


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING: A CONTRACT WITH EAST BAY RENTAL HOUSING ASSOCIATION FOR PROVISION OF REPRESENTATION SERVICES TO SMALL PROPERTY OWNERS AT RENT ADJUSTMENT PROGRAM PETITION PROCEEDINGS AND HOUSING, RESIDENTIAL RENT AND RELOCATION BOARD APPEAL PROCEEDINGS IN THE AMOUNT OF \$150,000 FROM JULY 1, 2023 THROUGH AUGUST 31, 2024

WHEREAS, on November 19, 2013, City Council approved Resolution No. 84706, which authorized the City Administrator to negotiate and contract with an agency to deliver representation services to landlords with residential property in the city with incomes of 100% of median income or less; and

WHEREAS, on January 31, 2019, through the City's Administrator's procurement process, the City last contracted for owner services with Housing and Economic Rights Advocates (HERA) for an amount not to exceed \$50,000 per year. That contract ended in January of 2022; and

WHEREAS, on May 13, 2022, RAP staff released a RFP seeking a twelve-month legal representation service contract for (defined as those owning 8 or fewer rental dwelling units in Oakland.) The RFP development process included outreach to identify and encourage all qualified entities to respond to the RFP. RAP received only one response for the small property owner representation RFP by the May 27, 2022 due date. Staff reviewed the proposal and found it not to be compliant and responsive to the requirements set forth in the RFP document; and

WHEREAS, on June 10, 2022, staff released an additional RFP for legal representation services for small property owners for a twelve-month contract in the amount of \$100,000. RAP staff held a virtual additional information session on June 24, 2022 to provide guidance to applicants. Staff received only one response by the June 27, 2022 submission deadline from EBRHA. Staff reviewed the proposal and found it to be compliant and responsive to the requirements set forth in the RFP; and

WHEREAS, on October 25, 2022, the City Council's Community and Economic Development Committee expressed concerns related to which property owners would benefit from this program and how the City of Oakland would define small property ownership The Committee directed staff to bring a revised proposal for consideration; and

WHEREAS, on January 13, 2023, staff released a newly revised RFP for representation services for small property owners for a 14-month contract in the amount of \$150,000. For purposes of the RFP, small property owners are now defined as those who own a total eight or fewer residential rental dwellings units including those residential units owned in the City of Oakland *and* who have a total income no higher than the equivalent of 100% AMI for Alameda County. The new qualification requirements include all residential dwelling units in and outside the city and restrict income to a total income up to 100% AMI, not just rental income; and

WHEREAS, on January 27, 2023 at RFP submission deadline, staff received only one response from EBRHA. Staff reviewed the proposal and found it to be compliant and responsive to the requirements set forth in the RFP; and

WHEREAS, the representation services sought through this contract aim to refocus the Program's resources dedicated to representation services and increase the number of small property owners who can get access to representation in Rent Adjustment Program (RAP) petition and Housing, Residential Rent and Relocation Board (HRRRB) appeal proceedings; and

WHEREAS, upon EBRHA's proposal, staff determined that EBRHA should be awarded a contract for these services for the term between July 1, 2023, and August 31, 2024 for a total amount of \$150,000; and

WHEREAS, the total \$150,000 funds for this contract are available in the Rent Adjustment Program (Fund 2413, Project 1001110, Org. 89969, Account No. 54911). These funds are restricted to use by the Rent Adjustment Program by Ordinance No. 12517 C.M.S.

WHEREAS, this action is exempt from the California Environmental Quality Act (CEQA) under the following, each as separate and in dependent basis, including but not limited to, the following: CEQA Guidelines: Section 15378 (regulatory actions), Section 15062(b)(3) (no significant environmental impact), and Section 15183 (actions consistent with the general plan and zoning); now, therefore, be it

RESOLVED: That this action is exempt from the California Environmental Quality Act (CEQA) under the following, each as separate and in dependent basis, including but not limited to, the following: CEQA Guidelines: Section 15378 (regulatory actions), Section 15062(b)(3) (no significant environmental impact), and Section 15183 (actions consistent with the general plan and zoning); now, therefore, be it

FURTHER RESOLVED: That the City Administrator or their designee is authorized to enter into a contract with EBRHA for provision of representation services to small property owners at RAP petition proceedings and HRRRB appeal proceedings in the amount of \$150,000 from July 1, 2023, through August 31, 2024.

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