

CITY OF OAKLAND

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AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Michele Byrd
Director, HCD

SUBJECT: Anti-Displacement Services Program

DATE: June 22, 2018

City Administrator Approval

Date:

7/3/18

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Negotiate And Enter Into A Services Agreement With Centro Legal De La Raza To Administer The Anti-Displacement Program And To Provide Related Services To Oakland Residents In The Amount Of \$2,200,000 From The Affordable Housing Fund (1870) For A Two-Year Term, And Waive The Request For Proposals Process.

EXECUTIVE SUMMARY

At the Community and Economic Development (CED) Committee Meeting on May 22, 2018, staff presented a status update on the funds designated for anti-displacement and homeless prevention services. The update presented the following information:

- Staff would be returning to the City Council with a scope of services and services agreement for an anti-displacement program before the Council's summer recess.
- The program would be designed along similar lines as Alameda County's Anti-Displacement Crisis Intervention Program, with additional components tailored to meet the specific needs of the City of Oakland.
- The City's anti-displacement program would be administered by Centro Legal de la Raza (CLR), the County's selected contractor, based on the County's procurement process.

This report presents a proposed scope of services for a City Anti-Displacement Program as described above.

BACKGROUND / LEGISLATIVE HISTORY

On June 27, 2017, the City Council adopted Ordinance No. 13446 C.M.S., which amended Chapter 15.62 of the Oakland Municipal Code to allow Affordable Housing Trust Funds to be used for anti-displacement and homeless prevention services.

In the Fiscal Year (FY) 2017-19 budget, the City Council approved an allocation of \$700,000 (FY 2017-18) and \$1.5 million (FY 2018-19) for anti-displacement services from the

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“Boomerang” funds (from funds distributed to the City under redevelopment dissolution laws) previously used for Affordable Housing and the First-Time Homebuyer Program.

Since that time, Housing and Community Development (HCD) staff engaged in discussions with the community regarding the development of a Request for Proposals (RFP) to select the provider of the anti-displacement services. A draft scope of services was developed at that time. During this same time-period, Alameda County developed and issued an RFP for the provision of anti-displacement services, referred to as the “Anti-Displacement Crisis Intervention Program.” The RFP was issued in August 2017 and on May 22, 2018, the Board of Supervisors approved a contract with CLR in the amount of \$3,500,000 for a three-year term. A further description of this RFP is described below.

At the May 22, 2018 CED Committee, staff presented an update on the status of the \$2,200,000 in funding designated for anti-displacement and homeless prevention services. The report noted that the City program would be designed along similar lines as the County’s Anti-Displacement Crisis Intervention Program, with additional components tailored to meet the specific needs of Oakland residents. The update also proposed that the City’s anti-displacement program be administered by CLR based on the County’s procurement process.

On June 26, 2018, staff presented the CED Committee with a proposal to extend the CLR grant agreement to fund the legal services it has been providing for the past five years to tenants in matters before the Rent Adjustment Program to ensure there is no lapse in service as CLR’s grant agreement terminates on June 30, 2018. These services include outreach, advice and counseling regarding the rent adjustment and tenant protection ordinances, and legal representation. These activities are one of the components in the anti-displacement services scope described in this report, and as such, would be folded into the new services agreement for anti-displacement services. Upon execution of the anti-displacement services agreement, the aforementioned grant agreement extension would terminate.

ANALYSIS AND POLICY ALTERNATIVES

On June 12, 2017, staff recommended allocation of Affordable Housing Trust Funds for anti-displacement and homeless prevention services presented a “safety net” of services to address these issues in a holistic and comprehensive manner and to fill gaps in the existing service delivery systems. The June 12, 2017 Agenda Report is included as **Attachment A**. The safety net components presented were:

1. Housing Counseling, Education and Outreach for Tenants.
2. Asian Language Legal and Counseling Services.
3. Legal Eviction Defense for Tenants.
4. Housing Counseling and Legal Services for Lower-Income Elderly and Disabled Homeowners.
5. Emergency Housing Assistance for Tenants.
6. Emergency Housing Assistance for Distressed Homeowners.

Four of these six components are also included in the County program, with the Housing Counseling, Education, and Outreach for Tenants and Asian Language Legal and Counseling Services, not included. Staff is recommending that the CLR contract scope of services be

comprised of these six safety net components, with the addition that the legal services for tenants also include assistance with the Rent Adjustment and Tenant Protection Ordinances.

Staff recommends that it is in the best interests of the City to waive the RFP process and award the services agreement for administration of the anti-displacement program to CLR. The pros and cons of conducting or waiving the RFP process are discussed below in the "Alternatives" sub-section.

The Alameda County Anti-Displacement Crisis Intervention Program

The Alameda County Anti-Displacement Crisis Intervention Program is aimed at addressing the growing need of those at imminent risk of losing their housing. County staff researched intervention strategies being used nationally and solicited input from the public, which informed their program design. The program has a two-fold approach:

- 1) Expanded access to legal assistance to prevent evictions and foreclosures; and
- 2) Emergency short-term housing-related financial assistance for those clients for whom this assistance will be critical to their retention of housing.

The County issued an RFP in August 2017 and received two submissions: one from CLR and one from Housing and Economic Rights Advocates (HERA). The proposals were reviewed by a County Selection Committee (CSC), and interviews were held with each submitter. Based on the interviews and a scoring process, the CSC selected CLR as program administrator. On November 14, 2017, the recommendation was reviewed and approved by the Alameda County Housing and Community Development Advisory Committee. On May 22, 2018, the Board of Supervisors approved a contract with CLR to administer the program, together with a group of subcontracted services agencies. These agencies are anticipated to be: Bay Area Legal Aid, East Bay Community Law Center (EBCLC), The Eviction Defense Center, and HERA.

The contract amount is \$3,500,000 for a three-year period. It provides for a three-month program development phase for the creation of program materials, to include a description of services offered, client eligibility criteria, intake and referral procedures, a marketing plan, data collection and reporting procedures, and financial assistance guidelines, as well as the forms to be utilized in the program. Marketing and program materials will be developed in multiple languages.

The program delivery period is set for two years, with the remaining third year devoted to program evaluation, data collection and analysis, and preparation of a final report focused on best practices and data. In addition, CLR will provide data on the demographics of people they will serve and the nature of their issues, as well as outcome data on all individuals served at the 12-month and 18-month marks.

In addition, during the first 12 months of the contract, CLR will be developing software that will allow all the legal services providers to provide cross-agency referrals for those individuals who contact them but whom they cannot assist. Called the Peer-to-Peer Online Referral System (P2P), this software will enable the parties to seamlessly make these referrals connecting people with housing-related services in the County, to the best help available, regardless of the agency they contact. Referred to as the "no wrong door" approach, this advancement will

expedite the provision of services to clients, and reduce the challenges individuals in need of assistance face as they search for help during a time of duress.

City staff have been informed that approximately 65% of the County program activity will be delivered to Oakland residents. The proposed City program described below will be additive to this and will not supplant the County's delivery of services to Oakland residents.

The proposed program would be administered by CLR and carried out in partnership with several service agencies currently engaged in these same service activities in Oakland. **Table 1** lists these agencies and their roles.

Table 1. Partnering Agencies and Their Roles

Agency	Roles
CLR	Legal assistance to tenants; Emergency financial assistance to tenants; Program administration (data collection/analysis, reporting, invoicing)
EBCLC	Legal assistance to tenants; Emergency financial assistance to tenants
HERA	Legal assistance to homeowners; Emergency financial assistance to homeowners
Causa Justa: Just Cause (CJJC)	Housing counseling, education and outreach for tenants
To Be Determined ¹	Asian language services

The City's anti-displacement program is aligned with the County program and approved CLR contract, however there are a few differences between the two approaches:

- 1. Not included in City's June 12, 2017 safety net plan and anti-displacement program proposed scope, but in County program:**
 - a. Housing Stabilization Strategies
- 2. Not included in the County program, but proposed for City program:**
 - a. Outreach, education, and housing counseling
 - b. Asian language legal and counseling services
 - c. Legal services that specifically address Oakland's Rent Adjustment and Tenant Protection Ordinances

The proposed scope of services staff has negotiated with CLR includes all the County components, plus the three listed above (2a, 2b, and 2c), and the development of Oakland-specific program materials and marketing as needed. Staff will also develop programmatic and outcome goals specific to Oakland for incorporation into the contract.

City staff will be working closely with CLR and their partners to ensure that the marketing, outreach, service delivery, data collection and analysis promote equity. Toward that end, they will target those individuals and groups in greatest need of these services, paying close attention to the fact that a disproportionate number of African American Oakland residents are

¹ CLR is consulting with Asian Pacific Environmental Network (APEN) to identify the best provider for this service.

experiencing displacement and homelessness. Data will be a key element in establishing outcome metrics which will be measured on a quarterly basis and from which program design modifications may be made if goals are not being met.

There are two advantages of aligning the City program with the County's program which include:

1. Oakland residents will experience a single, seamless program that has funding from multiple sources increasing the number of residents who can be served and eliminating potential confusion regarding which program to seek services from; and
2. The City can leverage two significant administrative elements that the County is funding and thus the City will not need to fund: a) program guidelines and materials², and b) the P2P software.

Additional City of Oakland Anti-Displacement and Homeless Prevention Activities

To complement the anti-displacement scope of services proposed for CLR and their partnering agencies, HCD is carrying out the following two CDBG-funded program activities:

- 1) ***CDBG-Funded Housing Related Services:*** Pursuant to a two-year contract with EBCLC and CLR and CJJC as subcontractors, this program reaches 218 low income Oakland tenants and provides services such as basic legal information, referrals, and/or limited-scope assistance in response to a variety of housing-related problems. This contract runs through FY 2018-19. As the anti-displacement services program described herein are implemented and up and running, staff will consider the potential to more fully fold this component into that program with future CDBG funding once this contract terminates.
- 2) ***Housing Resource Center (HRC) Services:*** HRC staff provide direct assistance to residents with housing issues, as well as referrals and assistance in identifying and successfully obtaining emergency financial assistance. To date, the HRC has assisted over 100 households in accessing non-profit and other financial resources to address emergency needs.

Additionally, staff is proposing that the City Council direct \$186,134 in CDBG funding for the FY 2018-19 fiscal year so that HRC staff can continue to expand this work by providing City-funded emergency financial assistance that enables low income residents to remain in their homes. The request for City Council approval of this allocation is part of the City's 2018-19 Annual Action Plan and will be presented to the CED Committee on July 17, 2018. Staff will ensure that this activity is aligned and coordinated with the emergency financial assistance component of the proposed anti-displacement program administered by CLR. The goal will be to create a complementary program element that:

- Builds on the success of the HRC to date.

² The City's Housing and Community Development (HCD) staff have requested that the County allow the City to review the program design and materials developed under the County contract to provide Oakland-specific feedback and further, to inform the development of Oakland-specific program components.

- Creates a comprehensive and holistic approach to meeting residents' needs.
- Increases the number of residents served.

Attachment B displays the proposed anti-displacement program components with the proposed budget amounts and adds additional columns presenting the funding streams being deployed, or expected to be deployed, in Oakland to address anti-displacement.

Alternatives

The City could choose to issue its own RFP or Request for Qualifications (RFQ). The timing for completing this process is estimated at no less than 120 days. Staff has identified the following pro's and con's related to this alternative:

Pro's

- An RFP/RFQ process will enable new groups to apply to administer this program and deliver services.
- An RFP/RFQ process will enable any one of the partnering agencies to position themselves as the lead agency to administer this program.

Con's

- The City would be unable to leverage the County's funding of program design and the online referral software platform (P2P) without dovetailing with the County program.
- Oakland residents seeking services would not experience a uniform and seamless approach to receiving these critical services if the City doesn't align its program with the County program.
- The universe of locally-based experienced legal services providers is limited and it is unlikely that a new group will surface who can match the service and experience of CLR and its partners.
- The 120-day period to select a contractor through this process will delay the deployment of City funding during a time of crisis.

FISCAL IMPACT

This proposed resolution authorizes the expenditure of \$2,200,000 from the Affordable Housing Trust Fund (1870) to deliver anti-displacement services in accordance with Ordinance No.13446 C.M.S. (**Attachment C**). These funds were appropriated in the FY 2017-19 Adopted Budget in the Affordable Housing Trust Fund (1870), Illegal Dumping Org (30674), DP300 Administrative Project (1000010) and Keep Oakland Beautiful Program (NB35). The funds will be transferred to the Housing and Community Development Department (DP890) to support this anti-displacement program.

PUBLIC OUTREACH / INTEREST

The preparation of the anti-displacement safety net identified as the scope of services for this proposed contract was developed with input from 20 different non-profit agencies as identified in the June 12, 2017 Agenda Report. The scope also reflects input from the Our Beloved Community Action Network pursuant to their May 22, 2018 memo to the CED Committee.

COORDINATION

HCD staff coordinated with the City Administrator's Office, the City Attorney's Office, and the Finance Department for the preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: The experience of facing displacement and/or homelessness, as well as the experience of homelessness presents severe negative impacts on the ability of residents to improve their employment and overall economic circumstances.

Environmental: Studies have demonstrated that the lack of affordable housing in job centers such as Oakland leads to longer commutes from more affordable areas creating an environmental impact resulting from carbon emission-producing cars, rather than being able to utilize local public transport and other less polluting commutes.

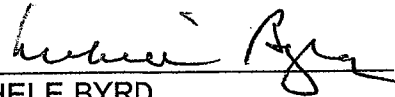
Social Equity: Demographic data evidences that Oakland's housing crisis has disproportionately impacted Oakland's lower income residents and residents of color.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council adopt a resolution authorizing the City Administrator to negotiate and enter into a services agreement with Centro Legal de la Raza to administer the anti-displacement program and to provide related services to Oakland residents in the amount of \$2,200,000 from the Affordable Housing Trust Fund (1870) for a two-year term, and waive the Request for Proposal process.

For questions regarding this report, please contact Michele Byrd, Director of Housing and Community Development, at 510-238-6225.

Respectfully submitted,



MICHELE BYRD
Director, Housing and Community Development

Attachments (3):

- A: June 12, 2017 Agenda Report
- B: Anti-Displacement Program Components and Budgets Across Sources
- C: Ordinance No.13446 C.M.S

ATTACHMENT A

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AGENDA REPORT

TO: HONORABLE CITY COUNCIL

FROM: Councilmember Dan Kalb
Vice-mayor Annie Campbell Washington
Councilmember Desley Brooks
Councilmember Lynette Gibson McElhaney

SUBJECT: Anti-Displacement Services

DATE: June 8, 2017

RECOMMENDATION

We recommend that the Council adopt:

ORDINANCE AMENDING CHAPTER 15.62 OF THE OAKLAND MUNICIPAL CODE TO ALLOW AFFORDABLE HOUSING TRUST FUNDS FROM FUNDS DISTRIBUTED TO THE CITY UNDER REDEVELOPMENT DISSOLUTION LAWS TO BE USED FOR ANTI-DISPLACEMENT AND HOMELESS PREVENTION SERVICES

OUTCOME

The City Council's adoption of an ordinance amending the Affordable Housing Trust Fund rules, OMC Chapter 15.62, to include anti-displacement and homeless prevention services as allowable expenditures from the 25% setaside of redevelopment dissolution funds, otherwise known as the housing boomerang funds, would result in the following outcomes:

1. The provision of flexibility for the City Council to allocate housing boomerang funds for anti-displacement and homeless prevention services given that the City of Oakland is poised to have approximately \$200-250 million in new funds dedicated to affordable housing development from local bond measures and the new housing impact fee.
2. Should the City Council as part of its budget process for FY17-19 decide to allocate the non-personnel portion of housing boomerang funds, approximately \$2.2 million in FY17-18 and \$2.6 million in FY18-19, for anti-displacement services, it is estimated that those funds could help prevent the displacement and/or new homelessness of 5,000 low-income tenants and 300 low-income homeowners. Without an amendment to the Affordable Housing Trust Fund rules, such potential Council action would not be allowable under the current rules governing the Affordable

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Housing Trust Fund, codified in OMC Chapter 15.62. The current rules allow the use of these funds only to subsidize affordable housing development projects.

This Ordinance does not allocate funds for any services, it merely provides flexibility to the Council to do that in the future.

EXECUTIVE SUMMARY

The City of Oakland is confronting an unprecedented housing crisis that has contributed to severe displacement of long-time residents, particularly African Americans, and a growing homeless population. The City along with other governmental, community, faith, labor, nonprofit, and business partners have recently engaged in important measures to address the housing crisis, namely:

- Housing bond measures and the new housing impact fee that are estimated to provide about \$200-250 million over the next five years for affordable housing development.¹
- Alameda County's successful efforts to secure \$140 million of new state and federal resources focused on the chronically homeless in Alameda County.
- New tenant protection laws which strengthen the City's Rent Stabilization and Just Cause Eviction policies and provide for a new Tenant Protection Ordinance.

However, there are critical gaps that need to be addressed if Oakland is to be successful in preventing more displacement and homelessness. Legal service providers estimate that there are an estimated 2,500 Oakland tenants annually facing unlawful detainer, legal eviction, and court proceedings without legal representation. Alameda County data also reflect that there are several thousand low-income, elderly homeowners in Oakland who are at risk of losing their homes.²

With new resources for affordable housing development, the City Council has the opportunity to redeploy City funds normally used for the construction of new affordable housing, the setaside of 25% of redevelopment dissolution (housing boomerang) funds, to sufficiently invest in proven strategies that prevent displacement, homelessness, and human suffering. In order to do so, the Council will need to take two steps: (1) amend the Affordable Housing Trust Fund rules, OMC Chapter 15.62, to include anti-displacement and homeless prevention services as allowable expenditures for the housing boomerang funds; and (2) allocate the FY17-19 housing boomerang funds for anti-displacement and homeless prevention priorities. Council adoption of this report's recommendation will only enable the Council to take the first step of amending the Municipal Code. The second step of budget allocation for anti-displacement and homeless prevention services will need to occur through the Council FY17-19 budget process. ←

¹ Oakland has been designated \$54.8 million and has access to \$89.3 million more from the Alameda County Measure A1 Housing Bond funds. The City of Oakland's Measure KK funds will provide \$100 million for acquisition and rehabilitation for affordable housing. In addition, per City of Oakland staff reports, the City's new housing impact fee is estimated to generate \$6 million/year for affordable housing development.

² Dellums Institute for Social Justice, *Saving Homes Today*,

<https://static1.squarespace.com/static/55c573a9e4b014e7aace0627/t/5773455bb8a79be43f04745e/1467172192007/Updated.Saving+Homes+Today.pdf>

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BACKGROUND/LEGISLATIVE HISTORY

In the City of Oakland's recent poll of Oakland residents' budget priorities, residents identified addressing the housing crisis as their top priority. The concerns of Oakland residents are reflected in recent data. Oakland's homeless population has surged by 39% in two years, with median rents increasing by over 50% to close to \$3,000. Meanwhile, the median renter household income has remained flat at \$36,657 or even declined for Oakland's African American, Asian, and Latino populations. There are about 2,500 Oakland Unlawful Detainer, tenant eviction, cases filed annually³ with about 70% of tenants, 1,717, going without legal representation.⁴ In addition, many tenants are forced from their homes without going through a legal eviction proceeding. The City of Oakland's Rent Adjustment Program (RAP) reported receiving approximately 10,910 Notices of Eviction during 2013-14 and about 11,050 Notices of Eviction from January 1, 2015 through February 29, 2016.

} → *check*

Oakland's housing crisis is fundamentally a racial equity crisis with African Americans as the most impacted population. Oakland's African American population declined by 26% from 2000 to 2015, a loss of 36,559 residents. The homeless population is disproportionately African American--49% of the homeless population are African American while the African American population is only 26% of the overall Oakland population.

In addition, Oakland's escalating housing costs are pushing more people into homelessness. According to the 2017 Homeless Point-In-Time count and survey, 82% of respondents said they lived in Alameda County before becoming homeless and 50% had lived here for 10 years or more⁵. Recent reports and studies also document the severe impact on older adults, working families with children, formerly incarcerated residents, and students.

The City of Oakland's new tenant protection policies are resulting in an increase of tenants seeking help, which is why the City is increasing its staff for the Rent Adjustment Program.

Several years ago, the City of Oakland created a coordinated anti-displacement and homeless prevention safety net, by providing City funds, and leveraging private resources provided by local non-profit organizations. The anti-displacement safety net included the following integrated strategies:

- Outreach and housing counseling so that tenants know their rights and have access to legal and other resources.
- Legal services for tenants, including eviction defense representation.
- Emergency rental assistance funds to bridge unexpected economic hardship and prevent homelessness.
- Housing counseling and legal services for homeowners.

³ www.antievictionmap.com

⁴ Data analysis from East Bay Community Law Center based on 9.5 tenant attorneys providing free representation to low-income tenants throughout Alameda County.

⁵ <http://everyonehome.org/wp-content/uploads/2016/02/Homeless-Count-Notes-5-22-17-w-EdC-edits-1.pdf>

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- Emergency housing assistance funds for long-time, low-income, elderly homeowners to help them address a one-time economic hardship and sustain homeownership.

Service outcome data shows that the above strategies resulted in a 50-100% success rate at preventing displacement or homelessness. However, with federal and state funding reductions, there have been insufficient resources dedicated to these strategies. The City and other funders have funded about 26-30% of the documented tenant need. The East Bay Community Law Center estimates that there are about 1,717 Oakland tenants annually going through court eviction proceedings without legal representation. Causa Justa::Just Cause estimates that there are about 2,200 Oakland tenants annually unable to receive housing counseling assistance.

The following table lists the different strategies, outcomes, service gaps, funding needed, and potential outcomes from new City investments.

Table 1. Safety Net of Anti-Displacement and Homeless Prevention Services

Current Anti-Displacement Strategy & Outcome	City FY15-17 Funding	Resident Need/Gap	FY17-19 Request & Potential Outcome
1. Housing Counseling, Education & Outreach for Tenants Over 50% of cases successfully resolved through housing counseling, others referred to lawyers.	\$60-70,000/yr for 800 tenants	Service gap is ~2,200 tenants unserved. CJC receives assistance request from over 3,000 Oakland tenants when the City only funds services for 800 tenants.	1. \$180,000/year from City to serve 3,000 tenant families, which leverages \$120,000/yr private funds. 2. \$110,000/year for Asian language services. Estimated Cost: \$60/per family
2. Legal Eviction Defense for Tenants ~92% success rate in Unlawful Detainer (UD) defense	\$361,476/yr for fair housing, workshops, and legal eviction defense for about 735 tenants	Service gap is ~1,717 tenants unrepresented. There are only 9.5 tenant eviction defense lawyers for Alameda County. About 2,453 UD Oakland cases were filed in 2015. 70% of those cases did not have a lawyer. Research shows that legal defense increases the success rate by more than 10 times.	\$1.45 million/year to prevent evictions for ~2,500 tenants/yr. Leverages \$2.76 million/yr in non-City funds. Estimated Cost: \$2,453/per family for full legal representation
3. Housing Counseling & Legal Services for Lower-Income Elderly & Disabled Homeowners	\$100,000/yr for 150 homeowners	Census data shows that Oakland has over 9,000 elderly homeowners at risk of losing their homes.	Continue \$100,000/yr for 150 elderly, low-income homeowners

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Current Anti-Displacement Strategy & Outcome	City's FY 17-19 Funding	Resident Need/gap	FY17-19 Request & Potential Outcome
~70% success rate		Prior City funds were from blight penalties which are no longer collected.	Estimated Cost: \$667/per family
4. Emergency Rental Assistance	Previous private funds expended	The City led program of \$5,000/household stabilized families & prevented homelessness while permanent solutions were developed.	\$500,000-\$1.5 million for 100-300 tenants Estimated Cost: up to \$5,000/family
5. Emergency Housing Assistance for Distressed Homeowners	Previous private funds expended	The County's new Homeownership Preservation Fund can only fund rehab. The City led previous program of \$50,000/family saved homes.	\$770,000-\$1.77 million for 16-36 homeowners Estimated Cost: up to \$50,000/family

Successful service outcomes depend upon a holistic and integrated set of strategies. For example, tenants may not know about or be fearful of seeking help. Community outreach provided by the City's provider, Causa Justa::Just Cause (CJJC), enables tenants to enter into the anti-displacement safety net. CJJC housing counselors may be able to resolve the problem, which has been the case with 50% of their caseload, such as through helping the tenant write a letter to the landlord based upon information about tenant rights. In about 50% of the other cases, tenants are then referred to legal services or to available resources such as emergency rental assistance. The City's legal service providers provide a range of legal services, including limited legal advice to full legal representation.

Pursuant to information from the City's service providers, if the City of Oakland provided \$5 million for FY17-19, it likely would leverage about \$6 million in private funds and part of \$15 million from Alameda County towards a comprehensive safety net for anti-displacement and homeless prevention of Oakland residents. It is estimated that these new services would help about 5,000 tenants and 300 homeowners in the next two years at risk of losing their homes.

Available Redevelopment Dissolution Funds—Housing Boomerang Funds—for Anti-Displacement and Homeless Prevention Services

The City of Oakland has been using redevelopment dissolution funds set aside for affordable housing, otherwise known as housing boomerang funds, for affordable housing development. The City's Affordable Housing Trust Fund Ordinance currently restricts the funds for affordable housing development. It is estimated that Oakland will have about \$200-250 million from new funding sources for affordable housing acquisition and/or development for the next several years. The new funding sources for affordable housing

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development, given eligibility use restrictions, are not able to be utilized to prevent immediate displacement or prevent homelessness.

The City would be able to utilize its housing boomerang funds for anti-displacement and homeless prevention activities only if the Council amends the Affordable Housing Trust Fund rules, codified in OMC Chapter 15.62. The Mayor's budget estimates that about \$2.2 million in FY17-18 and \$2.6 million in FY18-19 of housing boomerang funds would be available to fund anti-displacement activities.⁶

Our proposal to utilize Oakland's housing boomerang funds for anti-displacement is similar to what Alameda County Supervisors are doing with County housing boomerang funds, \$10 million for FY17-18 expenditures and \$5 million annually in future years.⁷ The City of Berkeley Mayor's budget is also funding similar anti-displacement strategies.

Council action to amend the Affordable Housing Trust Fund to include anti-displacement and homeless prevention services as allowable expenditures would then provide the Council with the flexibility to potentially allocate housing boomerang funds for anti-displacement and homeless prevention as part of its FY17-19 budget. The proposed Ordinance also includes a ten-year sunset provision, given that the new housing bond funds will be expended over the next five to ten years, to enable the Council to revisit the amendment.

The Oakland Housing Equity Roadmap Includes the Anti-Displacement Safety Net Strategies

In September 2015, the Oakland City Council adopted **A Roadmap Toward Equity: Housing Solutions for Oakland** (Oakland Housing Equity Roadmap), a policy framework for addressing Oakland's housing crisis through anti-displacement, new affordable housing production, and improving housing habitability strategies.

The anti-displacement safety net strategies featured in Table 1 are included as best practice anti-displacement examples in the Oakland Housing Equity Roadmap.

ANALYSIS

New funds for affordable housing development, about \$200-\$250 million, in the next five years would enable the City to redeploy its housing boomerang funds, about \$4.8 million for FY17-19, to prevent

⁶ The Mayor's Budget anticipates that the Affordable Housing Trust Fund, Fund 1870, which includes the flexible housing boomerang funds, will have \$3.58 million in FY17-18 and \$4 million in FY18-19. The current budget proposal allocates 8.33 FTE City staff positions for City Administrator, Finance, and Housing staff to Fund 1870, for an approximate cost of \$ 1.38 million in FY17-18 and \$1.4 million in FY18-19 or roughly 35% of Fund 1870. The remaining funds for non-personnel expenditures, \$2.2 million in FY17-18 and \$2.6 million in FY18-19, could be allocated for anti-displacement and homeless prevention strategies.

⁷http://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_4_24_17/HEALTH%20CARE%20SERVICE/Regular%20Calendar/Boomerang%20Board%20letter%20and%20presentation%204_24_17.pdf

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displacement and homelessness. On the other hand, the Council may decide it wants to continue using some or all the housing boomerang funds for new affordable housing development.

The Council cannot entertain this policy choice in its FY17-19 budget unless the Affordable Housing Trust Fund rules are amended to include anti-displacement and homeless prevention services as allowable expenditures. This Ordinance provides the Council with the flexibility it needs to respond to the housing crisis at hand within the context of the multitude of sources of available funds for affordable housing-related activities.

PUBLIC OUTREACH/INTEREST

In the City Council district budget meetings, many residents expressed concerns about Oakland's growing displacement and new homeless crisis. The following organizations have expressed interest and support for this proposal discussed in this staff report: ACCE Action, Alameda County Public Health Department, Allen Temple Baptist Church, Asian Pacific Environmental Network, Black Women Organized for Political Action (BWOPA), Causa Justa::Just Cause, Centro Legal de la Raza, Communities United for Restorative Youth Justice, Dellums Institute for Social Justice, East Bay Community Law Center, East Bay Housing Organization (EBHO), East Bay Young Dems, EastSide Arts Alliance, East Oakland Building Healthy Communities Collaborative, Oakland Tenants Union, Oakland Community Organization, Parent Voices, Pastors of Oakland, PolicyLink, Senior Services Coalition of Alameda County, and TechEquity Collaborative.

COORDINATION

The Housing & Community Development Department Director was consulted regarding this report and the accompanying ordinance..

COST SUMMARY/IMPLICATIONS

This report does not directly allocate any City funds. However, the proposed ordinance does allow for flexibility in future Council budget allocations.

SUSTAINABLE OPPORTUNITIES

Economic: As studies have demonstrated, if people are facing displacement or homelessness, it also reduces their ability to improve their employment or other economic circumstances.

Environmental: As studies have shown, there are enormous environmental costs to the lack of affordable housing in job centers such as Oakland with the longer commutes from more affordable areas as well as the erosion of greenbelt areas in those towns to build new housing.

Social Equity: As the demographic data evidences, Oakland's housing crisis has disproportionately impacted Oakland's lower income residents and residents of color.

Item: _____
City Council
June 12, 2017

17 JUN -8 PM 5:10

Approved as to form and legality


Deputy City Attorney

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

Introduced by Councilmembers Kalb, Campbell Washington, Brooks
and Gibson McElhaney

ORDINANCE AMENDING CHAPTER 15.62 OF THE OAKLAND MUNICIPAL CODE TO ALLOW AFFORDABLE HOUSING TRUST FUNDS FROM FUNDS DISTRIBUTED TO THE CITY UNDER REDEVELOPMENT DISSOLUTION LAWS TO BE USED FOR ANTI-DISPLACEMENT AND HOMELESS PREVENTION SERVICES

WHEREAS, Chapter 15.62 of the Oakland Municipal Code establishes an Affordable Housing Trust Fund; and

WHEREAS, a portion of Affordable Housing Trust Funds comes from a set-aside of 25% of funds distributed to the City as a taxing entity under the laws dissolving redevelopment agencies; and

WHEREAS, Section 15.62.040 of the Oakland Municipal Code provides that funds deposited into the Affordable Housing Trust Fund must be used to increase, improve and preserve the supply of affordable housing in the City by funding affordable housing development projects; and

WHEREAS, the affordable housing crisis in Oakland has contributed to the problems of displacement and homelessness in the City; and

WHEREAS, in two years, Oakland's median rents increased by over 50% to close to \$3,000; meanwhile, the median renter household income has remained flat at \$36,657 or even declined for Oakland's African American, Asian, and Latino populations; and

WHEREAS, Oakland's escalating housing costs and lack of sufficient resources to enforce renters' protections and support for low income homeowners are pushing more people into homelessness, and, per the 2017 Homeless Point-In-Time count and survey, 82% of respondents said they lived in Alameda County before becoming homeless and 50% had lived here for 10 years or more; and

WHEREAS, several years ago, the City created a coordinated anti-displacement and homeless prevention safety net, by providing City funds, and leveraging private resources provided by local non-profit organizations; and

WHEREAS, the City's new tenant protection policies are contributing to an increase in tenants seeking help; and

WHEREAS, with reductions in federal and state funding, there have been insufficient resources dedicated to addressing displacement and homelessness; and

WHEREAS, Council wishes to allow that portion of the Affordable Housing Trust Fund that comes from funds distributed to the City as a taxing entity under the redevelopment dissolution laws also to be used for anti-displacement and homeless prevention services for a period of 10 years; and

WHEREAS, the proposed amendments to the rules governing the Affordable Housing Trust Fund would give flexibility for the City Council to allocate redevelopment dissolution funds for anti-displacement and homeless prevention services, given that the City is poised to have about \$200-250 million in new funds dedicated to affordable housing development from local bond measures and a new housing impact fee; now, therefore,

The Council of the City of Oakland does hereby ordain as follows:

SECTION 1. Section 15.62.040 of the Oakland Municipal Code is amended to read as follows (deleted text is indicated with ~~strikeout text~~, and added text is indicated with double underlining):

15.62.040 - Use of funds.

A Funds deposited into the Affordable Housing Trust Fund, and all interest and investment earnings thereon, shall be used to increase, improve, and preserve the supply of affordable housing in the City, with priority given to housing for very low income households. For purposes of this paragraph, to "preserve" affordable housing means to acquire, finance, refinance, or rehabilitate housing that is at imminent risk of loss to the affordable housing supply (including housing that is restricted to affordable housing or housing that is otherwise provided at an affordable rent or an affordable housing cost to lower income households or very low income households) due to termination of use restrictions, non-renewal of subsidy contract, mortgage or tax default or foreclosure, rent increases, conversion to market-rate housing or other uses, demolition, or physical conditions that are likely to result in vacation of the property.

Funds may also be used to cover reasonable administrative or related expenses of the City not reimbursed through processing fees. No portion of the Affordable Housing Trust Fund may be diverted to other purposes by way of loan or otherwise.

Funds in the Affordable Housing Trust Fund shall be used in accordance with the adopted housing element to the City's General Plan, the Consolidated Plan and subsequent housing plans adopted by the City

Council, to subsidize or assist the City, other government entities, nonprofit organizations, private organizations or firms, or individuals in the construction, preservation or substantial rehabilitation of affordable housing. Monies in the Affordable Housing Trust Fund may be disbursed, hypothecated, collateralized or otherwise employed for these purposes from time to time as the City Administrator so determines is appropriate to accomplish the purposes of the Affordable Housing Trust Fund. Eligible uses include, but are not limited to, assistance with staff costs or other administrative costs attributable to a specific affordable housing project, equity participation in affordable housing projects, loans and grants (including, predevelopment loans or grants) to affordable housing projects, or other public/private partnership arrangements. Monies from the Affordable Housing Trust Fund may be extended for the benefit of rental housing, owner occupied housing, limited equity cooperatives, mutual housing developments, or other types of affordable housing projects. Not more than fifteen percent (15%) of the funds deposited into the Affordable Housing Trust Fund from Affordable Housing Impact Fees may be used for housing affordable to moderate income households unless this limit is waived by the City Council with a specific finding that the waiver is in the best interests of the City.

- B. Notwithstanding the provisions of subsection A above, funds deposited into the Affordable Housing Trust Fund from fines and penalties received under the Foreclosed and Defaulted Residential Property Registration Program pursuant to Section 8.54.620 of this Code, or from fines, penalties, or other funds under other programs that designate the use of funds deposited into the Affordable Housing Trust Fund for foreclosure prevention or mitigation purposes, may be used for foreclosure prevention and mitigation activities, including but not limited to homebuyer or tenant assistance, rehabilitation, housing counseling, education, outreach, and advocacy activities, along with staff costs or other administrative costs attributable to such activities. Upon a finding by the City Council or the City Administrator that funds are no longer needed for foreclosure prevention or mitigation activities, such funds may also be used for other eligible Affordable Housing Trust Fund uses or for other low income or very low income tenant or homebuyer assistance. Funds received pursuant to Section 8.54.620 shall be appropriated to a separate project. For funds received under the Foreclosed and Defaulted Residential Property Registration Program or other programs that designate the use of funds for foreclosure prevention or mitigation purposes, the City Administrator or his or her designee is authorized to award grants and enter into grant contracts or service contracts without returning to the City Council in amounts not to exceed one hundred thousand dollars (\$100,000.00).
- C. Notwithstanding the provisions of subsection A above, until June 30, 2027, funds deposited into the Affordable Housing Trust Fund from the setaside of

funds distributed to the City as a taxing entity under the Dissolution Laws may also be used for services and interventions aimed at: preventing displacement of low-income renters from their homes; preventing the displacement of low-income, senior, or disabled homeowners from their homes; rehousing for homeless residents; or protecting low-income renters from poor housing conditions leading to displacement. These services and activities may include, but are not limited to, housing counseling and outreach, rapid-rehousing, legal services, and housing assistance funds for tenants and homeowners who are lower income households or very low income households and who are at risk of losing their home or becoming homeless.

SECTION 2. The provisions of this Ordinance are severable, and if any clause, sentence, paragraph, provision, or part of this Ordinance, or the application of this Ordinance to any person, is held to be invalid, such holding shall not impair or invalidate the remainder of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such provisions not been included.

SECTION 3. This Ordinance shall be in full force and effect immediately upon its passage as provided by Section 216 of the City Charter if adopted by at least six members of the City Council, or upon the seventh day after final adoption if adopted by fewer votes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2017

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California

Attachment B

The City of Oakland Anti-Displacement Program Table 1.

Describes the proposed City anti-displacement program services, and approximate funding amounts¹. This program reflects the safety net program components presented to City Council on June 27, 2017.

Table 1. City of Oakland Anti-Displacement Program Components and Budget

Tenant Services	Budget
Outreach, Education, and Housing Counseling: Services include outreach to diverse communities across the City; educational materials and outreach events to inform residents of their rights and available services; and counseling to assist individuals with addressing their issues including referrals for legal assistance.	254,951
Asian Language Legal and Counseling Services: Legal services providers have identified a gap in the ability to provide legal and counseling services in Asian languages which presents a significant barrier for individuals who are monolingual or have limited English speaking abilities. This component will fill this gap.	138,840
Legal Services (for eviction and rent adjustment) and Housing Stabilization Strategies: This component will enhance the City's existing legal services assistance provided through the Rent Adjustment Program to both expand the scope to include eviction defense and increase the total number of tenants served. Examples of services provided include: advice and counsel; assistance with completing forms or preparing correspondence; providing support for individuals representing themselves; and legal representation. The Housing Stabilization element includes assisting each client with a list of steps they should take to ensure their ongoing retention of stable housing. This may include provider-delivered services, or referrals to other service providers.	1,093,323
Emergency Financial Assistance: Short-term funding designed to prevent homelessness and stabilize housing.	248,895
Homeowner Services	
Legal Services and Housing Stabilization Strategies: The approach to these services is the same as the legal services described for tenants, with the focus on addressing potential displacement risks involving a mortgagor, foreclosing agency, tax collection agency, Home Owner Association or utility company.	100,458
Emergency Financial Assistance: Short-term funding designed to prevent homelessness and stabilize housing.	197,644
Administration	165,889
Totals	2,200,000

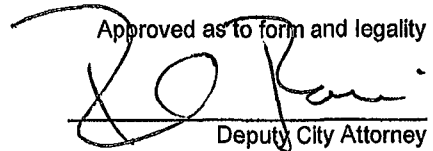
¹ Negotiation of administrative fee will be completed upon confirmation of each subcontractor and their respective scopes and budgets.

ATTACHMENT C

FILED
OFFICE OF THE CITY CLERK
OAKLAND

REVISED CITY COUNCIL 6/20/2017

17 JUN 21 PM 2:20

Approved as to form and legality

Deputy City Attorney

OAKLAND CITY COUNCIL

ORDINANCE NO. ~~13446~~ 13446 O.M.S.

**Introduced by Councilmembers Kalb, Campbell Washington, Brooks
and Gibson McElhaney**

ORDINANCE AMENDING CHAPTER 15.62 OF THE OAKLAND MUNICIPAL CODE TO ALLOW AFFORDABLE HOUSING TRUST FUNDS FROM FUNDS DISTRIBUTED TO THE CITY UNDER REDEVELOPMENT DISSOLUTION LAWS TO BE USED FOR ANTI-DISPLACEMENT AND HOMELESS PREVENTION SERVICES

WHEREAS, Chapter 15.62 of the Oakland Municipal Code establishes an Affordable Housing Trust Fund; and

WHEREAS, a portion of Affordable Housing Trust Funds comes from a set-aside of 25% of funds distributed to the City as a taxing entity under the laws dissolving redevelopment agencies; and

WHEREAS, Section 15.62.040 of the Oakland Municipal Code provides that funds deposited into the Affordable Housing Trust Fund must be used to increase, improve and preserve the supply of affordable housing in the City by funding affordable housing development projects; and

WHEREAS, the affordable housing crisis in Oakland has contributed to the problems of displacement and homelessness in the City; and

WHEREAS, in two years, Oakland's median rents increased by over 50% to close to \$3,000; meanwhile, the median renter household income has remained flat at \$36,657 or even declined for Oakland's African American, Asian, and Latino populations; and

WHEREAS, Oakland's escalating housing costs and lack of sufficient resources to enforce renters' protections and support for low income homeowners are pushing more people into homelessness, and, per the 2017 Homeless Point-In-Time count and

survey, 82% of respondents said they lived in Alameda County before becoming homeless and 50% had lived here for 10 years or more; and

WHEREAS, several years ago, the City created a coordinated anti-displacement and homeless prevention safety net, by providing City funds, and leveraging private resources provided by local non-profit organizations; and

WHEREAS, the City's new tenant protection policies are contributing to an increase in tenants seeking help; and

WHEREAS, with reductions in federal and state funding, there have been insufficient resources dedicated to addressing displacement and homelessness; and

WHEREAS, Council wishes to allow that portion of the Affordable Housing Trust Fund that comes from funds distributed to the City as a taxing entity under the redevelopment dissolution laws also to be used for anti-displacement and homeless prevention services for a period of 10 years; and

WHEREAS, the proposed amendments to the rules governing the Affordable Housing Trust Fund would give flexibility for the City Council to allocate redevelopment dissolution funds for anti-displacement and homeless prevention services, given that the City is poised to have about \$200-250 million in new funds dedicated to affordable housing development from local bond measures and a new housing impact fee; now, therefore,

The Council of the City of Oakland does hereby ordain as follows:

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- A. Funds deposited into the Affordable Housing Trust Fund, and all interest and investment earnings thereon, shall be used to increase, improve, and preserve the supply of affordable housing in the City, with priority given to housing for very low income households. For purposes of this paragraph, to "preserve" affordable housing means to acquire, finance, refinance, or rehabilitate housing that is at imminent risk of loss to the affordable housing supply (including housing that is restricted to affordable housing or housing that is otherwise provided at an affordable rent or an affordable housing cost to lower income households or very low income households) due to termination of use restrictions, non-renewal of subsidy contract, mortgage or tax default or foreclosure, rent increases, conversion to market-rate housing or other uses, demolition, or physical conditions that are likely to result in vacation of the property.

Funds may also be used to cover reasonable administrative or related expenses of the City not reimbursed through processing fees. No portion of the Affordable Housing Trust Fund may be diverted to other purposes by way of loan or otherwise.

Funds in the Affordable Housing Trust Fund shall be used in accordance with the adopted housing element to the City's General Plan, the Consolidated Plan, and subsequent housing plans adopted by the City Council, to subsidize or assist the City, other government entities, nonprofit organizations, private organizations or firms, or individuals in the construction, preservation or substantial rehabilitation of affordable housing. Monies in the Affordable Housing Trust Fund may be disbursed, hypothecated, collateralized or otherwise employed for these purposes from time to time as the City Administrator so determines is appropriate to accomplish the purposes of the Affordable Housing Trust Fund. Eligible uses include, but are not limited to, assistance with staff costs or other administrative costs attributable to a specific affordable housing project, equity participation in affordable housing projects, loans and grants (including, predevelopment loans or grants) to affordable housing projects, or other public/private partnership arrangements. Monies from the Affordable Housing Trust Fund may be extended for the benefit of rental housing, owner occupied housing, limited equity cooperatives, mutual housing developments, or other types of affordable housing projects. Not more than fifteen percent (15%) of the funds deposited into the Affordable Housing Trust Fund from Affordable Housing Impact Fees may be used for housing affordable to moderate income households unless this limit is waived by the City Council with a specific finding that the waiver is in the best interests of the City.

- B. Notwithstanding the provisions of subsection A above, funds deposited into the Affordable Housing Trust Fund from fines and penalties received under the Foreclosed and Defaulted Residential Property Registration Program pursuant to Section 8.54.620 of this Code, or from fines, penalties, or other funds under other programs that designate the use of funds deposited into the Affordable Housing Trust Fund for foreclosure prevention or mitigation purposes, may be used for foreclosure prevention and mitigation activities, including but not limited to homebuyer or tenant assistance, rehabilitation, housing counseling, education, outreach, and advocacy activities, along with staff costs or other administrative costs attributable to such activities. Upon a finding by the City Council or the City Administrator that funds are no longer needed for foreclosure prevention or mitigation activities, such funds may also be used for other eligible Affordable Housing Trust Fund uses or for other low income or very low income tenant or homebuyer assistance. Funds received pursuant to Section 8.54.620 shall be appropriated to a separate project. For funds received under the Foreclosed and Defaulted Residential Property Registration Program or other programs that designate the use of funds for foreclosure prevention or mitigation purposes, the City Administrator or his or her designee is authorized to award grants and enter into grant contracts or

service contracts without returning to the City Council in amounts not to exceed one hundred thousand dollars (\$100,000.00).

C. Notwithstanding the provisions of subsection A above, until June 30, 2027, funds deposited into the Affordable Housing Trust Fund from the setaside of funds distributed to the City as a taxing entity under the Dissolution Laws may also be used for services and interventions aimed at: preventing displacement of low-income renters from their homes; preventing the displacement of low-income, senior, or disabled homeowners from their homes; rehousing for homeless residents; or protecting low-income renters from poor housing conditions leading to displacement. These services and activities may include, but are not limited to, housing counseling and outreach, rapid-rehousing, legal services, and housing assistance funds for tenants and homeowners who are lower income households or very low income households and who are at risk of losing their home or becoming homeless. Notwithstanding the above, until June 30, 2018, funds deposited into the Affordable Housing Trust Fund from the setaside of funds distributed to the City as a taxing entity under the Dissolution Laws may also be used for services for homeless residents.

SECTION 2. The provisions of this Ordinance are severable, and if any clause, sentence, paragraph, provision, or part of this Ordinance, or the application of this Ordinance to any person, is held to be invalid, such holding shall not impair or invalidate the remainder of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such provisions not been included.

SECTION 3. This Ordinance shall be in full force and effect immediately upon its passage as provided by Section 216 of the City Charter if adopted by at least six members of the City Council, or upon the seventh day after final adoption if adopted by fewer votes.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 27 2017

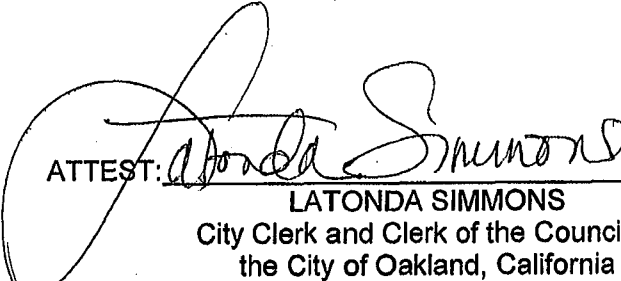
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, AND PRESIDENT REID — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST: 
LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California

Introduction Date
JUN 20 2017

Date of Adoption July 5, 2017

12

ORDINANCE AMENDING CHAPTER 15.62 OF THE OAKLAND MUNICIPAL CODE TO ALLOW AFFORDABLE HOUSING TRUST FUNDS FROM FUNDS DISTRIBUTED TO THE CITY UNDER REDEVELOPMENT DISSOLUTION LAWS TO BE USED FOR ANTI-DISPLACEMENT AND HOMELESS PREVENTION SERVICES

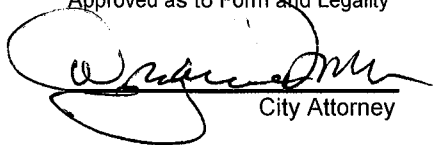
NOTICE AND DIGEST

This Ordinance amends Chapter 15.62 of the Oakland Municipal Code to allow the use of that portion of the Affordable Housing Trust Fund that comes from a setaside of 25% of funds distributed to the City as a taxing entity under the laws dissolving redevelopment agencies to be used, until June 30, 2027, for anti-displacement and homeless prevention services and activities, including housing counseling and outreach, legal services, and housing assistance funds for lower income or very low income tenants and homeowners who are at risk of losing their home or becoming homeless; and also, until June 30, 2018, for services to homeless residents.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2018 JUL -5 PM 12:48

Approved as to Form and Legality


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A SERVICES AGREEMENT WITH CENTRO LEGAL DE LA RAZA TO ADMINISTER THE ANTI-DISPLACEMENT PROGRAM AND TO PROVIDE RELATED SERVICES TO OAKLAND RESIDENTS IN THE AMOUNT OF \$2,200,000 FROM THE AFFORDABLE HOUSING TRUST FUND (1870) FOR A TWO-YEAR TERM AND WAIVE THE REQUEST FOR PROPOSALS PROCESS

WHEREAS, the affordable housing crisis in Oakland has contributed to the problems of displacement and homelessness in the City; and

WHEREAS, in two years, Oakland's median rents have increased over 50% while median renter household income has remained flat or even declined for Oakland's African American, Asian and Latino households; and

WHEREAS, the 2017 Alameda County Homeless Point-In-Time count indicates that there was a 26% increase in homeless persons in Oakland from 2015 to 2017, and 86% of those counted as homeless indicated they have lived in Alameda County prior to becoming homeless; and

WHEREAS, the City has created an anti-displacement and homeless prevention safety net program which has been funded in the past in varying amounts; and

WHEREAS, said program is very similar to the program which Alameda County has designed, called the "Alameda County Anti-Displacement Crisis Intervention Program;" and

WHEREAS, the County conducted a competitive procurement process to select an administrator for said program and has selected Centro Legal de la Raza ("CLR") as the program administrator; and

WHEREAS, the City desires to utilize the County's selection process and engage CLR to administer the City's anti-displacement program which consists of all of the elements contained in the County program, plus several additional elements which meet City-specific needs; and

WHEREAS, Oakland Municipal Code Section 2.04.051 requires the City to conduct a request for proposal process for professional services contracts, but allows the Council to waive the process upon a finding that it is in the best interests of the City to do so; and

WHEREAS, the City Administrator recommends that the request for proposal process be waived for the services agreement to administer the anti-displacement program because it will

enable the City to leverage the County's funding for program design and an online interagency referral platform; it will ensure a seamless and uniform approach to Oakland residents accessing critically needed services; and it will ensure the timely delivery of said services; and

WHEREAS, pursuant to Ordinance No. 13446 C.M.S., the City has dedicated \$2,200,000 towards anti-displacement services which was appropriated in the FY2017-2019 Adopted Budget in the Affordable Housing Trust Fund (1870), Illegal Dumping Org (30674), DP300 Administrative Project (1000010) and Keep Oakland Beautiful Program (NB35); and

WHEREAS, the City Administrator has determined that the anti-displacement services agreement is of a professional, scientific or technical and temporary nature and 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 the City Administrator or her designee is authorized to negotiate and enter into a services agreement for anti-displacement services with Centro Legal de la Raza in the amount of \$2,200,000 for a two-year term; and be it

FURTHER RESOLVED: That funding to support these anti-displacement services in the amount of \$2,200,000 is available in the Affordable Housing Trust Fund (1870) and Oakland Public Works Department (DP300), and the City Administrator is hereby authorized to transfer said funding to the Housing and Community Development Department (DP890); and be it

FURTHER RESOLVED: That the City Council finds, based on the information presented in the accompanying agenda report and herein, that it is in the best interests of the City to waive the request for proposal process for the services agreement to administer the anti-displacement program and so waives; and be it

FURTHER RESOLVED: The City Administrator shall place copies of the fully executed Centro Legal de la Raza anti-displacement administration services agreement on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

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