

ORDINANCE No. \_\_\_\_\_

12667

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
C.M.S.  
2005 APR 28 PM 8:00

*[Signature]*  
City Attorney

**AN ORDINANCE AUTHORIZING LEASE AGREEMENTS WITH EAST OAKLAND COMMUNITY PROJECT FOR THE FAMILIES IN TRANSITION/SCATTERED SITES PROPERTIES FROM JUNE 1, 2005 THROUGH FEBRUARY 28, 2006 AND THE MATILDA CLEVELAND TRANSITIONAL HOUSING PROPERTY FROM JUNE 1, 2005 THROUGH SEPTEMBER 30, 2006; AND AUTHORIZING THE CITY ADMINISTRATOR TO EXTEND SAID LEASES, OR ENTER INTO NEW LEASE AGREEMENTS WITH FUTURE TRANSITIONAL HOUSING PROVIDERS AS NECESSARY, FOR AS LONG AS HUD SUPPORTIVE HOUSING PROGRAM FUNDING REMAINS AVAILABLE WITHOUT RETURNING TO COUNCIL**

**WHEREAS**, in 1991 the City of Oakland began operating a scattered sites transitional housing program, Families In Transition/Scattered Sites Program, funded through the U.S. Department of Housing and Urban Development (HUD) Supportive Housing Program (SHP) grant and City Emergency Housing Program (EHP) funds; and

**WHEREAS**, the Families in Transition /Scattered Sites (FIT/SS) program consists of 9 unit (50 beds) of housing and support services for homeless families with children for up to 24 months; and

**WHEREAS**, in 1997, at the request of HUD, the City assumed control of the HUD SHP grant funded Matilda Cleveland Transitional Housing Program (MCTHP), a 14 unit, 44 bed facility serving single women and their children with housing and support services; and

**WHEREAS**, on December 20, 2004, East Oakland Community Project entered into agreements with the City to provide transitional housing, case management and support services for both the FIT/SS and MCTHP, as provided by Council Resolution No. 78637; and

**WHEREAS**, the City has entered into lease agreements with each successive non profit agency serving as the FIT/SS and MCTHP housing providers; and

**WHEREAS**, it is a condition of the HUD Supportive Housing Program grants that the recipients of SHP grant funding maintain appropriate agreements in effect that create the legal relationship between the parties participating in the grant; and

**WHEREAS**, it is in the City's interest to have the lease agreement run concurrently with the term of the FIT/SS and MCTHP program renewal grant funding periods; and

**WHEREAS**, the City wishes to enter into lease agreements with East Oakland Community Project., the current housing provider for the FIT/SS, for a term June 1, 2005 through February 28, 2006, and the current housing provider for the MCTHP, for a term June 1, 2005 through September 30, 2006, which run concurrent with the terms of the renewal grant funding allocated from HUD currently in effect; and

**WHEREAS**, the City desires, when necessary, to execute additional lease agreements with appropriate housing providers under the existing and renewal of these HUD Supportive Housing Program grants without returning to Council;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF OAKLAND DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. The City Administrator is hereby authorized and empowered to negotiate and enter into an appropriate lease agreements with East Oakland Community Project for the balance of the term of the FIT/SS grant program year, June 1, 2005 through February 28, 2006; and the term of the MCTHP program years June 1, 2005 through September 30, 2006.

SECTION 2. The City Administrator or her designee is hereby authorized to enter into and amend lease agreements with SHP providers as succeeding SHP renewal grants are awarded by HUD in future years.

SECTION 3. The City Administrator or her designees is authorized to conduct all negotiations, execute and submit all documents necessary for the effective implementation and execution of these lease agreements, including but not limited to amendments, modifications, reprogramming funds and related actions which may be necessary in accordance with the contract governing East Oakland Community Project's basic purpose under these grants.

SECTION 4. No lease payments are required from East Oakland Community Project during the term of these leases.

SECTION 5. The City Attorney shall review and approve all documents with respect to the lease and all other related documents as to form and legality prior to execution.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 07 2005, 20    


**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, ~~AND~~ PRESIDENT DE LA FUENTE ,  
*AND KERNIGHAN - 8*

NOES- *ϕ*

ABSENT- *ϕ*

ABSTENTION- *ϕ*

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