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OFFICE OF THE CITY CLERK
OAKLAND

2018 DEC - 6 10 59
AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Joe DeVries
Assistant to the City
Administrator

SUBJECT: Resolution to authorize Homeless
Services using HEAP Funds

DATE: December 6, 2018

City Administrator Approval

Date:

12/6/18

RECOMMENDATION

Staff Recommends That The City Council Adopt A 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 FY 2018-19 Amended Midcycle Budget.

EXECUTIVE SUMMARY

On November 30, 2018, the City Council adopted Resolution No. 87403 C.M.S., which authorized the City Administrator accept Homeless Emergency Aid Program ("HEAP") funding provided by the State of California and to implement several homeless programs. Those programs included Community Cabin Shelter Sites at various locations in Oakland including 3050 International Blvd. After further community engagement and site review, staff has determined that the site is not considered the most viable location for a Community Cabin program and the site at 1449 Miller Avenue is more suitable. This resolution waives the competitive request for proposals/qualifications ("RFP/Q") requirements and authorizes the City Administrator to enter into agreements with service providers in order to implement the Community Cabin project at the new site instead. This Resolution also increase the appropriation of the HEAP Grant funding in the FY 2018-19 amended Midcycle Budget and align the budgeted HEAP funding properly.

BACKGROUND / LEGISLATIVE HISTORY

Staff identified the 3050 International Blvd. location for a Community Cabin site specifically to help address the homeless encampment located at East 12th and 23rd Avenue, which must be closed in January due to the 23rd Avenue Bridge Retrofitting Project. At the time of that report,

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staff also identified the former Miller Avenue Library location as a site that could be used by the Lao Family Community Development Inc. to manage a volunteer encampment in partnership with "The Village" for a portion of the persons that would be displaced by the bridge retrofit project. This was a pilot program that has not been tested but staff believed the population size at the encampment was large enough that both a Community Cabin Site and another alternative would be needed. After Council adopted Resolution No. 87403 C.M.S. additional research was conducted by staff indicating new information and the Miller Avenue Site is considered a better alternative.

ANALYSIS AND POLICY ALTERNATIVES

Three key factors led to the change in location and strategy for these sites:

1. A thorough census of the East 12th and 23rd encampment conducted over four weeks by the City's outreach team has identified only 39 current occupants of the encampment. This number is far lower than originally anticipated. Several factors could be responsible for the smaller number of inhabitants and outreach teams were careful to revisit the site multiple times at different times of the day to maximize engagement opportunities. This smaller population can easily fit at a Community Cabin Site and the Miller Avenue site is much closer to the existing encampment than 3050 International (2 city blocks versus 10 city blocks).
2. The project management team reviewed the 3050 International Site and determined the site prep costs are twice the costs if the project is implemented at 1449 Miller Avenue. This is based primarily on the amount of crushed rock, minor grading, and fence installation that would need to occur at the site.
3. City staff met with leadership from the Native American Health Center (NAHC), the Youth Employment Partnership (YEP), the Fruitvale Business Improvement District, and conducted a community meeting at the Fruitvale Senior Center to discuss the proposed locations and uses. Staff learned that 3050 International was already being used for community events such as Día de Los Muertos by NAHC on weekends and locating the Community Cabins there would disrupt that effort. Furthermore, NAHC was poised to enter into a license agreement to create 75 additional parking spaces on the site until the affordable housing construction begins in two years, creating much needed relief to the impacted parking situation in the Fruitvale. The parking situation will be even more impacted as the BRT project continues to develop in the area.

The Project Management Team has drafted a site plan for the Miller Avenue Site and selected a service provider with a track record serving the unsheltered community in East Oakland. Upon passage of this resolution, staff will begin site development with a goal of offering unsheltered people cabin space by mid-January. Staff plans to enter into agreements with service providers to operate the community cabin shelter.

Oakland Municipal Code ("OMC") section 2.04.051.A requires the City Administrator to conduct an 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. 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.

FISCAL IMPACT

The FY 2018-19 Amended Midcycle Budget included an appropriation of estimated HEAP grant funding in the amount of \$8.6 million towards homelessness. This funding was set-aside in the State of CA Other Fund (2159), City-Wide Activities Organization (90591), Contract Contingencies Account (54011), DP900 Administrative Project (1000021). The City received a grant award in the amount of \$8,671,117, and the proposed resolution is requesting authorization to amend the existing appropriation to the increased amount in addition to reallocating the funding to the Human Services Department.

The project authorized in this resolution will be funded through the HEAP funding the City is receiving from the State of California. The specific allocation for this site is \$950,000 of HEAP funding for set-up costs and one year of operation.

PUBLIC OUTREACH / INTEREST

This report did not require public outreach other than the posting of this report on the website. However, staff met with several community organizations and held a general community meeting about this project to receive input from a variety of stakeholders.

COORDINATION

Coordination has occurred between the Human Services Department, the and the City Administrator's Office.

SUSTAINABLE OPPORTUNITIES

Economic: The purpose of this report and resolution is to provide services to eliminate and prevent homelessness.

Environmental: The provision of housing for at-risk and homeless persons is intended to address the environmental degradation caused by homeless families and individuals precariously housed or living on the streets.

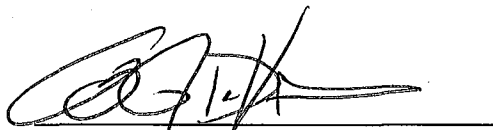
Social Equity: The program supported in this report and resolution are targeted to the most vulnerable and at-risk populations in the city and are focused on providing essential and basic human services, housing and support.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A 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 FY 2018-19 Amended Midcycle Budget.

For questions regarding this report, please contact Joe DeVries, Assistant to the City Administrator at (510) 238-3083.

Respectfully submitted,



Joe DeVries
Assistant to the City Administrator

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. _____ 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 or 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,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB,
KAPLAN AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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

DEC 06 2010 AM 8:47

Approved as to Form and Legality

DRAFT
City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ 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

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

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PASSED BY THE FOLLOWING VOTE:

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KAPLAN AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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