

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AMENDING GRANT AGREEMENTS WITH BAY AREA COMMUNITY SERVICES, INC., CATHOLIC CHARITIES OF THE DIOCESE OF OAKLAND, DOING BUSINESS AS CATHOLIC CHARITIES EAST BAY, CENTRO LEGAL DE LA RAZA, INC., AND COLLECTIVE LEGAL SERVICES – THE EVICTION DEFENSE CENTER, A NON-PROFIT LAW CORPORATION, FOR THE PROVISION OF RENTAL ASSISTANCE TO ELIGIBLE HOUSEHOLDS TO INCREASE THE AMOUNT OF EACH GRANT AGREEMENT FOR A TOTAL GRANT AMOUNT NOT TO EXCEED TWELVE MILLION SIX HUNDRED EIGHTY-ONE THOUSAND SIX HUNDRED FORTY-THREE DOLLARS (\$12,681,643).

WHEREAS, Section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) (the “Act”) appropriated \$25 billion in Emergency Rental Assistance (“ERA”) funds to States, U.S. Territories, local governments, and Indian tribes to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic; and

WHEREAS, on January 22, 2021, the United States Department of the Treasury (“U.S. Treasury”) awarded \$12,874,764 in ERA funds to the City of Oakland to provide assistance to eligible households; and

WHEREAS, as a prerequisite to receiving the ERA funds, the City signed and submitted an acceptance of award terms form; and

WHEREAS, on January 25, 2021, the City received \$12,874,764 in Emergency Rental Assistance funds which were budgeted and identified as one-time stimulus funding and were appropriated to Fund 2071, Organization 89919, Project Code 1005781 Account 54011; and

WHEREAS, no less than 90% of the ERA funds awarded to the City must be used to provide direct financial assistance, including rental assistance, to eligible households as defined by the Act; and

WHEREAS, the ERA funds will remain available for expenditure through September 30, 2022, and any ERA funds that are not spent by September 30, 2022 must be repaid to the U.S. Treasury; and

WHEREAS, the City must act quickly not only to ensure timely expenditure of the ERA funds but to address the significant financial needs of households impacted by the COVID-19 pandemic; and

WHEREAS, on February 16, 2021 pursuant to Resolution No. 88520 C.M.S., the City Council awarded \$9,750,000 in the ERA funds to four Oakland nonprofit agencies to provide direct rental assistance to low-income households, comprising seventy-five percent (75%) of the total ERA award; and

WHEREAS, these awarded funds have been fully expended, serving 450 households with incomes at or below 30 percent of area median income and over 89% of recipients residing in neighborhoods most impacted by COVID-19 infections; and

WHEREAS, the nonprofit agencies the City engaged to provide direct rental assistance grants with ERA funds continue to receive many requests for rental assistance and remain available to provide direct rental assistance grants under the ERA program; and

WHEREAS, the City finds that the current applicants for rental assistance will be best served by funding the continued work of the nonprofit agencies that received funding pursuant to Resolution No. 88520 C.M.S.; and

WHEREAS, City staff has identified additional local non-profit agencies to provide direct rental assistance as well as related housing stabilization services and is recommending awarding Community Development Block Grant – Coronavirus (CDBG-CV) funding to these groups as of the date of this resolution to provide housing stabilization services and to begin building the capacity of these new groups to deliver rental assistance as additional ERA funds become available; and

WHEREAS, on May 11, 2021 the City applied for a second round of ERA funding provided pursuant to the American Rescue Plan Act passed by the US Congress in March 2021 in the amount of \$19.6 million, and on May 26, 2021 the City received its first installment payment of this second round of funding in the amount of \$7,857,939; and

WHEREAS, the City Council finds that upon review and approval of staff recommendations for deployment of this second round of ERA funds at a future City Council meeting, that those same groups recommended for CDBG-CV funding should be considered for said second round ERA funding giving them time to build capacity to deliver emergency rental assistance in a manner targeted to homelessness prevention and compliant with Federal requirements; and

WHEREAS, funds to support the \$2,931,463 increase to the grants awarded for the provision of emergency rental assistance is available in Fund 2071 (ERAP), Organization 89919, Project Code 1005781, Account 54011 or 54912; now, therefore, be it

RESOLVED: That the City Council hereby increases the amount of the grants awarded to the following non-profit agencies under Resolution No. 88520 C.M.S. as set forth below:

Grantee	Original Grant	Authorized Increase	New Not To Exceed Amount
Bay Area Community Services, Inc.	\$3,500,000	\$981,643	\$4,481,643
Catholic Charities of the Diocese of Oakland, Doing Business As, Catholic Charities East Bay	\$2,500,000	\$650,000	\$3,150,000
Centro Legal De La Raza, Inc.	\$2,000,000	\$650,000	\$2,650,000
Collective Legal Services – The Eviction Defense Center, A Non-Profit Law Corporation	\$1,750,000	\$650,000	\$2,400,000
Total	\$9,750,000	\$2,931,463	\$12,681,643

; and be it

FURTHER RESOLVED: That the City Council directs the City Administrator to provide regular reporting to the City Council and the public with respect to status of administering funds, names of recipient organizations, status of expenditures, planned expenditures at risk of not being timely spent, reallocations, and other pertinent information to ensure complete transparency with regard to the City’s use of these funds; 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 and executed copies of each agreement shall be filed with the City Clerk.

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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