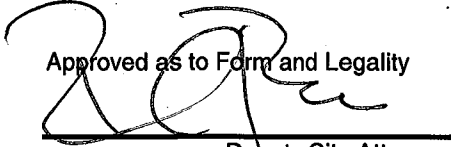


FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 MAY 13 AM 9:12

Approved as to Form and Legality

Deputy City Attorney

OAKLAND CITY COUNCIL

86208
RESOLUTION No. _____ C.M.S.

RESOLUTION: (1) AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH HELLO HOUSING FOR UP TO \$150,000 TO ADMINISTER THE COMMUNITY BUYING PROGRAM; (2) AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH HOUSING AND ECONOMIC RIGHTS ADVOCATES FOR UP TO \$100,000 TO PROVIDE LEGAL SERVICES TO OAKLAND RESIDENTS RELATED TO HOMEOWNERSHIP, FORECLOSURE PREVENTION, AND HOUSEHOLD ECONOMIC STABILITY; (3) WAIVING ADVERTISING, COMPETITIVE BIDDING, AND REQUEST FOR PROPOSALS/ QUALIFICATIONS COMPETITIVE SELECTION REQUIREMENTS FOR THESE AGREEMENTS; AND (4) ALLOCATING PROGRAM INCOME FROM THE COMMUNITY BUYING PROGRAM TO AFFORDABLE HOUSING ACTIVITIES

WHEREAS, the City of Oakland launched the Community Buying Program (CBP) in 2013 to transform vacant and abandoned residential properties into affordable housing with minimal public subsidy; and

WHEREAS, Hello Housing, a local nonprofit housing organization, was selected through a competitive request for partners solicitation process to act as administrator of the CBP; and

WHEREAS, since the launch of the CBP, Hello Housing, working closely with City staff and competitively selected developer partners, has coordinated the Tax-Defaulted Pilot Project with the Alameda County Tax Collector to transform abandoned, tax-defaulted properties into affordability-restricted rental and ownership housing; and

WHEREAS, Hello Housing's responsibilities as CBP administrator include coordinating with developer partners and the Alameda County Tax Collector's Office, developing a financing model and model documents for the Tax-Defaulted Pilot Project, providing technical assistance to the City in developing and implementing CBP strategies, and diagnosing and troubleshooting program challenges; and

WHEREAS, Housing and Economic Rights Advocates (HERA) provides free legal services to homeowners, homebuyers and borrowers that promote housing security by (1) preventing home loss and displacement through foreclosure and tax auction, and (2) helping borrowers and potential homebuyers ameliorate debt and credit issues that negatively impact the household's ability to rent or buy a home; and

WHEREAS, HERA and the City have had a successful partnership since 2012 to prevent Oakland homeowners from losing their homes to foreclosure and tax auction; and

WHEREAS, OMC Section 2.04.051 requires a competitive request for proposals or request for qualifications (RFP/RFQ) selection process for professional services contracts in excess of \$25,000; and

WHEREAS, OMC Sections 2.04.050.I.5 and 2.04.051.B permit the City Council to waive the advertising, competitive bidding and RFP/RFQ selection requirements upon a finding and determination by the City Council that it is in the best interests of the City to do so; and

WHEREAS, staff recommends that it is in the best interests of the City to waive the advertising, competitive bidding and RFP/RFQ selection requirements for the two agreements authorized hereunder for the following reasons: (1) specialized expertise is required to effectively provide these services; (2) the proposed contractors have been effectively providing these services to the City for several years; (3) the City's previous agreements with these contractors for the same services lapsed in recent months and were not immediately renewed only because the City was working on identifying new sources of funds to continue supporting these services; and (4) a significant break in these services would adversely impact the City's affordable housing activities and its ability to prevent foreclosure and home loss for current residents; and

WHEREAS, the City Council finds that the services provided pursuant to the agreements authorized hereunder are of a professional, scientific, or technical nature and are temporary in nature; and

WHEREAS, the City Council finds that these agreements shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That pursuant to OMC 2.04.050.I.5 and 2.04.051.B and for the reasons stated above, the City Council hereby finds and determines that it is in the best interests of the City to waive requirements pertaining to advertising, competitive bidding, and the RFP/RFQ selection process for the professional services agreements authorized hereunder; and be it

FURTHER RESOLVED: That the City Council hereby authorizes a professional services agreement with Hello Housing for up to \$150,000 to administer the City of Oakland's Community Buying Program from June 1, 2016 to June 30, 2017; and be it

FURTHER RESOLVED: That a new Project shall be established in Fund 2999 (Miscellaneous Grants), Organization 89939 (Municipal Lending) for the Community Buying Program and any funds deposited therein allocated for activities related to acquisition, development and

disposition of properties for affordable housing; and be it

FURTHER RESOLVED: That any program income generated from June 1, 2016 to June 30, 2018 from use of these funds shall be deposited and appropriated to Fund 2999 (Miscellaneous Grants), Organization 89939 (Municipal Lending) into the Community Buying Program project that will be established to continue funding such activities; and be it

FURTHER RESOLVED: That \$150,000 be moved from Fund 2999 (Miscellaneous Grants), Organization 89939 (Municipal Lending), Account 58311 (Loan Expenditures), Project G08760 (Neighborhood Housing Redevelopment), Program NB32 (Homeownership and Rehabilitation) to the new Community Buying Program project number be established to fund the professional services agreement with Hello Housing; and be it

FURTHER RESOLVED: That the City Council hereby authorizes a professional services agreement with Housing and Economic Rights Advocates for up to \$100,000 to provide free legal services to low- and moderate-income Oakland homeowners, homebuyers and borrowers from July 1, 2016 to June 30, 2017, to be funded from Fund 2108 (HUD-CDBG), Organization 89939 (Municipal Lending), Account 54912 (Third Party Grant Contracts), Project G08750 (Rehab Loan Program), Program NB32 (Homeownership and Rehabilitation); and be it

FURTHER RESOLVED: That prior to execution, all agreements and amendments thereto shall be reviewed and approved for form and legality by the Office of the City Attorney and a final copy shall be placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Administrator is authorized to take any actions with respect to the Community Buying Program and the agreements authorized herein consistent with this Resolution and its basic purposes.

= JUN 07 2016

IN COUNCIL, OAKLAND, CALIFORNIA, _____

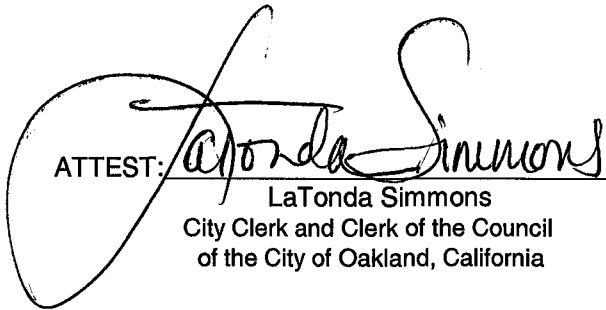
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~REID~~, AND PRESIDENT GIBSON MCELHANEY

NOES - \emptyset

ABSENT - 1 - REID

ABSTENTION - \emptyset

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California