

FILED
OFFICE OF THE CITY CLERK
REVISED BY THE COUNCIL AT ITS JUNE 1, 2021 MEETING
2021 JUN -2 PH 6: 25

Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 88675 C.M.S.

RESOLUTION

- (1) AUTHORIZING THE CITY ADMINISTRATOR TO IMPLEMENT THE FOLLOWING ACTIONS:

WAIVE THE COMPETITIVE BIDDING PROCESS AND NEGOTIATE AND EXECUTE AN AS-NEEDED CONSTRUCTION CONTRACT WITH SUSTAINABLE URBAN NEIGHBORHOODS IN AN AMOUNT UP TO \$2 MILLION FOR SITE PREPARATION WORK AT CITY OF OAKLAND OWNED AND/OR LEASED PARCELS THE CITY DESIGNATES FOR HOMELESS INTERVENTION PROGRAMS FOR A TERM OF JUNE 1, 2021 THROUGH JUNE 30, 2022;

WAIVE THE COMPETITIVE REQUEST FOR PROPOSAL (RFP) PROCESS AND ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH TINY LOGIC, LLC, IN AN AMOUNT UP TO \$350,000 FOR THE SUPPORT AND MANGEMENT OF A CO-GOVERENED INTERIM INTERVENTION, LOCATION TO BE DETERMINED, FOR A TERM OF MARCH 1, 2021 THROUGH JUNE 30, 2022;

ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH A PROVIDER SELECTED THROUGH A REQUEST FOR QUOTATIONS (RFQ) PROCESS, BUILDING OPPORTUNITIES FOR SELF SUFFICIENCY (BOSS), FOR THE OPERATION OF A SAFE RECREATIONAL VEHICLE (RV) PARKING SITE AT THE CITY-LEASED PROPERTY AT 2201 AND 2601 WOOD STREET IN AN AMOUNT UP TO \$1.2 MILLION FOR A TERM OF JULY 1, 2021 THROUGH JUNE 30, 2022;

ENTER INTO A GRANT AGREEMENT WITH HOUSING CONSORTIUM OF THE EAST BAY (HCEB) IN AN AMOUNT UP TO \$1.5 MILLION FOR SERVICES AND OPERATION OF AN INTERIM HOUSING SITE AT THE CITY OWNED PARCEL ON EAST 12TH ST AND 2ND AVENUE FOR A GRANT TERM OF JULY 1, 2021 THROUGH JUNE 30, 2022;

CONTINUE WORK ON LICENSE AND/OR LEASE AGREEMENTS, AS APPROPRIATE, TO ESTABLISH SITES, AS IDENTIFIED HERE IN, FOR HOMELESS INTERVENTION PROGRAMS;

CONTINUE NEGOTIATIONS WITH PROVIDERS TO OPERATE HOMELESS INTERVENTION PROGRAMS ON THE SITES IDENTIFIED HEREIN; AND

(2) DIRECTING THE CITY ADMINISTRATION TO:

- 1. WORK WITH THE COUNCIL TO STRONGLY PURSUE FUNDING TO DEVELOP SITES FOR HOMELESS INTERVENTION EFFORTS, INCLUDING WITH COUNTY, STATE, AND FEDERAL PARTNERS, AND FOR FUNDING FOR FISCAL YEAR 2021-2022, THE SECOND - FISCAL YEAR 2022-2023 AND BEYOND FOR EXISTING SITES AND NEW SITES IDENTIFIED; AND**
- 2. TO REVIEW AND REPORT BACK TO COUNCIL WITH ACTION TO REGULATE AND PERMIT RECREATIONAL VEHICLE (RV) PARKS IN OAKLAND, WITH SPECIFIC REQUIREMENTS;**
- 3. BRING FORWARD ANY OTHER SITES THAT STAFF WISH TO RECOMMEND FOR COUNCIL CONSIDERATION WITH SUGGESTED HOMELESSNESS INTERVENTION SOLUTIONS FOR SUCH SITES; AND,**
- 4. REPORT BACK TO COUNCIL ON COSTING, OPTIONS, AND NEEDS TO OPEN SLIDING SCALE RECREATIONAL VEHICLE OR VEHICLE CAMPGROUNDS WITH SANITATION.**

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

WHEREAS, the City recognizes the need for varied interventions to address the needs of homeless residents, including but not limited to emergency beds, co-governed sites, recreational vehicle (RV) safe parking, hotel rooms, and modular housing; and

WHEREAS, the City Council has been asked to identify a site in every Council district for a homelessness intervention; and

WHEREAS, City staff have evaluated City-owned, other publicly-owned and privately owned in each Council District for use as emergency homelessness interventions and are continuing this evaluation; and

WHEREAS, Oakland Municipal Code (“OMC”) section 2.04.050.I.5 provides that the Council may waive advertising and competitive bidding requirements for construction contracts upon a finding that it is in the City’s best interests to do so; and

WHEREAS, the City Administrator recommends waiving advertising and the competitive bid requirements for a construction contract for site preparation/improvements at City of Oakland – owned and/or leased parcels designated for homeless interventions programs, and recommends the City negotiate and enter into an as-needed construction contract with Sustainable Urban Neighborhoods to perform such improvements for a term of June 1, 2021 through June 30, 2022 in an amount up to two million dollars (\$2,000,000); and

WHEREAS, Sustainable Urban Neighborhoods has done similar site preparation and improvements work for the City for over three years, is familiar with City construction programs, policies and procedures, therefore, waiver of competitive bidding requirements and authorizing negotiations with this licensed contractor will maintain continuity and expedite the City’s establishment of additional intervention sites; and

WHEREAS, Oakland Municipal Code (“OMC”) section 2.04.051.B provides that the Council may waive advertising and request for proposal (RFP) processes for professional services contracts upon a finding that it is in the City’s best interests to do so; and

WHEREAS, the City Administrator recommends waiving advertising and the RFP process for a professional services agreement with Tiny Logic, LLC, for the support and management of a co-governed interim intervention, location to be determined, for a term of March 1, 2021 through June 30, 2022 in an amount up to three hundred thousand dollars (\$350,000); and

WHEREAS, Tiny Logic has experience at another site in Oakland providing the types of services needed for operation of a co-governed unsheltered community program, it is essential that the provider selected has the trust and confidence of members of the unsheltered community formerly residing at Union Point Park, and members of the unsheltered community formerly at Union Point Park have identified Tiny Logic as a preferred provider; and

WHEREAS, the City Administrator has determined that the proposed agreements with Tiny Logic, LLC and BOSS are of a professional, scientific or technical and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive service; and

WHEREAS, on July 19, 2016, City Council adopted Ordinance No. 13382 C.M.S. approving the terms of a Development and Disposition Agreement for the City-Owned property at East 12th Street and 2nd Avenue with UrbanCore Development, LLC. and an affiliate of East Bay Asian Local Development Corporation (EBALDC) for the development of a housing project (named “LakeHouse Commons”) to consist of 361 residential units of which 108 units (30 percent of the total) are to be below market/rent-restricted; and

WHEREAS, the City does not own property in every Council district that is both well suited and available for homeless interventions and, therefore, it may be necessary in some cases for the City to lease other public or privately-owned property for this use; and

WHEREAS, the City Administrator has authority under Section 2.41.050 of the Oakland Municipal Code to enter into leases of private property when the total consideration does not exceed \$100,000 for the lease term; and

WHEREAS, on November 16, 2020 the City entered into a lease agreement for total consideration of no more than \$100,000 with Game Changer (San Francisco), LLC for private property located at 2201 and 2601 Wood Street to establish a safe RV parking site; and

WHEREAS, on July 1, 2020 the City issued a Request for Qualifications (RFQ) to solicit providers for homeless services and Building Opportunities for Self Sufficiency (BOSS) responded and was selected as a qualified provider to implement an interim homelessness intervention program; and

WHEREAS, staff intends to negotiate additional license and/or lease agreements with interim homeless intervention providers on certain properties owned by the City, or owned by other agencies or private parties and leased by the City; and

WHEREAS, once negotiated, City Council will have the opportunity to approve, and make any necessary findings for, such leases and/or licenses that are not within the City Administrator's delegated authority pursuant to OMC 2.42.100.C; and

WHEREAS, funds for these new homelessness interventions programs in an amount up to \$3.9 million have been identified from the State Homeless Housing And Assistance Program (HHAP), due to programs which were not fully implemented in FY 20-21, and these funds are in Fund (2159), Community Housing Services Org (78411), Project (1005248), Fostering Safe and Healthy Communities Program (SC22); and

WHEREAS, on December 15, 2020 Council adopted Resolution No. 88245 C.M.S which included HHAP funding for a program on Wood St in Attachment A of the staff report but did not authorize a specific provider; and

WHEREAS, Sustainable Urban Neighborhoods recommends that it subcontract with Pallet, dba, Pallet Shelter, to provide shelters for the sites in Districts 2 and 3 because their shelters have the option of electricity and can be easily sanitized; Pallet is a social purpose company on a mission to build equal opportunity access to housing and employment, and employs people who have experienced or are experiencing homelessness to design and construct highly durable shelters with privacy for people experiencing homelessness; and

WHEREAS, the City shall act expeditiously to implement homelessness strategies, programs and actions discussed hererin pursuant to Ordinance No. 13564 C.M.S., which, among other things, declared a shelter crisis in the City of Oakland upon findings that a significant number of persons have no ability to obtain shelter resulting in a health and safety threat to those persons; now, therefore, be it

RESOLVED: That, pursuant to OMC section 2.04.050.I.5 and based on the facts and City Administrator's recommendation above, the City Council finds that it is in the best interests of the City to waive advertising and competitive bidding requirements and authorize the City Administrator to negotiate and enter in an as needed construction contract with Sustainable Urban Neighborhoods for site preparation work at the City owned and/or leased parcels designated for homeless interventions for a term of June 1, 2021 through June 30, 2022 in an amount up to \$2 million (\$2,000,000) and so waives said requirements; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to negotiate and enter into an as needed construction contract with Sustainable Urban Neighborhoods for site preparation, improvements, materials and labor at City of Oakland-owned and/or leased parcels designated for homeless intervention programs for a term of June 1, 2021 through June 30, 2022 in an amount up to \$2 million (\$2,000,000); and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to negotiate and enter into an as needed construction contract with Sustainable Urban Neighborhoods for site preparation and improvements work at City of Oakland-owned and/or leased parcels designated for homeless intervention programs for a term of June 1, 2021 through June 30, 2022 in an amount up to \$2 million (\$2,000,000); and be it

FURTHER RESOLVED: That, pursuant to OMC section 2.04.051.B and based on the facts and City Administrator's recommendation above, the City Council finds that it is in the best interests of the City to waive advertising and RFP requirements for a professional services agreement with Tiny Logic, LLC, for support and management of a City-designated co-governed interim intervention, location to be determined, for a term of March 1, 2021 through June 30, 2022 in an amount up to three hundred thousand dollars (\$350,000), and so waives said requirements; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to enter into a professional services agreement with Tiny Logic, LLC, for the support and management of a co-governed interim intervention, location to be determined, for a term of March 1, 2021 through June 30, 2022 in an amount up to three hundred thousand dollars (\$350,000); and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to enter into a professional services agreement with a provider selected through a request for quotations process, Building Opportunities for Self Sufficiency (BOSS), for the operation of a safe recreational vehicle parking site at the city-leased property at 2201 and 2601 Wood Street for a term of July 1, 2021 through June 30, 2022 in an amount up to \$1.2 million (\$1,200,000); and be it

FURTHER RESOLVED: That the Wood Street Safe RV Parking program will be funded by HHAP funds other than the \$3.9 million identified above in Fund (2159), Community Housing Services Org (78411), Project (1005248), Fostering Safe and Healthy Communities Program (SC22); and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to enter into a grant agreement with Housing Consortium of the East Bay (HCEB) in an amount up to \$1.5 million (\$1,500,000) for services and operation of an interim housing site at the city owned parcel on east 12th Street and 2nd Avenue for a grant term of July 1, 2021 through June 30, 2022; and be it

FURTHER RESOLVED: That work will continue on a lease with BART for the use of three adjacent parcels, pending availability: 3924 Martin Luther King Way (APN# 12-969-29), 645 40th Street (APN# 12-969-30), and 40th Street (APN 12-969-41-2) for the express purpose of providing an interim homeless intervention; and be it

FURTHER RESOLVED: That work will continue on developing an interim homeless intervention on the Caltrans property at 3rd Street and Peralta Street (Portion of APN 18-380-3-5); and be it

FURTHER RESOLVED: That work will continue on lease and homeless intervention options on the City-owned parcel at East 12th Street and 23rd Avenue in District 5 in partnership with Lao Family Community Development; and be it

FURTHER RESOLVED: That work will continue to pursue homeless interventions and/or safe parking at the City-leased property at 2201 and 2601 Wood Street (APNs 7-581-10-3, 7-581-9-1 and 7-581-8-1) and/or, subject to environmental remediation, the City-owned property at 1707 Wood Street (APN 18-310-14); and be it

FURTHER RESOLVED: That work will continue to pursue a safe parking site in District 6 at private property at 71st Avenue and International Boulevard (APN 39-3310-33); and be it

FURTHER RESOLVED: That work will continue to pursue a safe parking site in District 5 at 4200 Alameda Avenue (APN 33-2203-4-4); and be it

FURTHER RESOLVED: That work will continue to pursue an interim homeless intervention in District 5 at the City-owned parcel at 3801 Alameda Avenue (APN 33-2250-18-8 and 33-2250-18-6); and be it

FURTHER RESOLVED: That work will continue to pursue the motel/hotel options provided by the District 4 Council Member, and to seek State of California HomeKey funds when available; and be it

FURTHER RESOLVED: That staff will strongly pursue funding to develop sites for homeless intervention efforts, including with County, State, and federal partners, and for funding for fiscal year 2021-2022, the second - Fiscal Year 2022-2023 and beyond for existing sites and new sites identified; and be it

FURTHER RESOLVED: That staff will review and report back to City Council with action to regulate and permit recreational vehicle parks in Oakland, with specific requirements; and be it

FURTHER RESOLVED: That staff will bring forward any other sites that staff wish to recommend for council consideration with suggested homelessness intervention solutions for such sites; and be it

FURTHER RESOLVED: That staff will report back to City Council on costing, options, and needs to open sliding scale RV or vehicle campgrounds with sanitation; and be it

FURTHER RESOLVED: That the City Administrator is authorized to conduct all negotiations; execute and submit all documents, including but not limited to applications, agreements, amendments, modifications, payment requests; and to take any other related actions consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That the aforementioned agreements shall be approved as to form and legality by the Office of the City Attorney and fully executed copies of same shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUN 01 2021

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, ~~WILLIAMS~~ AND
PRESIDENT FORTUNATO BAS - 7

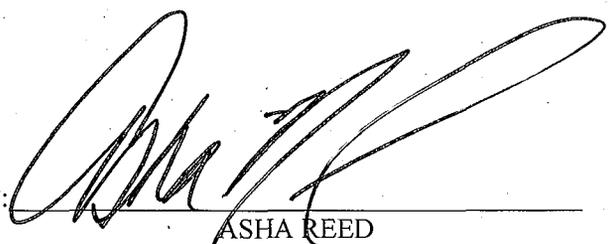
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - 1 (Mans)

ATTEST:



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