

AGENDA REPORT

TO: Edward D. Reiskin FROM: Sara Bedford

City Administrator Director, Human Services

SUBJECT: Informational Report on Interventions **DATE:** February 7, 2022

at E12th St and 3rd/Peralta

City Administrator Approval

Date:
Feb 18, 2022

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report On The Budgeted Funds Authorized For The Co-Governed Homeless Intervention Site At 3rd Street And Peralta Street And The Two Homeless Interventions At E 12th Street And 2nd Avenue, Including How Much The City Council Has Allocated, A Breakdown Of The Expenditures To Date Including, But Not Limited To: Expenditures For Site Preparation, Services, Supplies, Operations, And Other Costs Associated With Standing Up And Maintaining These Sites, And Detailing The Decision-Making Process Related To Site Expenditure Authorization and Tracking

EXECUTIVE SUMMARY

This report provides information on Council legislative history on authorizing funds and contracts for three homeless intervention sites:

3rd and Peralta, E 12th- Lake View Village, and E 12th Union Point Park. It also includes information on site budgets and how expenditures are tracked. This report also contains information about the costs of various types of homeless interventions.

BACKGROUND / LEGISLATIVE HISTORY

Legislative/Funding Background

March 22, 2021 Life Enrichment Committee Meeting

On March 22,2021 staff presented a report to the Life Enrichment Committee which, among other things, addressed the issue of using public lands in each Council district for homeless interventions.

In this report staff requested direction from City Council on which City-owned sites to prioritize for interventions in each Council District. Table 1 provided different options for the use of public land (emergency interim housing, semi-permanent use, and permanent use). Tables 2 and 3 provided estimates of one-time capital costs for various models based on past experience and noted that costs will vary substantially by site, by provider, by land conditions (e.g., contamination), and by structure used. It was also noted that critical elements impacting costs

include paving vs gravel, closeness of electrical and plumbing infrastructure to tie into the site, how level the lot is, the needs for fencing and lighting, etc. Attachment C of this report included a chart summarizing the average costs of different types of interventions.

This March 22, 2021 report also identified \$3.9 million in State HHAP funds that could be reprogrammed and used to start new interventions in FY 21-22. The source of these funds included:

- Re-program \$850,000 originally proposed for Lake Merritt Cabins
- \$900,000 already allocated in Council approved FY 2020-21 budget for co-governed site(s) but not yet implemented.
- \$2.2 million due to late starting programs (funding not approved by Council until Dec. 2020) in savings during FY 2020-21 in HHAP Round 1

This report and its attachments can be found in **Attachment A**.

May 4, 2021 City Council Meeting

On May 4, 2021 pursuant to direction from the March 22, 2021 Life Enrichment Committee, staff presented an informational report on progress towards identifying sites in each council district for homeless interventions including specific types of structures and models for services. Staff reported that while every Council District was actively exploring their options, no single District was ready for defined implementing legislation and that staff would return as specifics were defined in each District. This report is attached here as **Attachment B**. The Council heard and continued the item, directing staff to return with next steps and estimated costs to advance a number of potential interventions, including the East 12th St site at the Lake.

June 1, 2021 City Council Meeting

On June 1, 2021 the City Council authorized Resolution 88675 C.M.S., which authorized several agreements with providers to operate interim homelessness interventions on City owned or leased sites. In addition, it stated that staff would continue to work on developing interventions at several other sites around the City. The legislation authorized grant agreements, professional services agreements and license agreements for those sites and interventions which were ready to move forward at that time. These included:

- a grant agreement and a license agreement to Housing Consortium of the East Bay (HCEB) to use the East 12th Street and 2nd Avenue site to operate an interim homeless intervention for up to \$1,500,000 for a term of July 1, 2021 through June 30, 2022.
- a professional services agreement in an amount up to \$350,000 with Tiny Logic, LLC for the support and management of a City-designated co-governed interim intervention, for a term of July 1, 2021 through June 30, 2022, at a location to be determined. In consultation with the District 2 office and lacking an alternative site, the program was subsequently sited on the East 12th street parcel.
- a construction contract with Sustainable Urban Neighborhoods in an up to amount of \$2M to provide site preparation services (grading, electrical, plumbing, fencing, lighting and purchase pallet shelters) to stand up new homeless interventions in District 2 and District 3.
- Directing Sustainable Urban Neighborhoods to subcontract with Pallet Shelters as the structures for new interventions in District 2 and District 3.

The report further outlines that the \$3.9 million in State HHAP funds which had been identified would support the agreements with Sustainable Communities, HCEB, and Tiny Logic. The resolution and report is attached here as **Attachment C**.

At the time of the June 1 Council meeting, no funding was available to implement operating an intervention at 3rd and Peralta.

- In June 2021, in response to the urgency of addressing shelter options, staff recommended a strategy for implementing 3rd and Peralta intervention using existing funding. In consultation with District 2 Offices, which also conferred with District 3 Offices, staff proposed that funds initially allocated for site preparation at the East 12th site be applied to the site preparation needs of the 3rd and Peralta. The rationale was that no infrastructure (water, sewer) would be put in place at East 12th until after decisions were made regarding the Disposition and Development Agreement that existed on the site at that time. This decision would not be made until in February 2022 at the soonest, whereas, 3rd and Peralta was available to be leased and start construction as soon as Caltrans lease could be executed.
- In consultation with the Budget Office, Measure Q anticipated carry forward funds in the HSD budget were approved to make the 3rd and Peralta budget whole for a smaller number of pallet shelters (40) and no plumbed restroom facilities.

July 20, 2021 Council Meeting

Council adopted Resolution 88759 C.M.S., which authorized agreements needed to stand up and run an interim homeless intervention at the Caltrans property at 3rd Street and Peralta Street. This included:

- an amendment to add funds to the Sustainable Urban Neighborhoods contract for site preparation work at 3rd and Peralta.
- a new professional services agreement with Housing Consortium of the East Bay (HCEB) to support a co-governed site for 40 people at that location.

The accompanying staff report outlined the *estimated* costs of standing up and operating the 3rd and Peralta site and the two programs at East 12th St. That report and legislation is attached here as **Attachment D**. The report *estimated* the total costs for site preparations and one year of services/operations at the three sites would be approximately \$5.1 million. These estimates were based on past experience and prior to receiving final bids and budgets from the identified contractors. The use of estimated costs was necessitated by Council's impending recess that would have delayed the authorization of the site implementation until September 2021.

December 21, 2021 Special City Council Meeting

The Measure Q carryforward balance was discussed in the December 21, 2021 Council meeting as part of an item regarding state Homeless Housing, Assistance, and Prevention funds. Staff recommended that \$330,000 in Measure Q carryforward be used to install full utilities at the E 12th site and that \$100,000 in Measure Q carryforward be used for future PG&E bills at E 12th and 3rd/Peralta sites. The supplemental report from that meeting is attached here as **Attachment E**. The City Council took no action with regard to Measure Q funds for these sites at this meeting.

January 18, 2022 Council Meeting

Council adopted Resolution 88983 C.M.S. (**Attachment F**) which authorized using Measure Q carryforward for:

- A \$330,000 amendment to the Sustainable Urban Neighborhoods contract at E 12th to install full utilities.
- A set aside of \$100,000 in Measure Q carryforward for future PG&E bills at both the E 12th and 3rd/ Peralta sites.
- Funding a \$1,000,000 contract with Lao Family Community Services for workforce programming

This action left a balance of Measure Q carryforward funds of approximately \$900,000.

As stated above, in the July Council report, the estimated costs for the interventions at E12th and 3rd /Peralta totaled \$5,100,000. However, the *actual* costs (in executed contract budgets) for the three sites ended up being approximately \$4.9 million. This meant that approximately \$200,000 in Measure Q funds were not spent at these sites and is part of the Measure Q carryforward balance discussed above. The actual costs for these sites are below:

Table 1a- Actual Costs for Interventions at 3rd/Peralta

Vendor	Use at 3 rd and Peralta	Executed Contract Budget	
Sustainable Urban Neighborhoods	40 Pallet shelters	\$396,476.21	
	Site preparations including full electrical, water, sewer	\$472,301.75	
	Sub Total	\$868,477.96	
HCEB	PSA for co-governed site at 3rd/Peralta – 40 ppl	\$850,000 (\$21,250/bed)	
Total		\$1,718,477.96	

Table 1b-Actual Costs For Interventions at East 12th Street sites

Vendor		Executed Contract Budget
	75 Pallet shelters	\$729,220
Sustainable Urban	site preparation NOT including full electrical, water, sewer	\$802,302.04
Neighborhoods		
	Sub total	\$1,531,522.04
HCEB	PSA for site at E12th and 2 nd Ave-65 ppl	\$1,300,000 (\$20,000/bed)
Tiny Logic	PSA for co-governed site at E12th and 2 nd Ave - 15 ppl	\$350,000 (\$21,875/bed)
Total		\$3,181,522.04

Vendor		Authorized, not yet executed
Sustainable Urban Neighborhoods	Amendment for adding full utilities	\$330,000
City	Held for City to pay PG&E bills at E12th site and 3 rd /Peralta site	\$100,000

Decision Making Processes

Decision Making- 3rd and Peralta

- ➤ June 2021- HSD provided the D3 office with documents outlining the normal process to stand up an interim housing site (<u>Attachment G</u>)
- ➤ August 2021
 - District 3 Council office selected HCEB as site provider (HCEB) was an eligible vendor based on existing Request for Qualification list for service providers.
 - District 3 Council office selected Pallet Shelter as provider of structures as authorized by Resolution 88675 C.M.S.
 - District 3 Council office informed HSD they would be the lead in setting up this intervention including:
 - o Identifying which encampments would be in the invitation zone
 - o Specifying which people from the encampments would be invited into the site
 - Leading outreach to the unsheltered community
 - o Planning the co-governed model with the residents
- > August 2021-December 2022-
 - weekly planning meetings. Notes sent out weekly.

The chart below shows regular meeting participants and who received the weekly meeting notes.

Meeting Participants	Weekly planning notes distribution list
Darin Lounds, Executive Director, HCEB	Darin Lounds, Executive Director, HCEB
Mike Pyatok/Gary Struthers – Pyatok	Marichelle Alcantara, HCEB Director of
Architects*	Homeless Programs
Justin Tombolesi, D3 Staff	Justin Tombolesi, D3 Staff
Talia Rubin, Program Analyst III, Human	Councilmember Carol Fife, D3
Services Department	
Jim Moore, Sustainable Urban	Talia Rubin, Program Analyst III, Human
Neighborhoods*	Services Department
Marichelle Alcantara, HCEB Director of	Sara Bedford, Human Services Department
Homeless Programs and other HCEB staff	Director

Meeting Participants	Weekly planning notes distribution list
LaTonda Simmons, Assistant City Manager, Acting Homelessness Administrator; Amauri Collins, City Administrator's Office*	LaTonda Simmons, Assistant City Manager, Acting Homelessness Administrator
	Lara Tannenbaum, Manager, Community Homelessness Services

^{*}Attended as needed based on meeting topics.

- August 21, 2021 Contract with Sustainable Urban Neighborhoods executed by the City Administrator's Office in August 2021. (<u>Attachment H</u>). Day to day communication with the contractor was held by Human Services. Due to questions about construction contract oversight the scope, budget, and invoices for this contract were recently reviewed by a construction manager in the Public Works department who found that all costs were reasonable.
- > August 2021- December 2021
 - Site design process:
 - Placement of pallet shelters
 - Discussion of community tent/gathering space
 - Fencing
 - Discussion of desired elements at the site
 - Site plan -several versions created. Most recent version (<u>Attachment I</u>)
 agreed to by all parties. This plan included a location for a future yurt, as
 yet unfunded, carport, kitchen items (sink, work station to be purchased
 by HCEB) and location for future bathroom trailer as yet unfunded.
 - Outreach/engagement to future site residents original plan included both the encampment at 1707 Wood and the encampment at 34th and Elm, however outreach and engagement efforts throughout the fall focused solely on 34th and Elm as a priority for the D3 office.
 - O HCEB scope and budget discussed in planning meetings and written by HCEB and HSD. Although the Council had authorized a professional services agreement for up to \$850,000, the initial budget that was developed by the planning group was for only \$630,435 due to the site not starting until late in the year. The balance of funds were reserved for additional services or site improvements that the residents could request in the future, once the site was open and the co-governed decision making model was implemented.
- ➤ October 25, 2021 scope and budget sent to D3 office for review and feedback. E-mail was acknowledged. No feedback was provided. Contract began routing for signatures.
- ➤ December 14th, 2021- Councilmember Fife joined the planning team to discuss the issue of the electrical delays due to supply chain issues. Councilmember requested that the following items get added to the budget:
 - o generators so that the site could open immediately
 - o additional site security positions

HSD staff pulled the contract back from the routing process and changed the budget to add these items.

- The contract began routing again with the full \$850,000 included in the budget.
 The executed contract is included as **Attachment J**.
- o In the executed budget the line items in blue (housing navigator, site coordinator, flex funds, generators) are the ones which were changed/added as a result of the December 14th conversation.
- December 21, 2021- January 10, 2022- residents move in
 - Generators were put in place and the first 10 people moved into the site on December 21, 2021.
 - In the January 3, 2022 planning meeting the D3 office reported that a total of 12 people had moved into the site
 - In the January 10, 2022 planning meeting the D3 office reported that they had moved in another 21 people, bringing the total to 33 residents.
- February 2022- the District 3 Council office requested to modify the HCEB budget and use funding to add an ADU-like unit for the site with a bathroom (toilet, sink, shower) small kitchen and small meeting space. This will be the first purchase of this type that the city has made for its interim site, none of which currently have kitchens or plumbed bathrooms (except bathrooms at Wood St RV site.) Staff are assessing the viability of purchasing and installing this unit, including state approval and ADA access. HCEB has identified flexible funds in the budget that can potentially support the purchase.

Decision Making -E 12th and 2nd Ave -Lake View Village

- May 2021- June 2021
 - District 2 Council office selected HCEB as site provider (HCEB was an eligible vendor based on existing Request for Qualification list for service providers).
 - District 2 Council office selected Pallet Shelter as provider of structures, in consultation with staff, and as authorized by Resolution 88675 C.M.S.
 - District 2 Council staff created first draft of HCEB scope of work which was shared with HSD and HCEB to edit and finalize
- > June 2021-December 2022- weekly planning meetings. Notes sent out weekly.

Regular Meeting Participants	Weekly planning notes distribution list
Darin Lounds, Executive Director, HCEB	Darin Lounds, Executive Director, HCEB
Lia Salaverry Azul, D2	Lia Salaverry Azul, D2
Talia Rubin, Program Analyst III, Human	Lara Tannenbaum, Manager, Community
Services Department	Homelessness Services
Jim Moore, Urban Sustainable	Talia Rubin, Program Analyst III, Human
Neighborhoods*	Services Department
Marichelle Alcantara, Homeless Programs	Sara Bedford, Human Services Department
Manager, HCE	Director
Gary Struthers and Mike Paytok, Paytok	LaTonda Simmons, Assistant City Manager,
Architects *	Acting Homelessness Administrator
Kevin Cockerham, HCEB Site Manager	

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Regular Meeting Participants	Weekly planning notes distribution list
LaTonda Simmons, Assistant City Manager,	
Acting Homelessness Administrator; Amauri	
Collins, City Administrator's Office*	

^{*}Attended as needed based on meeting topics.

- ➤ June 2021- September 2021 Site design process:
 - Placement of pallet shelters
 - Discussion of community tent/gathering space
 - Site plan -several versions created. Most recent version (<u>Attachment K</u>) agreed to by all parties. This plan included a location for a future bathroom trailer.
 - Outreach/engagement to future site residents District 2 Council office sent the Homelessness Administrator's team a list of encampments they were requesting to prioritize for invitations into the new site at E 12th. Outreach to sites began in late July 2021. HSD staff, the City's contracted outreach teams, and HCEB staff outreached to the identified sites on a regular basis, held scheduled informational meetings, and collected a by-name-interest list from each site. HSD coordinated the move-in process.
- August 31, 2021 Contract with Sustainable Urban Neighborhoods executed by the City Administrator's Office (Attachment L). Day to day communication with the contractor was held by Human Services. Due to questions about construction contract oversight the scope, budget, and invoices for this contract were recently reviewed by a construction manager in the Public Works department who found that all costs were reasonable
- September 28, 2021- Contract executed with HCEB for services and operation of the site.(Attachment M)
- November 2021- site opens to residents.

Decision Making - E 12th- Union Point Park Community

- On October 21, 2020, the City of Oakland was served a Cease and Desist Order by the San Francisco Bay Conservation and Development Commission (BCDC)
- City Administration moved forward with steps to comply with the Order and scheduled Closure of Union Point Park for no later than February 12, 2021. An extension was granted for thirty additional days, and Closure was finalized for March 12, 2021.
- On March 2, 2021 the City's Homelessness Administrator received an Emergency Shelter Land Use Application (commonly referred to as Co-governed proposal) on behalf the Union Point Community)
- Pursuant to City Council direction, staff were instructed to proceed with implementation of the Co-Governed proposal. The proposal identified a cohort of 16 individuals and outlined the group's interest and ability to build out a functional organized space that will benefit the cohort and the broader community.
- ➤ During the week of March 8, 2021, the week of the mandated closure, it was apparent that the implementation of the co-governed proposal would require more time and the

Union Point Cohort was offered hotel/motel vouchers until such time that they could relocate to an alternative co-governed site, pursuant to Council direction.

- From March through May staff unsuccessfully explored several City owned parcels of land to find a location for this co-governed community. At the same time, the City owned East 12th remainder parcel was being explored as a site for an interim intervention and it was determined that the site was large enough to house both programs. Multiple programs are housed successfully at the City's Homebase site.
- > HSD staff recommended to place the UPP cohort at this site to resolve the impasse of finding an appropriate location for these individuals.
- ➤ On June 1, 2021 the City Council adopted Resolution No.88675 C.M.S. which authorized a construction contract to do site preparation and capital work on the East 12th remainder parcel for the two programs and authorized a professional services agreement with Tiny Logic to be the backbone support agency for the co-governed community.
- ➤ In late December, 2021 the City exercised its option to terminate the contract with Tiny Logic with 30 days notice and to amend the contract with HCEB to be the service provider at the Union Point Park site as well as the Lakeview Village site.

ANALYSIS AND POLICY ALTERNATIVES

All of the interventions discussed in this report contribute to the Citywide priorities of **holistic community safety** and **housing, economic, and cultural security**. The purpose of these interim program sites is to offer respite, stabilization, linkages to health and human services, and to assist individuals end their unsheltered status. The sites reduce the public health concerns for both unsheltered and housed neighbors and provide a cleaner and safer environment for all. These sites are effective and compassionate interventions focused on quickly increasing people's health, stability, dignity, and safety.

Spending To Date

Up-to-date invoices for the HCEB and Sustainable Urban Neighborhoods contracts were not available at the time of printing of this report but can be provided at a later date or in a supplemental report.

The Table below shows the invoices submitted thus far for the Sustainable Urban Neighborhoods contracts and the HCEB contracts

Contract	Contract amount	Invoiced and Paid through January 2022	Still expected to be invoiced through June 2022	Expected Balance on June 30, 2022
Sustainable Urban Neighborhoods 3 rd and Peralta	\$868,477.96	\$635,016.10	\$233,461.86	\$0
Sustainable Urban Neighborhoods -E 12 th and 2 nd Ave	\$1,531,522.04	1,357,405.46	\$174,116.58	\$0

Contract	Contract amount	Invoiced and Paid through January 2022	Still expected to be invoiced through June 2022	Expected Balance on June 30, 2022
Sustainable Urban Neighborhoods -E 12 th and 2 nd Ave-amendment	\$330,000	N/A- amendment not executed yet	\$330,000	\$0
HCEB- 3 rd and Peralta	\$850,000			
HCEB-E 12 th - Lakeview Village site*	\$1,300,000			
Tiny Logic- Union Point Park site*	\$350,000	\$112,000	\$232,000 balance being added to HCEB's contract to serve the entire site	

^{*}Tiny Logic contract ended January 23, 2022. The balance of funds transferred to HCEB to create a new budget which encompasses both sides of the E 12th site.

HCEB invoices monthly. Invoices are received by the project manager and must include all supporting documentation. The documentation is reviewed by the project manager for appropriateness and alignment with the budget and either submitted for payment or returned to the vendor for corrections or clarification. Agencies may request budget revisions (moving funds between budget lines) as needed throughout the year based on unanticipated costs increases or emergency needs, through April 30th. In the last quarter of the year, providers are asked to begin to project their spending through end of the year and any unexpended funds can be redirected to unmet needs in the program (through a budget revision) or unencumbered and become part of the City's carryforward process to use for other needs.

Recommendations

> Construction Management

Staff recognize that large amounts of public funding are going towards the site preparation costs related to standing up new interim housing sites. The Human Services Department does not have the construction expertise to oversee the day to day work in this area. HSD supports the movement of this oversight back to City Administrator's Office or other suitable department with expertise.

FISCAL IMPACT

This is an informational report and has no fiscal impact. Details about funds spent to date is in the analysis section above.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for the proposed policy action beyond the standard City Council agenda noticing procedures.

COORDINATION

Coordination has occurred between the Human Services Department (HSD), Homelessness Administrator, City Attorney's Office, Mayor's Office and Budget Bureau in the preparation of this report and legislation.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

N/A

SUSTAINABLE OPPORTUNITIES

Economic: As noted in the report, all funds proposed in this report are for the purpose of providing housing and services to prevent, address and end homelessness.

Environmental: The provision of housing and services for homeless persons is intended to address the environmental degradation caused by homeless families and individuals precariously housed or living on the streets.

Race & Equity: In Oakland, the drivers of homelessness fall most squarely on the backs of the African American community who, due to long standing structurally racist practices such as red lining and employment discrimination, are most vulnerable to losing their homes. According to the 2019 Point In Time count for Oakland, 70 percent of the population experiencing homelessness in Oakland identifies as Black or African American; however this demographic is only 24 percent of the general population. Ending homelessness in Oakland must be defined by what works for African Americans first and foremost in order to reduce the racial disparities. The drivers of homelessness include:

- Structural racism
- Insufficient controls on the rental housing market that create vulnerability and housing instability for tenants
- Insufficient housing units that are affordable to households with the lowest incomes, including particularly those whose incomes are below 20 percent of Area Median Income (AMI)
- Systematic barriers that often prevent residents who are returning home from incarceration from living with family members and/or accessing both public and private rental housing and employment opportunities
- Inadequate pay and benefits for many of the jobs that are available in the community, and insufficient access to quality employment opportunities that pay wages that meet the cost of housing

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Receive An Informational Report On The Budgeted Funds Authorized For The Co-Governed Homeless Intervention Site At 3rd Street And Peralta Street And The Two Homeless Interventions At E 12th Street And 2nd Avenue, Including How Much The City Council Has Allocated, A Breakdown Of The Expenditures To Date Including, But Not Limited To: Expenditures For Site Preparation, Services, Supplies, Operations, And Other Costs Associated With Standing Up And Maintaining These Sites, And Detailing The Decision-Making Process Related To Site Expenditure Authorization and Tracking

For questions regarding this report, please contact Lara Tannenbaum, Manager, Community Homelessness Services Division, at 510-238-6187.

Respectfully submitted,

SARA BEDFORD

Director, Human Services Department

Prepared by:

Lara Tannenbaum, Manager Community Homelessness Services

Attachments (13):

Attachment A: March 2021- LEC report -sites in each district

Attachment B: May 2021 council mtg-progress on sites

Attachment C: June 2021 council mtg-homeless interventions

Attachment D: July 2021 -3rd and Peralta legislation

Attachment E: Dec 2021 - Q carryforward- Supplemental Report Attachment F: January 18 2022 - Report and Resolution 88983

Attachment G: New Intervention- start up process - 6.18.21

Attachment H: SUN-3rd-peralta -Executed Contract Client Copy

Attachment I: revised - 3rd Peralta Site Plan R3.3

Attachment J: HCEB 3rd And Peralta PSA 21.22 fully executed

Attachment K: 12th Street Site Plan FINAL

Attachment L: SUN- E 12th Executed Client Contract

Attachment M: FY 21-22 HCEB-remainder Lakeview PSA Fully Executed