

Approved as to Form and Legality

*Lesley Castro*

City Attorney's Office

## OAKLAND CITY COUNCIL

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

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#### RESOLUTION:

- 1) **AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE UP TO SIX HUNDRED THOUSAND DOLLARS (\$600,000) IN PREPARE CALIFORNIA JUMPSTART PROGRAM FUNDS FROM THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CALOES) TO PROVIDE FEASIBILITY ASSESSMENTS TO ENCOURAGE THE LEGALIZATION OF ACCESSORY DWELLING UNITS**
- 2) **AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH QUALIFIED CONSULTANTS TO PROVIDE THE FEASIBILITY ASSESSMENTS**

**WHEREAS**, the 2021-22 State of California annual budget appropriated \$15 million to the California Governor's Office of Emergency Services (CalOES) for the purpose of establishing the Prepare California JumpStart competitive grant program (JumpStart) for local governments and nonprofits to pay for programs that increase community capacity and resilience in the face of natural disaster hazards; and

**WHEREAS**, City staff have identified unpermitted Accessory Dwelling Units (ADUs) as a form of housing especially vulnerable to earthquake-related shake and fire damage; and

**WHEREAS**, unpermitted ADUs that fail to meet modern health and safety standards may also pose an ongoing safety and health risk to their current inhabitants; and

**WHEREAS**, unpermitted ADUs are often used as homes for multigenerational families or are rented as lower-cost housing; and

**WHEREAS**, the 2020 "Existing Conditions and Barriers Report" on ADUs in Oakland estimated that there are between 7,500 and 13,600 unpermitted ADUs city-wide; and

**WHEREAS**, several state laws, including AB 3182, AB 68, AB 881, and SB 13, have together relaxed zoning standards to allow ADUs where they were previously prohibited; and

**WHEREAS**, on January 18<sup>th</sup>, 2022, the Oakland City Council adopted an ordinance (13677 C.M. S.) that adopted the latest version of state ADU law and established a five-year “amnesty” program for qualifying unpermitted ADUs, and

**WHEREAS**, a lack of reliable information about the cost and complexity of legalizing an unpermitted ADU is a common reason why homeowners decline to pursue legalization; and

**WHEREAS**, a program to provide free, no-obligation feasibility assessments for ADU legalization would encourage more homeowners to pursue such legalizations; and

**WHEREAS**, on February 28<sup>th</sup>, 2022, City staff submitted an application for \$600,000 in Prepare California JumpStart funds for the creation of such a legalization assessment program in qualifying neighborhoods; now, therefore, be it

**RESOLVED:** That the City Council authorizes the City Administrator to accept and appropriate up to six hundred thousand dollars (\$600,000) in grant funds from the Prepare California JumpStart Program to the California State Emergency Services Fund (2146), Housing Administration (Org 89919), and Residential Lending (Org 89939) for the purposes described in the grant application; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator or designee, without returning to Council, to contract with all qualified consultants on an over-the-counter basis to provide the ADU legalization feasibility assessment, provided that such consultants adhere to the terms and conditions of the JumpStart program; and be it

**FURTHER RESOLVED:** That prior to execution, all agreements shall be reviewed and approved as to form and legality by the City Attorney's Office and executed copies of each agreement shall be filed with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

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

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