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OAKLAND

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Approved as to Form and Legality

# OAKLAND CITY COUNCIL

*Katherine Schickel*  
City Attorney  
*Bernard H. Friedman*

RESOLUTION No. 82330 C.M.S.

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**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO (1) WAIVE THE COMPETITIVE PROCESS AND ENTER INTO AN AGREEMENT FOR THE PERIOD OF OCTOBER 15, 2009 THROUGH MAY 15, 2010 IN AN AMOUNT NOT TO EXCEED \$276,682.64 WITH ANKA BEHAVIORAL HEALTH, INC. TO OPEN AND OPERATE THE OAKLAND ARMY BASE TEMPORARY WINTER SHELTER (OABTWS) FROM NOVEMBER 15, 2009 THROUGH APRIL 30, 2010; AND (2) ENTER INTO A SIX MONTH LEASE FOR \$1.00 A YEAR WITH THE OAKLAND REDEVELOPMENT AGENCY FOR USE OF BUILDING 821 AT THE ARMY BASE FROM NOVEMBER 1, 2009 THROUGH APRIL 30, 2010; AND (3) ALLOCATE \$125,000 FROM ALAMEDA COUNTY, AND \$56,000 FROM THE CITY OF BERKELEY TO ESTABLISH AND OPERATE THE TEMPORARY WINTER SHELTER AT THE OAKLAND ARMY BASE**

**WHEREAS**, over two thousand homeless persons are living outside and unsheltered in the City of Oakland at any given time; and

**WHEREAS**, the existing homeless shelter system in the City of Oakland provides approximately 397 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 during the winter months, when many of the homeless population are at risk of death due to exposure to the elements; and

**WHEREAS**, the City of Oakland provides 125 additional shelter beds during the winter months through its Winter Relief Program; and

**WHEREAS**, the City of Oakland could provide 100 additional beds by establishing a temporary winter shelter; and

**WHEREAS**, the Oakland Redevelopment Agency has agreed to allow the use of a building on the Oakland Army Base as the site for the homeless shelter from approximately November 1, 2009 through April 30, 2010; and

**WHEREAS**, staff from the City of Berkeley and the County of Alameda are working in cooperation with the City of Oakland to jointly fund the temporary shelter at the Oakland Army Base and are in the process of authorizing the transfer of funds by the Berkeley City Council (\$56,000 in cash, \$11,000 in-kind agency coordination and \$42,000 in-kind contribution for transportation) and the Alameda County Board of Supervisors (\$125,000 in cash) for this purpose; and

**WHEREAS**, staff has been unable to find any provider in the homeless services community other than Anka Behavioral Health, Inc. that is interested in operating the shelter; and

**WHEREAS**, the City desires to enter into funding agreements with the City of Berkeley, Alameda County Housing and Community Development Department, enter a 6 month lease for \$1.00 per year with the Oakland Redevelopment Agency for use of Building 821 at the Oakland Army Base for the shelter, and enter an operating agreement with Anka Behavioral Health, Inc. to operate the shelter; and

**WHEREAS**, the City of Oakland allocated \$95,684.62 for the Army Base Winter Shelter by Resolution No. 82018 C.M.S., dated May 19, 2009; and

**WHEREAS**, during the course of operation of the Oakland Army Base Temporary Winter Shelter (OABTWS) other funding sources may be identified to contribute to the operation of the shelter; and

**WHEREAS**, there are a great number of very low income households in Oakland that are either homeless or at-risk of a loss of housing; now, therefore, be it

**RESOLVED:** That the services to be provided by the Anka Behavioral Health, Inc. at the OABTWS are temporary and of a professional nature, and the contract will not result in the loss of employment or salary by any person having permanent status in the competitive service; and be it

**FURTHER RESOLVED:** That pursuant to Oakland Municipal Code Section 2.04.051B, the City Council finds and determines that it is in the best interests of the City to waive the competitive request for proposal/qualifications process for the contract with Anka Behavioral Health, Inc. and so waives the requirement; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to enter into an agreement with Anka Behavioral Health, Inc. for the period of October 15, 2009 through May 15, 2010, in the amount of \$276,682.64 for operation of the OABTWS; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to enter into a six month lease with the Oakland Redevelopment Agency from November 1, 2009 through April 30, 2010, for use of Building 821 at the Oakland Army Base for \$1.00 per year; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to allocate \$56,000 from the Social Services Grants Fund (2994) DHS Administration Unit Organization (78111), Miscellaneous Operating Expenditures Account (52921), and Emergency Shelter Program-City of Berkeley Project (G368310) and \$125,000 from Alameda County Housing and Community Development Department Oakland Army Base Temporary Winter Shelter-Alameda County Fund (2160), DHS Administration Unit Organization (78111), Miscellaneous Contract Services Account (54919), Oakland Army Base Temporary Winter Shelter Alameda County Project (G368510) for the operation of the Winter Shelter; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, modifications, payment requests, and related action which may be necessary to establish and operate the shelter and purchase and install the security cameras without returning to Council; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to accept and appropriate for shelter operation any additional funds from the City of Berkeley, Alameda County or any other sources willing to fund the Oakland Army Base Temporary Winter Shelter without returning to Council; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 6 2009, 2009

**PASSED BY THE FOLLOWING VOTE:**

AYES - ~~BROOKS~~ DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT BRUNNER - 7


NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST:

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