure Q funded agreements all with term of July 1, 2023 through June 30, 2024

Provider	Grant/Professional Services Agreement (PSA)	NUMBERS SERVED	Not To Exceed Amount
Building Futures with Women and Children	Family Front Door Support Grant	20 beds, motel vouchers	\$154,500
East Oakland Community Project	Family Shelter beds Grant	85 beds	\$1,552,500
Bay Area Community Services	Henry/Holland	227 beds	\$1,871,346
Lao Family	Care campus	50 beds	\$1,000,000

Total Measure Q funds allocated in Table 2a			\$4,578,346
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Table 2b: Local GPF funded agreements with term of July 1, 2023 through June 30, 2024

TBS Site Services	Porta Potties	Up to 50 sites	\$300,000
Operation Dignity	Northgate Navigation Center PSA (CC)	40 beds	\$99,608*
Housing Consortium of the East Bay	Lake Merritt Lodge (services contract)	92 rooms	\$2,277,050+

*Projects funded with dual sources

+Additional \$5,883,125 to continue the occupancy agreement through June 30, 2024

Total local general purpose funds allocated in Table 2b			\$2,676,658
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FURTHER RESOLVED: That based on information provided by the City Administrator, the City Council finds that these professional services agreements 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 be it

FURTHER RESOLVED: That the use of City-owned or City-leased land for less than fair market rental value by the above-listed providers for homeless programs is in the best interest of the City; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to enter into an extension of the existing occupancy agreement between the City and Vima Harrison 1, LLC for the Lake Merritt Lodge located at 2332 Harrison Street, for an additional one (1) year term through June 30, 2024, on the same terms as the existing agreement (daily room rate of \$132 per room for one occupant plus \$50 for each additional occupant) for the purpose of providing up to 92 rooms of emergency non-congregate shelter to vulnerable unhoused individuals, or a total maximum annual rental rate of \$5,883,125 out of GPF (Fund 1000017); and be it

FURTHER RESOLVED: That the City Council finds and determines, after independent review and consideration, that this action complies with the California Environmental Quality Act (CEQA) because these agreements are categorically exempt from CEQA pursuant to Sections 15301 (existing facilities); and be it

FURTHER RESOLVED: That the City Administrator is authorized to make such amendments to the approved grants and/or professional services agreements as may be necessary to achieve the purposes of this Resolution or to ensure timely spend down of time-limited funds, including moving HHAP and Measure Q funds between the agreements in Table 1 and Table 2 or between fiscal years, subject to any applicable funding regulations and requirements; and be it

FURTHER RESOLVED: That prior to execution, all agreements and amendments shall be reviewed and approved as to form and legality by the City Attorney, and executed copies shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID,
AND PRESIDENT FORTUNATO BAS

NOES –
ABSENT –
ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California