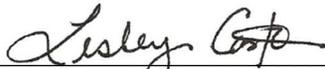


Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- (1) ACCEPT AND APPROPRIATE UP TO \$4.4 MILLION IN GRANT FUNDS FROM THE FEDERAL LEAD HAZARD REDUCTION GRANT PROGRAM;**
- (2) ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH HABITAT FOR HUMANITY EAST BAY/SILICON VALLEY, INC. IN AN AMOUNT NOT TO EXCEED \$4,021,094.30, TO PROVIDE GRANT ADMINISTRATION AND MANAGEMENT CONSTRUCTION SERVICES FOR THE LEAD-BASED PAINT MITIGATION AND HEALTHY HOMES PROGRAMS, AND TO WAIVE THE CITY OF OAKLAND'S LOCAL AND SMALL LOCAL BUSINESS ENTERPRISE PROGRAM REQUIREMENTS, LOCAL EMPLOYMENT AND OAKLAND APPRENTICESHIP REQUIREMENTS, AND REQUEST FOR PROPOSAL/ QUALIFICATIONS COMPETITIVE PROCESS REQUIREMENTS;**
- (3) UPON COMPLETION OF A COMPETITIVE PROCUREMENT PROCESS, ENTER INTO ONE OR MORE AGREEMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$321,397 WITH ONE OR MORE WORKFORCE DEVELOPMENT SERVICES PROVIDERS TO EXPAND THE SUPPLY OF WORKERS AND FIRMS AVAILABLE TO CONDUCT LEAD-BASED PAINT MITIGATION AND HEALTHY HOMES WORK; AND**
- (4) MAKE GRANTS TO ELIGIBLE PROPERTY OWNERS FOR THE REMEDIATION OF LEAD-BASED PAINT HAZARDS AND HEALTHY HOME IMPROVEMENTS**

WHEREAS, the United States Department of Housing and Urban Development ("HUD"), issued a Notice of Funding Opportunity ("NOFO") for the Lead Hazard Reduction Grant Program ("LHR Grant") dated June 30, 2025, per the authority granted by under Section 1011 of the Residential Lead-Based Hazard Reduction Act of 1992 (42 U.S.C. 4852); and

WHEREAS, the NOFO sought proposals to mitigate lead-based paint hazards and make other home improvements to promote healthy homes; and

WHEREAS, the City of Oakland (City) is home to approximately 144,402 housing units built before 1978 and are at risk of lead exposure, including 31,645 rental units that were built before 1940 and are at greatest risk of lead exposure; and

WHEREAS, lead-based paint exposure is a major cause of childhood lead poisoning in Oakland, which can cause developmental problems, anemia, hearing problems, and other negative health consequences, and is therefore a serious public health threat; and

WHEREAS, the City has operated a Lead-Safe Homes Program for many years to mitigate lead-based paint hazards, funded largely by Community Development Block Grant funding; and

WHEREAS, the availability of Community Development Block Grant funding is insufficient to adequately mitigate lead-based paint hazards facing Oakland residents; and

WHEREAS, the City applied for and was awarded \$4.4 million in LHR Grant funds from the 2025 NOFO; and

WHEREAS, Habitat for Humanity East Bay/Silicon Valley (“Habitat for Humanity”) is a highly experienced administrator of federal and local-funded home rehabilitation programs, including Alameda County’s home rehabilitation program and the federal Older Adults Home Modification Grant Program; and

WHEREAS, on July 20, 2025, the Council approved Resolution No. 90728 C.M.S., which ratified the competitive selection of Habitat for Humanity to provide home rehabilitation services as part of the City’s home rehabilitation program; and

WHEREAS, administration of the lead-based paint mitigation and health homes work described in the LHR NOFO is substantially similar to the work Habitat for Humanity was previously procured to conduct on behalf of the City; and

WHEREAS, staff therefore included Habitat for Humanity as a subrecipient vendor in the LHR Program grant application for the NOFO; and

WHEREAS, pursuant to Part I of Oakland's L/SLBE Program guidelines (Ordinance No. 13647 C.M.S.), the City Council may waive the City's Local and Small Local Business Enterprise (L/SLBE) Program requirements before authorizing execution of a professional services agreement; and

WHEREAS, staff recommends that the City Council make a finding that it is in the best interest of the City to waive the L/SLBE requirements and Request for Proposals/Qualifications process and authorize execution of the proposed professional services agreement because the highly specialized experience and certifications provided by Habitat for Humanity and their pool of contractors provide capabilities not easily replicated by other vendors and are not able to be provided by City staff; and

WHEREAS, experts in lead-based paint mitigation have advised the City that there is a shortage of qualified personnel and businesses licensed and available locally to conduct lead-based paint mitigation work; and

WHEREAS, a portion of the LHR Grant, the amount of which is subject to change based on program needs, will be used to expand the supply of Oakland workers and businesses with the necessary training to work on lead-based paint mitigation and healthy home improvements; and

WHEREAS, a portion of the LHR Grant, the amount of which is subject to change based on program needs, will be used to make “healthy home” improvements that reduce the risk of other in-home health hazards like mold exposure; and

WHEREAS, the LHR Program funds will be prioritized to benefit households with children under six or where a child under six spends a large portion of their time, and in a service area with the highest rates of Elevated Blood Lead Levels and highest risk of lead-based paint exposure; and

WHEREAS, the funding from this LHR Grant will be distributed in the form of a grant to property owners for the benefit of households most impacted by residential lead-based paint exposure to ensure that the cost of lead-based paint mitigation is not a barrier to services for low-income tenants and homeowners; now, therefore, be it

RESOLVED: That the City Administrator is hereby authorized to accept and appropriate up to \$4.4 million in LHR Grant funds for lead-based paint mitigation, healthy home improvements, and workforce development to a grant fund to be determined (TBD), project to be determined (TBD); and be it

FURTHER RESOLVED: That the City Council hereby allocates \$400,000 in the HUD Community Development Block Grant Fund (2108), Habitat for Humanity – CDBG Project (1004145), as a local match for the LHR Grant, which was previously identified for this purpose upon adoption of the Consolidated Plan in Resolution No. 90785 C.M.S. on July 1, 2025 and later updated in Resolution No. 90737 C.M.S. on May 20, 2025; and be it

FURTHER RESOLVED: That the City Administrator is authorized to enter into an agreement with Habitat for Humanity East Bay/Silicon Valley in an amount not to exceed \$4,021,094.30 for lead-based paint mitigation and healthy homes programs; and be it

FURTHER RESOLVED: That the City Council finds and determines that pursuant to OMC Section 2.04.051(B) and based upon the reasons stated above and in the City Administrator’s Agenda Report accompanying this resolution, it is in the best interest of the City to waive the RFP/Q process for the proposed agreement with Habitat for Humanity, and hereby waives the RFP/Q requirements; and

FURTHER RESOLVED: That the City Council finds it is in the best interest of the City to waive the L/SLBE requirements, local hire, and apprenticeship requirements for the proposed agreement with Habitat for Humanity and the contractors providing lead-based paint mitigation and healthy homes work, and hereby waives these requirements; and

FURTHER RESOLVED: That the City Administrator is authorized to complete a competitive procurement process, and upon completion of that process, enter into one or more agreements with one or more workforce development services providers, for a total amount not to

exceed \$321,397, to expand the supply of workers and firms available to conduct lead-based paint mitigation and healthy homes work; and

FURTHER RESOLVED: That the City Administrator is authorized to make grants to property owners for the purpose of mitigating lead-based paint hazards and healthy home risks, and that the City Administrator is authorized to set and amend the maximum grant amounts and terms for these grants, provided that the current terms and limits be displayed publicly on the City's website; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate, enter into, execute and deliver any and all agreements, contracts, certifications, and other documentation required to accept the LHR Grant, and be it

FURTHER RESOLVED: That the City Council- finds and determines that this action is not subject to CEQA since it is not funding any specific projects, but that the City Administrator will make the environmental determinations under CEQA for each project that is selected prior to making a grant; and be it

FURTHER RESOLVED: That the City Administrator shall cause to be filed with the County of Alameda a Notice of Exemption or Notice of Determination for each project as appropriate; and be it

FURTHER RESOLVED: That execution of grant documents or other documents legally committing the City to fund a project with federal funds will be expressly conditioned on compliance with the requirements of NEPA, as certified by the City Administrator; and be it

FURTHER RESOLVED: That the City Administrator is authorized to take any other action with respect to the LHR Grant consistent with this Resolution and its basic purpose; 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 - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

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