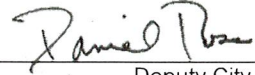


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FILED
OFFICE OF THE CITY CLERK
OAKLAND

REVISED CITY COUNCIL 7/18/2023

Approved as to form and legality



Deputy City Attorney

OAKLAND CITY COUNCIL

ORDINANCE NO. 13753, C.M.S.

INTRODUCED BY COUNCILMEMBER KAPLAN, COUNCIL PRESIDENT FORTUNATO BAS, COUNCILMEMBER FIFE, & COUNCILMEMBER JENKINS

EMERGENCY ORDINANCE (1) AMENDING RESOLUTION NO. 89605 C.M.S, WHICH ALLOCATED \$750,000 IN FORMER REDEVELOPMENT FUNDS IN THE AFFORDABLE HOUSING TRUST FUND TO THE AFFORDABLE HOUSING HEALTH AND SAFETY REHABILITATION PROGRAM AND AUTHORIZED THE USE OF THOSE FUNDS FOR RELOCATION ASSISTANCE TO LOW INCOME TENANTS, TO ALLOW THE USE OF SUCH FUNDS FOR RELOCATION OF TENANTS OF THE COLISEUM CONNECTIONS PROJECT AT 801 71ST AVENUE WITHOUT REGARD TO INCOME, AND TO ALLOCATE AN ADDITIONAL \$650,000 IN FORMER REDEVELOPMENT FUNDS FOR THIS PURPOSE, (2) WAIVING THE LOW INCOME RESTRICTIONS IN OAKLAND MUNICIPAL CODE SECTION 15.62.040.C ON THE USE OF FORMER REDEVELOPMENT FUNDS FOR RELOCATION OR REHOUSING OF COLISEUM CONNECTIONS TENANTS, AND (3) AMENDING RESOLUTION NO. 89672 C.M.S., WHICH AUTHORIZED CONTRACTS FOR LODGING DISPLACED COLISEUM CONNECTIONS TENANTS UNTIL THE EARLIER OF JULY 31, 2023, OR THE COMPLETION OF REPAIRS, TO EXTEND THIS AUTHORITY TO THE DATE COLISEUM CONNECTIONS IS READY FOR RE-OCCUPANCY

WHEREAS, Chapter 15.62 of the Oakland Municipal Code established an Affordable Housing Trust Fund; and

WHEREAS, a portion of Affordable Housing Trust Funds comes from a set-aside of 25% of funds distributed to the City as a taxing entity under the laws dissolving redevelopment agencies ("Former Redevelopment Funds"); and

WHEREAS, Section 15.62.040.C of the Oakland Municipal Code provides that Former Redevelopment Funds may be used to prevent displacement of renters from their homes, including providing rehousing and relocation assistance, as long as such renters are low income; and

WHEREAS, Resolution No. 89605 C.M.S., adopted on February 21, 2023, allocated \$750,000 from Former Redevelopment Funds to the Affordable Housing Multifamily Emergency Repair Program, and authorized the use of such funds to assist tenants in income-restricted affordable housing units with relocation costs; and

WHEREAS, such funds have been used to provide relocation and rehousing assistance to low income tenants displaced from restricted affordable housing units at the Coliseum Connections project at 801 71st Avenue; and

WHEREAS, Council wishes to allow such funds also to be used to provide relocation and rehousing assistance to all tenants displaced from the Coliseum Connections project without regard to tenant income, including tenants of unrestricted market-rate units; and

WHEREAS, Council also wishes to increase the amount of Former Redevelopment Funds allocated to assist tenants displaced from Coliseum Connections by \$650,000; and

WHEREAS, Resolution No. 89672 C.M.S., adopted on April 18, 2023, authorized contracts for hotel lodging of displaced Coliseum Connections tenants until July 31, 2023, or the completion of repairs, whichever comes first; and

WHEREAS, Council wishes to extend such authority to contract for lodging until such date as the Coliseum Connections is ready for re-occupancy by displaced tenants; and

WHEREAS, Section 213 of the Oakland Charter allows for an emergency ordinance to be introduced and adopted by at least six Council members at the same meeting if Council declares the emergency ordinance is necessary for preserving the public peace, health or safety in an emergency, and the ordinance contains a statement of the reasons constituting such necessity; and

WHEREAS, over six months after the flooding that displaced tenants of the Coliseum Connections project, these tenants remain displaced from their homes and are in continuing need of relocation and rehousing assistance pending their ability to return to Coliseum Connections, including tenants of both the restricted affordable housing units and the unrestricted market rate units; now, therefore,

The Council of the City of Oakland does hereby ordain as follows:

SECTION 1. Resolution No. 89605 C.M.S. is hereby amended to remove the requirement that the Former Redevelopment Funds allocated to the Affordable Housing Multifamily Emergency Repair Program by the Resolution and used to assist Coliseum Connections tenants with relocation costs be used only for tenants of income-restricted affordable housing units, and to allow the use of such funds without regard to tenant income, including for relocation or rehousing assistance to tenants of unrestricted market-rate units at Coliseum Connections.

SECTION 2. Resolution No. 89605 C.M.S. is further amended to increase the amount of Former Redevelopment Funds allocated to assist tenants displaced from Coliseum Connections Project Code 1006991 by \$650,000. Such additional funds shall come from the Affordable Housing Trust Fund (1870); Organization 89929; Account 58312; Project 1000386; Entity 1.

SECTION 3. The requirement in Section 15.62.040.C of the Oakland Municipal Code that Former Redevelopment Funds used for tenant relocation and rehousing assistance be used only for low income tenants is hereby waived for tenants of the Coliseum Connections project.

SECTION 4. The use of Former Redevelopment Funds for Coliseum Connections tenant relocation and rehousing assistance shall be subject to the following time limits: all tenants who claim the relocation payment and choose to vacate their hotel lodging must indicate such preference to the City or its designated representatives by September 22, 2023, and such tenants must make themselves available to receive the payment or provide a mailing address to which the payment may be sent no later than September 26, 2023.

SECTION 5. Resolution No. 89672 C.M.S., is hereby amended to extend the authority to contract for hotel lodging of displaced Coliseum Connections tenants to such date as the Coliseum Connections building is ready for tenant re-occupancy.

SECTION 6. Council finds and declares that allowing all displaced tenants of the Coliseum Connections project to receive relocation and rehousing assistance without regard to income, increasing the amount of funds allocated for this purpose, and extending the lodging date, are necessary measures to preserve the public peace, health and safety, given the continuing hardship endured by such tenants resulting from the displacement and the immediate need to provide assistance with ongoing housing costs while tenants remain displaced to prevent further hardship pending their ability to return to Coliseum Connections.

SECTION 7. The provisions of this Emergency Ordinance are severable, and if any clause, sentence, paragraph, provision, or part of this Ordinance, or the application of this Ordinance to any person, is held to be invalid, such holding shall not impair or invalidate the remainder of this Ordinance. It is hereby declared to be the legislative intent that this Emergency Ordinance would have been adopted had such provisions not been included.

SECTION 8. This Emergency Ordinance shall be in full force and effect immediately upon its introduction and passage as provided by Section 213 of the City Charter if adopted by an affirmative vote of at least six members of the City Council. Notice of the adoption of this Emergency Ordinance, the vote thereon, its title, and a digest shall be published in the official newspaper of the City within three days after its adoption.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2023

PASSED BY THE FOLLOWING VOTE:

JUL 18 2023

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, ~~RAMACHANDRAN~~ REID, AND
PRESIDENT FORTUNATO BAS **-7**

NOES ~~0~~

1 ABSENT - *Ramachandran*

ABSTENTION ~~0~~

ATTEST: _____



ASHA REED

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

EMERGENCY ORDINANCE (1) AMENDING RESOLUTION NO. 89605 C.M.S, WHICH ALLOCATED \$750,000 IN FORMER REDEVELOPMENT FUNDS IN THE AFFORDABLE HOUSING TRUST FUND TO THE AFFORDABLE HOUSING HEALTH AND SAFETY REHABILITATION PROGRAM AND AUTHORIZED THE USE OF THOSE FUNDS FOR RELOCATION ASSISTANCE TO LOW INCOME TENANTS, TO ALLOW THE USE OF SUCH FUNDS FOR RELOCATION OF TENANTS OF THE COLISEUM CONNECTIONS PROJECT AT 801 71ST AVENUE WITHOUT REGARD TO INCOME, AND TO ALLOCATE AN ADDITIONAL \$650,000 IN FORMER REDEVELOPMENT FUNDS FOR THIS PURPOSE, (2) WAIVING THE LOW INCOME RESTRICTIONS IN OAKLAND MUNICIPAL CODE SECTION 15.62.040.C ON THE USE OF FORMER REDEVELOPMENT FUNDS FOR RELOCATION OR REHOUSING OF COLISEUM CONNECTIONS TENANTS, AND (3) AMENDING RESOLUTION NO. 89672 C.M.S., WHICH AUTHORIZED CONTRACTS FOR LODGING DISPLACED COLISEUM CONNECTIONS TENANTS UNTIL THE EARLIER OF JULY 31, 2023, OR THE COMPLETION OF REPAIRS, TO EXTEND THIS AUTHORITY TO THE DATE COLISEUM CONNECTIONS IS READY FOR RE-OCCUPANCY

NOTICE AND DIGEST

This Emergency Ordinance will amend a previous resolution, Resolution No. 89605 C.M.S, which allocated \$750,000 in former redevelopment funds deposited into the Affordable Housing Trust Fund to the Affordable Housing Health and Safety Rehabilitation Program. That resolution authorized the use of those funds for relocation assistance to tenants, but only if such tenants are low income. This Ordinance will amend that previous resolution to allow the use of such funds for relocation of tenants of the Coliseum Connections project at 801 71st Avenue without regard to income, including for the tenants of unrestricted market-rate units. This Emergency Ordinance also increases the amount of former redevelopment funds allocated for this purpose by \$650,000. This Emergency Ordinance waives restrictions in the Oakland Municipal Code, Section 15.62.040.C, that limited the use of former redevelopment funds for relocation or rehousing only for low income tenants, to allow for the use of those funds to provide relocation and rehousing assistance to all Coliseum Connections tenants, including market-rate tenants. Finally, this Emergency Ordinance amends Resolution No. 89672 C.M.S., which authorized contracts for hotel lodging of displaced Coliseum Connections tenants until July 31, 2023, or the completion of repairs, whichever comes first. This Ordinance will extend such authority until such time as the Coliseum Connections building is ready for re-occupancy.