



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO NEGOTIATE AND ENTER INTO THE FOLLOWING ONE-YEAR PROFESSIONAL SERVICES AGREEMENTS FOR ANTI-DISPLACEMENT PROGRAM ACTIVITIES:**

- 1) **A ONE YEAR CONTRACT WITH CENTRO LEGAL DE LA RAZA (“CLR”) TO PROVIDE ANTI-DISPLACEMENT PROGRAM SERVICES TO LOW-INCOME TENANTS IN THE AMOUNT OF \$1,275,000 FROM AUGUST 1, 2020 THROUGH SEPTEMBER 30, 2021; AND**
- 2) **WAIVING THE COMPETITIVE PROCUREMENT PROCESS FOR FAIR CHANCE ACCESS TO HOUSING ORDINANCE OUTREACH SERVICES SO THAT THESE SERVICES MAY BE INCLUDED IN THE ONE YEAR CONTRACT WITH CLR; AND**
- 3) **A ONE YEAR CONTRACT WITH HOUSING AND ECONOMIC RIGHTS ADVOCATES (“HERA”) TO PROVIDE ANTI-DISPLACEMENT PROGRAM SERVICES TO LOW-INCOME HOMEOWNERS IN THE AMOUNT OF \$525,000 FROM OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021**

**WHEREAS**, the affordable housing crisis in Oakland has contributed to the problems of displacement and homelessness in the City and has been exponentially exacerbated by the COVID-19 global pandemic; and

**WHEREAS**, the 2019 Alameda County Homeless Point-In-Time count indicates that the City of Oakland has experienced a 47% increase in homelessness between 2017 and 2019 and that the homeless population is disproportionately African American; and

**WHEREAS**, the City of Oakland Race and Equity Indicators Report update from 20xx indicates that there is a disproportionate number of eviction notices being issued in largely African American neighborhoods; and

**WHEREAS**, the City has been operating an anti-displacement program called Oakland Housing Secure since October 2018 which has demonstrated success in

keeping Oakland tenants and homeowners housed through a combination of legal services and emergency financial assistance; and

**WHEREAS**, the City conducted a formal Request for Proposal (RFP) process commencing on February 28, 2020 in accordance with the City's contracting policies and procedures and included targeted direct outreach to legal service providers throughout the City and region; and

**WHEREAS**, on the RFP due date of April 24, 2020, CLR and HERA were the only respondents; and

**WHEREAS**, both the CLR and HERA proposals were compliant with all aspects of the RFP and provided a strong response in its description of the services to be delivered and the manner in which these services would meet the needs of the City to prevent displacement of low income tenants and low to moderate income homeowners; and

**WHEREAS**, pursuant to a thorough evaluation of the RFP response staff determined that each should be awarded a one-year contract for different service components that they have demonstrated experience in, as follows:

- CLR in the amount of \$1,275,000 for services to low-income tenants; and
- HERA in the amount of \$525,000 for services to low-income homeowners

; and

**WHEREAS**, the City Council adopted the Fair Chance Access to Housing Ordinance No. 135181, Code Chapter 8.25 ("Fair Chance Ordinance") on February 4, 2020 to remove barriers to housing for residents with criminal records and on June 23, 2020 adopted the 2020/21 midcycle budget that allocated State CARES Act funding in the amount of \$100,000 for Fair Chance Ordinance outreach; and

**WHEREAS**, ensuring that the public is aware of and exercising their rights under the Fair Chance Ordinance is an anti-displacement strategy and notifying formerly incarcerated people who are at high risk of homelessness and COVID-19 of their new rights to access of housing is an urgent, time-sensitive matter; and

**WHEREAS**, the City Council may waive the advertising and bidding requirement of the Oakland Municipal Code (OMC) under section 2.04.051 upon a finding that it is in the best interest to do so; and

**WHEREAS**, while the Fair Chance Ordinance outreach services were not contemplated in the aforementioned RFP, the City Administrator recommends that it is in the best interest of the City to waive the advertising, RFP, and competitive bidding process requirement to award \$100,000 for Fair Chance Ordinance outreach to be included in the CLR contract because CLR and HERA were the only respondents to the prior RFP, these services are appropriate for including in the CLR contract, and the requirement to expend State CARES Act funding which will pay for these services by December 30, 2020 warrants immediate action; and

**WHEREAS,** CLR is in agreement to include the Fair Chance Ordinance outreach activity within its scope of work in administering the OHS program and one of its partners, Just Cities, is extremely well suited to perform this outreach work; and

**WHEREAS,** this action is exempt from the California Environmental Quality Act (“CEQA”) under the following, each as a separate and independent basis, including but not limited to, the following: CEQA Guidelines: Section 15378 (regulatory actions), Section 15061(b)(3) (no significant environmental impact), and Section 15183 (actions consistent with the general plan and zoning); and

**WHEREAS,** sufficient funding is available to the City from Affordable Housing Trust Funds (Fund 1870) and from State CARES Act funding to fund these two contracts; now, therefore, be it

**RESOLVED:** That this action is exempt from the California Environmental Quality Act (“CEQA”) under the following, each as a separate and independent basis, including but not limited to, the following: CEQA Guidelines: Section 15378 (regulatory actions), Section 15061(b)(3) (no significant environmental impact); and be it

**RESOLVED:** That the City Administrator or designee is authorized to enter into a Contract with CLR for provision of anti-displacement services and outreach to low-income tenants, including Fair Chance Access to Housing outreach for a period from August 1, 2020 through September 30, 2021 at a contract amount not to exceed \$1,275,000, with funding in the amount of \$1,175,000 coming from the Affordable Housing Trust Fund (1870), Org. 89919, Project 1004815 and in the amount of \$100,000 coming from State CARES Action funding (2071), Org. 89919, Project 1005401; and be it

**FURTHER RESOLVED:** That the City Administrator or designee is authorized to enter into a Contract with HERA for provision of anti-displacement services and outreach to low-income homeowners for a period from October 1, 2020 through September 30, 2021 at a contract amount not to exceed \$525,000, with funding coming from the Affordable Housing Trust Fund (1870), Org. 89919, Project 1004815; and be it

**FURTHER RESOLVED:** That the City Council finds and determines that it is in the best interest of the City to waive further advertising, RFP, and competitive procurement requirements for the provision of Fair Chance Access to Housing Ordinance outreach services which will be included in the CLR contract, and therefore waives those requirements; and be it

**FURTHER RESOLVED:** That this action is exempt from the California Environmental Quality Act (“CEQA”) under the following, each as a separate and independent basis, including but not limited to, the following: CEQA Guidelines: Section 15378 (regulatory actions), Section 15061(b)(3) (no significant environmental impact), and Section 15183 (actions consistent with the general plan and zoning).

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES – FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
Acting City Clerk and Clerk of the Council  
of the City of Oakland, California