

2023 DEC 14 PM 5:05

FILED
OFFICE OF THE CITY CLERK
OAKLAND


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90057 C.M.S.

RESOLUTION

1. **AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE, AWARD AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT TO GRANICUS, LLC IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED AND ELEVEN DOLLARS (\$799,711) THAT INCLUDES ONE HUNDRED THIRTY-THREE THOUSAND TWO HUNDRED AND EIGHTY-FIVE DOLLARS (\$133,285) CONTINGENCY AMOUNT FOR A PERIOD OF APPROXIMATELY FIVE (5) YEARS FOR PROVIDING SHORT-TERM RESIDENTIAL RENTAL PROGRAM SERVICES AND A SOFTWARE SOLUTION SUPPORTING THE CITY'S PLANNED ADOPTION OF NEW REGULATIONS FOR THE RENTAL OF RESIDENTIAL DWELLING UNITS FOR PERIODS OF LESS THAN THIRTY (30) DAYS; AND**
2. **APPROPRIATING SEVEN HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED AND ELEVEN DOLLARS (\$799,711) FROM THE DEVELOPMENT SERVICES FUND (FUND 2415) BALANCE TO FINANCE THE CONTRACT AWARDED TO GRANICUS, LLC TO PROVIDE SHORT-TERM RESIDENTIAL RENTAL PROGRAM SERVICES AND A SOFTWARE SOLUTION; AND**
3. **MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS.**

WHEREAS, the City of Oakland (City) is in a housing crisis that includes rising costs, increased rent burden, displacement, and widespread demographic change, which are substantial concerns for individuals of all demographics, ages, and income groups in communities throughout the City, but especially for lower-income Black, Indigenous, and People of Color (BIPOC); and

WHEREAS, in the City there is a high housing demand and a concern about the potential adverse impacts of Short-Term Residential Rentals (STRR), rentals under thirty (30) days in duration, on long-term housing supply and availability, affordability, and other impacts on Oakland's neighborhoods; and

WHEREAS, the Planning & Building Department (PBD) currently receives complaints from City residents regarding STRR activity, which is currently not permitted in the City; and

WHEREAS, the City does not currently have access to much-needed economic analysis and baseline conditions data on the impact of STRRs on the supply, availability, and affordability of the City's long-term housing, particularly for BIPOC and lower income households; and

WHEREAS, the City seeks technical review from a party with knowledge of STRR best practices to finalize the draft STRR regulations; and

WHEREAS, the City seeks a STRR software solution that can be integrated with the City's Accela permit system to upload timely and accurate STRR activity and compliance data that will inform application review, licensing, and enforcement, and effectively monitor overall STRR activity that occurs within the city of Oakland; and

WHEREAS, the City currently collects Transient Occupancy Tax (TOT) from unpermitted Short-Term Residential Rental listings, but does not have the means to sufficiently verify that the appropriate amount of taxes are collected; and

WHEREAS, on July 12, 2016, City Council adopted Resolution No. 86298 C.M.S. requesting PBD to obtain sufficient stakeholder input and bring forward policy options to the City Council within six (6) months to regulate Short-Term Residential Rental Housing and Transient Residential Hosting Platforms; and

WHEREAS, the City's 2023-2031 Housing Element includes Action 3.2.7: Proactive Short-Term Rental Enforcement, which commits the City to securing additional data collection tools and beginning proactive enforcement against property owners who are operating STRRs in accessory dwelling units throughout the City in 2023; and

WHEREAS, on February 17, 2023, the California Department of Housing and Community Development (HCD) found Oakland's 2023-2031 Housing Element in full compliance with State Housing Element Law (Article 10.6 of the Government Code); and

WHEREAS, complying with program implementation timelines included in Oakland's 2023-2031 Housing Element is critical to maintain State HCD's Housing Element certification and eligibility for State affordable housing and transportation funding; and

WHEREAS, PBD released a Request for Proposals (RFP) to find a qualified vendor to provide STRR program services and a software solution; and

WHEREAS, after releasing the RFP on September 1, 2023, the City received three (3) responsive and qualified proposals on September 29, 2023, submitted by Avenu Insights & Analytics, LLC; Deckard Technologies, Inc; and Granicus, LLC in response to a competitive RFP process pursuant to OMC Section 2.04.051 for providing STRR professional program services and a software solution; and

WHEREAS, the City formed a selection committee for the STRR Program Services RFP, consisting of representatives from PBD's Strategic Planning Division and Building Bureau,

Department of Finance, Department of Race and Equity, and the Information and Technology Department; and

WHEREAS, after reviewing the proposals and conducting an evaluation process including presentation and interview, the selection committee identified Granicus, LLC as the team most qualified to serve as the STRR Program Services Vendor; and

WHEREAS, the City Administrator has determined that this contract is for services of a professional, scientific, or technical and temporary nature and will not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to negotiate and, if such negotiations are successful, award and execute a professional services agreement to Granicus, LLC in an amount not to exceed \$799,711 that includes \$133,285 contingency amount for a period of approximately five (5) years for providing Short-Term Residential Rental program services and a software solution; and be it

FURTHER RESOLVED: That the City Council authorizes appropriating \$799,711 from the Development Services Fund (2415) balance to finance the contract awarded to Granicus, LLC to provide Short-Term Residential Rental program services and a software solution for five (5) years; and be it

FURTHER RESOLVED: That prior to execution, the agreement shall be reviewed and approved by the City Attorney for form and legality and executed copies of the agreement shall be placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to said contracts consistent with the purposes of this resolution except for those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the City Council finds the preliminary actions of appropriating City funds and authorizing the City Administrator to enter contract negotiations are not decisions that commit the City to a definite course of action with respect to implementation of developed proposals and therefore are not subject to CEQA.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **DEC 19 2023**

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

NOES ~~φ~~

ABSENT ~~φ~~

ABSTENTION ~~φ~~

1 Excused-Reid

ATTEST: _____



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