


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

(1) AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO (A) A DONATION AGREEMENT WITH THE CITY AND COUNTY OF SAN FRANCISCO TO ACCEPT BETWEEN 25 AND 60 HABITABLE TRAILERS, AND (B) DONATION AGREEMENTS TO DONATE UP TO 25 TRAILERS TO ONE OR MORE NONPROFIT ORGANIZATIONS DETERMINED BY THE CITY ADMINISTRATOR FOR USE AS SHELTER OR SERVICES FOR PEOPLE EXPERIENCING HOMELESSNESS IN THE CITY OF OAKLAND;

(2) MAKING FINDINGS THAT ACCEPTING THE TRAILERS AND DONATING UP TO 25 TRAILERS FOR SHELTER USE IS IN THE BEST INTERESTS OF THE CITY;

(3) WAIVING COMPETITIVE BIDDING REQUIREMENTS AND AWARDING A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT TO SUSTAINABLE URBAN NEIGHBORHOODS IN AN AMOUNT NOT TO EXCEED \$75,000 TO TOW AND INSTALL THE TRAILERS IN ONE OR MORE CITY SHELTER PROGRAMS; AND

(4) AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH HOUSING CONSORTIUM OF THE EAST BAY FOR THE HOMEBASE SAFE PARKING PROGRAM TO EXTEND THE TERM AN ADDITIONAL TWO YEARS THROUGH JUNE 30, 2026 AND INCREASE THE AMOUNT UP TO \$3,500,000, FOR A TOTAL AMOUNT NOT TO EXCEED \$5,035,000 IN STATE HOMELESS HOUSING ASSISTANCE AND PREVENTION FUNDS.

WHEREAS, the City acknowledges that it is facing a serious affordable housing crisis with thousands of residents living in unhoused or in substandard housing conditions; and

WHEREAS, the number of homeless persons in the City of Oakland continues to increase, with the latest 2022 point-in-time count of 5,055 individuals experiencing homelessness in Oakland, an increase of 984 individuals (+24%) from 2019, with the largest growth in people living in their RVs and cars; and

WHEREAS, this shelter crisis affects Oakland's citizens disproportionately with more African American, Latino and elderly individuals experiencing homelessness; and

WHEREAS, the long term and recent decreases in Federal and State funding for housing programs has resulted in an erosion of shelter options for the most vulnerable populations including the elderly, youth, victims of domestic violence, sexually exploited minors and persons suffering from mental illness, HIV/AIDS, substance abuse and disabilities; and

WHEREAS, the current number of homeless individuals in Oakland far outpaces the number of existing shelter beds, transitional housing or permanent supportive housing units available; and

WHEREAS, the shelter crisis exposes houseless and often disabled elders, individuals, and families to the risk of death, illness and injury due to disease, physical threats, exposure to weather and rodents, lack of adequate sanitation and debris services, as well as regular involuntary removal and disposal of personal belonging, forced migration to other parts of the City or outside of the City, and extreme emotional trauma and other conditions that are detrimental to their health and safety; and

WHEREAS, unauthorized homeless encampments continue to proliferate across Oakland, within the public right of way, thus exposing homeless individuals to traffic hazards, increased vulnerability to crime, risk of death and injury, exposure to weather, lack of adequate sanitation and debris services and other conditions that are detrimental to their health and safety; and

WHEREAS, Oakland residents are being affected by the increasing number of unsheltered individuals with regard to traffic and pedestrian safety, lack of sanitation and debris services; and

WHEREAS, analysis and evidence has demonstrated that providing decent, safe and stable housing combined with crucial support services are two primary components of successful transition from homelessness to a safer and healthier way of living; and

WHEREAS, the City Council has found that urgent and expeditious efforts are necessary to develop additional shelter solutions that are safe and meet basic habitability standards, and that flexibility and broad-based approaches are essential to increase capacity, particularly given the funding and staff resources that have been committed; and

WHEREAS, the City and County of San Francisco has an excess of recreational vehicle trailers that they do not have space for and no longer have the resources to maintain, and such trailers must be removed by the end of March; and

WHEREAS, the City of Oakland intends to utilize at least 15 of these trailers at the HomeBase shelter program operated by Housing Consortium of the East Bay (HCEB); and

WHEREAS, HCEB operates the program through an existing professional services agreement in effect through June 30, 2024 in an amount not to exceed \$1,535,000 using State Homeless Housing, Assistance and Prevention (HHAP) funds; and

WHEREAS, the City intends to amend the professional services agreement with HCEB for the HomeBase shelter program to add the additional trailers and extend the term up to two years at \$1,750,000 per year using additional rounds of State HHAP funds; and

WHEREAS, the professional services agreement with HCEB includes a six-month review and termination clause if outcomes are not met; and

WHEREAS, funds are available in Fund 2244 to tow and install up to 60 trailers at the City's emergency shelter programs, including 15 trailers at the HomeBase site; and

WHEREAS, the Shelter Crisis Ordinance No. 13759 C.M.S. appropriated up to \$65,000,000 in future State HHAP funds for the City's shelter programs through Fiscal Year 25/26, and funds will be available for the extension of the Homebase shelter program professional services agreement in Fund 2159; and

WHEREAS, the City desires to enter into a professional services agreement and/or a construction contract with Sustainable Urban Neighborhoods, which has the ability to quickly tow the trailers from the City and County of San Francisco and install them in one or more City shelter programs; and

WHEREAS, Oakland Municipal Code section 2.04.050 allows the City Council to waive the requests for proposals/qualifications process upon a finding that it is the best interests of the City to do so; and

WHEREAS, staff recommends that waiving competitive bidding for the contract to tow the trailers is in the best interests of the City because the bidding process would cause Oakland to miss the deadline to remove the trailers from the City and County of San Francisco; and

WHEREAS, prior to executing the donation agreement to accept the trailers, the City Administrator will determine whether to expand another City shelter site depending on provider and space capacity; and

WHEREAS, the City of Oakland also has community partners that could utilize the remaining trailers to provide support services to Oakland residents experiencing homelessness; and

WHEREAS, the trailers have been examined, and they have been determined to be in good habitable condition; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator to enter into a donation agreement with the City and County of San Francisco to accept and tow between 25 and 60 habitable trailers to the City of Oakland, the number to be determined by the City Administrator taking into account capacity at City shelter programs and capacity at partner organizations; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to enter into donation agreements with one or more nonprofit organizations determined by the City Administrator to donate up to 25 trailers for use as shelter or service delivery to people experiencing homelessness in the City of Oakland; and be it

FURTHER RESOLVED: That accepting and towing 25 to 60 trailers and donating up to 25 of them for use as shelter or service delivery for people experiencing homelessness in the City of Oakland are in the best interest of the City; and be it

FURTHER RESOLVED: That funds are available in Measure Q - Parks & Recreation Preservation, Litter Reduction, and Homelessness Support Act Fund (2244), Community Housing Services Organization (78411), Measure Q Homeless Project (1005349), and Homeless Services & Support Program (NB41) to tow and install the trailers; and be it

FURTHER RESOLVED: That the City Council finds that waiving the competitive bidding requirements is in the best interest of the City and so waives such requirements and awards a professional services agreement and/or construction contract to Sustainable Urban Neighborhoods to tow and connect up to 60 trailers in City shelter programs in an amount not to exceed \$75,000 for one year; and be it

FURTHER RESOLVED: that funds will be available in Homeless Housing, Assistance and Prevention (2159), State of California, Community Housing Services Organization (78411), HHAP ROUND 4 Project (1006961), and Homeless Services & Support Program (NB41) to extend and amend the professional services agreement with Housing Consortium of the East Bay; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to amend the contract with Housing Consortium of the East Bay for the HomeBase shelter program to extend the term up to two additional years, through June 30, 2026, and to increase the amount up to \$3,500,000 (\$1,750,000 per year), for a total amount not to exceed \$5,035,000 in State HHAP funds for the entire term; and

FURTHER RESOLVED: That the City Administrator is authorized to complete all required negotiations and documentation necessary to execute and/or amend such contracts within the purposes of this Resolution, except for any increase in the contract amount, without returning to Council; and

FURTHER RESOLVED: That the City Attorney shall review and approve said contracts and amendments as to form and legality, and copies of the executed agreements shall be placed on file with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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