

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2005 SEP 29 PM 2:29

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Department of Human Services
DATE: October 11, 2005

RE: **A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A SIX MONTH AGREEMENT IN THE AMOUNT OF \$326,000 WITH PHOENIX PROGRAMS, INC. TO OPERATE THE OAKLAND ARMY BASE TEMPORARY WINTER SHELTER (OABTWS), AND A SIX MONTH LEASE FOR \$1.00 WITH THE OAKLAND BASE REUSE AUTHORITY (OBRA) FOR USE OF BUILDING 740 AT THE ARMY BASE, AND ACCEPT AND APPROPRIATE FUNDS FROM ALAMEDA COUNTY (\$125,000) AND THE CITY OF BERKELEY (\$56,000) TO ESTABLISH AND OPERATE THE TEMPORARY WINTER SHELTER AT THE OAKLAND ARMY BASE**

SUMMARY

A resolution has been prepared authorizing the opening of the Oakland Army Base Temporary Winter Shelter (OABTWS) for the homeless for the 2005/2006 season. Approximate dates of operation will be from November 1, 2005 through April 30, 2006. The 100 bed shelter is established each winter to provide overflow shelter capacity for single adult male and single adult female homeless persons during the rainy season.

The OABTWS was first authorized in November 1999, and it has operated annually since that time. The shelter was established under the authority of Ordinance No. 12201 C. M. S., an emergency Ordinance declaring a shelter crisis, and suspending planning, zoning and other permit requirements for the temporary establishment of a winter shelter for the homeless at the Oakland Army Base. The Ordinance authorized the City Administrator to take the necessary actions to establish the winter shelter and also authorized the City Administrator to extend the duration of the shelter crisis and shelter operations at her discretion due to continuing need. The continuing need provision has been invoked each year since 1999 to extend the shelter crisis and authorize the operation of the shelter.

The Oakland Base Reuse Authority (OBRA) has partnered with the City of Oakland and the Department of Defense since 1999 to make a building available every winter for use as a homeless shelter. For 2005/2006, OBRA has agreed to lease the vacant building number 740, formerly used as a bowling alley, to the City for use as the temporary winter shelter. This is the same building that has been used in prior years, and it has proven to be a successful shelter site.

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A provision of the attached resolution authorizes entering into a six month lease for \$1 with OBRA for building 740.

The City of Oakland acts as the fiscal agent for the OABTWS. The OABTWS is funded jointly by the City of Oakland, Alameda County and the City of Berkeley. Oakland contributes \$100,000 in cash and the building itself (through OBRA). Alameda County contributes \$125,000 in cash. The City of Berkeley provides \$56,000 in cash, for a total of \$281,000 in cash. An additional \$45,000 is available in unspent fund balances from the 2004/2005 Winter Shelter appropriation, for a total of \$326,000 in cash. The accompanying resolution proposes City Council authorization to enter into an agreement with Phoenix Programs, Inc. in the amount of \$326,000 for operation of the shelter.

In addition to the cash resources noted above, the City of Berkeley contributes \$53,000 in shelter provider in-kind coordination and transportation in-kind resources (AC Transit and BART tickets). The total budget for the OABTWS, including cash and in-kind resources, is \$379,000.

Legislation authorizing the Oakland Army Base Temporary Winter Shelter has been agendized concurrently in each of the participating jurisdictions (Oakland City Council, Alameda County Board of Supervisors, and Berkeley City Council). The attached resolution authorizes Memoranda of Understanding with the City of Berkeley and Alameda County and a shelter operating agreement with Phoenix Programs, Inc.

FISCAL IMPACTS

The overall budget for the winter shelter at the Oakland Army Base is \$379,000. The City of Oakland will cover the costs of operations through the following sources:

1. The City of Oakland will contribute \$100,000 from the City's General Purpose Fund. The Winter Shelter allocation appears as a line item in the adopted 2005/2006 Policy Budget and is available in the General Fund, Winter Shelter Project. (Fund 1010, Organization 78111 – DHS Administrative Unit, Account 54912, Project G136740). In addition, funds from the 2004/2005 Winter Shelter Project are available in the amount of \$45,000 (Fund 2160, Organization 78111, Account 54919, Project G136780).
2. \$109,000 from the City of Berkeley (\$56,000 in cash to City of Oakland, and \$53,000 in non-cash, in-kind contributions). These in-kind contributions include an \$11,000 in-kind contribution for referral agency coordination, and a \$42,000 in-kind contribution for transportation (AC Transit and BART tickets) (MOU pending Berkeley City Council approval in October, 2005). City of Berkeley funds are available in Fund 1010, Organization 78111, Account 52921, Project G136740).
3. \$125,000 in cash from Alameda County (MOU pending Board of Supervisors approval in October, 2005) (Fund 2160, Organization 78111, Account 54919, Project G136780).

Funding for the winter shelter has been set aside in the approved policy budgets of both Alameda County and the City of Berkeley. In the unlikely event that any of the other jurisdictional partners are unable to participate in the joint agreement, the City of Oakland will operate the shelter for as long as possible, using only those funds which have been identified and available above.

The proposed shelter operating agreement with Phoenix Programs, Inc. may be subject to the City of Oakland's three percent contract compliance fee which would amount to \$9,780. Not imposing or disregarding the contract compliance assessment fee would have a negative impact on contract compliance revenues.

KEY ISSUES AND IMPACTS

The City of Oakland, in cooperation with the City of Berkeley and the County of Alameda, is again jointly sponsoring the temporary winter shelter at the Oakland Army Base from approximately November 1, 2005 through April 30, 2006. OBRA will again be responsible for cleaning and preparing the building for occupancy by November 1, 2004. Building 740 on the Oakland Army Base will be used for the temporary shelter. It is a suitable site for the shelter of single adult men and women. Some minor renovation was undertaken in past years for accessibility and some minor renovation will be added for the partitioned separation of the sleeping areas of the men from the women to accommodate needs for privacy.

The former bowling alley, building 740, is well lighted and spacious with rooms for eating, private counseling and a men's and women's restroom. The building does not have showers or laundry facilities. Portable showers will be leased, as will two handicapped accessible toilets. Food will be prepared off site and brought to the shelter once during the evening and once in the morning. No fewer than three staff persons will be present in the shelter on each of the two shifts. The shelter will open at 3:00 P.M. and close at 8:00 A.M. the following day. The shelter can accommodate up to 100 persons. Beds, games, tables, chairs, televisions and case management support will be provided by Phoenix Programs, Inc.

A declaration of shelter crisis was made by the City Administrator last year and will be enacted again this year in order to operate a winter shelter at the Oakland Army Base from approximately November 1, 2005 through April 30, 2006. The ordinance suspends planning, zoning and other permits and requirements for the temporary establishment of an emergency winter shelter. Upon a declaration of a shelter crisis, the provisions of any state or local regulatory statute, regulation or ordinance prescribing standards of housing, health, or safety, as applied to public facilities, shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis.

The proposed operator of the OABTWS is Phoenix Programs, Inc. Phoenix Programs, Inc. is a 501(c)3 private, non-profit corporation, registered in the State of California. Phoenix operated the winter shelter last year, and is well qualified to operate the OABTWS under the proposed contract. Phoenix currently operates 45 programs in California for homeless and special needs populations. Phoenix operates three crisis residential programs in Alameda County, including the Henry Robinson Multi-Service Center in Oakland, under contract with the City of Oakland. Phoenix Programs, Inc. has a respected track record in the operation of emergency and transitional housing and has a capable fiscal and operations infrastructure. Phoenix Programs has experience as a contractor with the City of Oakland, and is in full compliance with the Living Wage Ordinance, Equal Benefits Ordinance, and other requirements of the City's contracting process. Because Phoenix Programs has experience in operating the OABTWS, and because staff has not been able to find any other provider in the homeless services community to operate the shelter, staff recommends that the City Council find that it is in the best interest of the City to waive the requirement for competitive process for this contract.

There are thousands of persons living outdoors and in places not intended for habitation in Oakland who are homeless at any given time. The City has approximately 397 shelter beds to accommodate this population, with an additional 125 beds being funded during the cold winter months through the Winter Relief Program. Some of the persons who use the shelter are chronically homeless and have lived outside and unsheltered, or in homeless encampments, for some time. Others using the shelter are temporarily in transition from institutions or other residential circumstances. Others include the working homeless, who work during the day and sleep at the shelter at night. With a need so great and resources to meet the need for shelter so limited, an additional winter shelter is greatly needed.

The cold weather and rain of the winter months cause extreme hardship for those homeless persons who are unable to find shelter, and existing shelters must turn homeless persons away every day during the winter months. The establishment of this shelter will allow the most fragile of the homeless population in danger of death due to exposure to come in off the streets. It will also allow those in transition from institutions or other circumstances to have a temporary base from which to pursue self-sufficiency. It also gives the working homeless a secure place to stay within reasonable commute distance of employment districts.

SUSTAINABLE OPPORTUNITIES

Economic:

Programs and services for homeless and low-income persons, including the working homeless, provide a stable environment that permits them to more readily access employment opportunities.

Environmental:

The Oakland Army Base Winter Shelter provides an alternative place to sleep for residents of homeless encampments and mitigates the accompanying environmental degradation caused by the proliferation of litter, debris, human waste and other negative environmental impacts.

Social Equity:

The expenditure of City funds upon the most needy in the community provides for the most basic of human needs and assists the homeless to become reintegrated into society.

DISABILITY AND SENIOR CITIZEN ACCESS

Building 740 on the Oakland Army Base is accessible to persons with disabilities. Bathroom and shower facilities that are accessible will be leased for use during the operation of the shelter. Senior citizens are welcome at this temporary shelter. Comparable shelter and/or services can be provided for anyone for whom the building presents too great a challenge.

RECOMMENDATIONS AND RATIONALE

1. That the City Council authorize the Oakland Army Base Temporary Winter Shelter to open not earlier than November 1, 2005 and operate until not later than April 30, 2006.
2. That the City Council authorize the City Administrator to accept funds from the City of Berkeley and Alameda County in the amounts specified in this report and appropriate said funds for the purpose of funding the operation of the Oakland Army Base Temporary Winter Shelter.
3. That the City Council authorize the execution of Memoranda of Understanding with the City of Berkeley and Alameda County Housing and Community Development, a lease with OBRA, and an operating agreement with Phoenix Programs, Inc.
4. That the City Council authorize the City Administrator to accept and allocate 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.

ACTION REQUESTED OF THE CITY COUNCIL

Approve a resolution to operate a temporary winter shelter at the Oakland Army Base.

Respectfully submitted,



ANDREA YOUNGDAHL
Director, Department of Human Services

Reviewed by:
Susan R. Shelton , Acting Manager
Community Housing Services

Prepared by:
Michael K. Church
Program Analyst I

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:

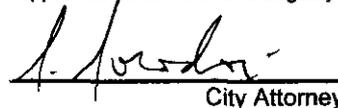


OFFICE OF THE CITY ADMINISTRATOR

2005 SEP 29 PM 2:30

OAKLAND CITY COUNCIL

Approved as to Form and Legality


City Attorney

RESOLUTION No. _____ C.M.S.

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A SIX MONTH AGREEMENT IN THE AMOUNT OF \$326,000 WITH PHOENIX PROGRAMS, INC. TO OPERATE THE OAKLAND ARMY BASE TEMPORARY WINTER SHELTER (OABTWS), AND A SIX MONTH LEASE FOR \$1.00 WITH THE OAKLAND BASE REUSE AUTHORITY (OBRA) FOR USE OF BUILDING 740 AT THE ARMY BASE, AND ACCEPT AND APPROPRIATE FUNDS FROM ALAMEDA COUNTY (\$125,000) AND THE CITY OF BERKELEY (\$56,000) TO ESTABLISH AND OPERATE THE TEMPORARY WINTER SHELTER AT THE OAKLAND ARMY BASE

WHEREAS, several 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 Base Reuse Authority (OBRA) 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, 2005 through April 30, 2006; 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 requesting funds from 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 Phoenix Programs, 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, and enter a 6 month lease for \$1.00 with the Oakland Base Reuse Authority for use of building 740 at the Oakland Army Base for the shelter, and enter an operating agreement with Phoenix Programs, Inc. to operate the shelter; and

WHEREAS, the City of Oakland Policy Budget for 2005/2006 allocated \$100,000 for the Army Base Winter Shelter; and such funds are available in Fund 1010, Organization 78111, Account 54912, Project G136740; and

WHEREAS, during the course of operation of the Army Base Winter Shelter other funding sources may be identified to contribute to the operation of the shelter; now, therefore, be it

RESOLVED, the City Council finds that it is in the best interests of the City to waive the requirement for the competitive process for the shelter operator contract; and, be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to enter into a lease with the Oakland Base Reuse Authority for use of building 740 at the Oakland Army Base for \$1, enter into an agreement with Phoenix Programs, Inc. for \$326,000, and accept and appropriate funding from the City of Berkeley and Alameda County Housing and Community Development Department, and allocate said funding to finance and operate a temporary emergency shelter at the Oakland Army Base from a date not earlier than November 1, 2005 through a date not later than April 30, 2006, and 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 in establishing and operating the shelter 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, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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