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Approved as to Form and Legality

**DRAFT**

City Attorney's Office

## OAKLAND CITY COUNCIL

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

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**A RESOLUTION AMENDING RESOLUTION NO. 87403 C.M.S., WHICH AUTHORIZED THE CITY ADMINISTRATOR TO, AMONG OTHER THINGS, ACCEPT DONATIONS FROM OUTSIDE SOURCES, INCLUDING OTHER GOVERNMENTAL AGENCIES, TO SUPPORT HOMELESS PROGRAMS AND SERVICES, TO:**

- 1. AUTHORIZE THE CITY ADMINISTRATOR TO ACCEPT GRANTS AND DONATIONS FOR HOMELESS PROGRAMS AND SERVICES FROM OUTSIDE SOURCES, INCLUDING OTHER GOVERNMENTAL AGENCIES, IN AN AMOUNT NOT TO EXCEED \$1 MILLION PER DONATION/GRANT THROUGH JUNE 30, 2021; AND**
- 2. APPROPRIATE UP TO \$5 MILLION OF ANY SUCH GRANTS AND DONATIONS FOR PROGRAMS AND SERVICES FOR THE HOMELESS THROUGH JUNE 30, 2021; AND**
- 3. AUTHORIZE THE CITY ADMINISTRATOR TO AMEND EXISTING GRANT AGREEMENTS WITH PROVIDERS OF PROGRAMS AND SERVICES FOR THE HOMELESS, INCLUDING WINTER SHELTERS, TO INCREASE THE AMOUNTS USING SAID GRANTS AND DONATIONS AND TO EXTEND THE TERMS THROUGH JUNE 30, 2020 2021, WITHOUT RETURNING TO COUNCIL.**

**WHEREAS**, the City of Oakland (City) has experienced a 47 percent increase in its homeless population between 2017 and 2019, the majority of whom live in curbside communities, vehicles, and places not meant for human habitation; and

**WHEREAS**, the existing homeless shelter system in the City of Oakland provides less than 450 shelter beds per night; and

**WHEREAS**, the existing shelter system operates at or near full capacity for most of the year and there are a significant number of people turned away; and

**WHEREAS**, there is a need for additional shelter beds to operate during the winter months, when many of the homeless population are at risk of death due to exposure to the elements;

**WHEREAS**, on October 30, 2018, the City Council adopted Resolution No. 87403 C.M.S., which authorized the City Administrator to, among other things, accept donations from outside sources, including other governmental agencies, to support programs and services for the homeless; and

**WHEREAS**, Oakland City Charter section 806 prohibits the expenditure of City funds except for the purposes and in the manner specified by an appropriation of the Council; and

**WHEREAS**, in light of the homeless crisis, it is critical for the City Administrator or her designee to have the flexibility to act as quickly as possible to accept and appropriate grants and donations, from outside sources, including other governmental agencies, for the provision of programs and services for the homeless; and

**WHEREAS**, in light of the homeless crisis, it is also critical for the City Administrator or her designee to be able to amend existing grant agreements for homeless programs and services to increase the amount and duration of said agreements whenever additional money for homeless programs and services becomes available; now, therefore, be it

**RESOLVED:** That the City Administrator is authorized to accept grants and donations for homeless programs and services from outside sources, including other governmental agencies, in an amount not to exceed \$1 Million per donation/grant through June 30, 2021; and be it

**FURTHER RESOLVED:** That the City Council hereby appropriates up to \$5 Million of any such grant funds and donations for homeless programs and services, including winter shelters, through June 30, 2021; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee shall provide quarterly updates to the City Council by issuing informational memoranda identifying new grantors or donors and all funds received and appropriated; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is authorized to amend existing grant agreements with providers of programs and services for the homeless, including winter shelters, to increase the amount of the agreement using any such grant funds and donations and to extend the term of the agreement through June 30, 2020 2021, ~~without returning to Council~~; and be it

**FURTHER RESOLVED:** That any amended agreements shall be reviewed as to form and legality by the Office of the City Attorney and copies shall be filed in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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