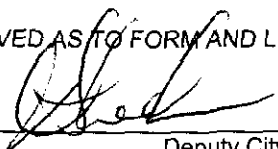


OFFICE OF THE CITY CLERK
OAKLAND

2006 APR 11 PM 1:15

APPROVED AS TO FORM AND LEGALITY:

By: 
Deputy City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. 79872 C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION 1) AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE CONSOLIDATED PLAN ANNUAL ACTION PLAN FOR FISCAL YEAR 2006-2007; 2) ACCEPTING AND APPROPRIATING FUNDS TOTTALLING \$15,365,549 FOR THE HOME, EMERGENCY SHELTER GRANT, HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS, AND THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS; AND 3) ALLOCATING \$1,839,260 OF ADDITIONAL PROGRAM INCOME COLLECTED IN FY 2004-05 TO MAKE PAYMENTS OF THE FY 2006-07 REGULAR SECTION 108 LOAN AND THE SECTION 108 LOAN USED FOR THE MARTIN LUTHER KING, JR. PLAZA PROJECT

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Oakland prepare and submit a Consolidated Plan as a condition for receiving Federal funds for housing and community development activities; and

WHEREAS, the Consolidated Plan should be submitted to HUD by May 15, 2006, but no later than the end of the City's current fiscal year; and

WHEREAS, the City has published a draft of the Consolidated Plan Annual Action Plan and has provided for a public comment period of 30 days according to HUD requirements; and

WHEREAS, the City desires to accept grants from HUD for the following programs in the following amounts as identified in the Consolidated Plan;

Community Development	
Block Grant (CDBG)	\$8,601,041
HOME	4,426,627
American Dream Downpayment	67,495
Initiative (ADDI)	
Emergency Shelter Grant	365,386
HOPWA	1,905,000

and

WHEREAS, a public hearing will be held May 2, 2006, to solicit public comment on the proposed Consolidated Plan including consideration of the categorical allocation of CDBG funds to programs and projects for FY 2006-07; and

WHEREAS, funding recommendations for the FY 2006-07 CDBG grant were made during the FY 2005-06 process; and

WHEREAS, the previous CDBG FY 2004-05 Adopted Budget included \$1.8 million in "program income," which represents funds received as repayments of loans made to low income homeowners to rehabilitate their homes; and has seen significant repayments of first-time homebuyer loans made in prior years from HOME and Redevelopment Agency Low/Moderate Income Housing Funds; and

WHEREAS, in the past few years the CDBG program income has realized substantial revenue from unanticipated loan repayments due to the strong housing market; and

WHEREAS, actual revenue for FY 2004-05 from Program Income was \$3,639,260; and

WHEREAS, there is a need for funds to make payments on HUD Section 108 loans used for economic development activities; and

WHEREAS, the surplus revenue from FY 2004-05 Program Income of \$1,839,260 of CDBG program income has been recommended to make payments of the FY 2006-07 Regular Section 108 Loan and the Section 108 Loan used for the Martin Luther King Jr., Plaza Project; now, therefore, be it

RESOLVED: That the City Council hereby authorizes and directs the City Administrator, and/or her designee, to prepare the final Consolidated Plan, consistent with the draft Action Plan and related documents, and consider public comments received; and be it

FURTHER RESOLVED: That the City Council hereby authorizes and directs the City Administrator, and/or her designee, to take any actions necessary to execute and submit the documents mentioned above to HUD and any other materials that may be required to secure HUD approval of the City's Consolidated Plan; and be it

FURTHER RESOLVED: That the City Council hereby accepts and appropriates the HUD funds totaling \$15,365,549 and authorizes the City Administrator or her designee to amend the appropriated amounts for FY 2006/07 to reflect actual grant receipts for the programs identified in the final Consolidated Plan; and be it

FURTHER RESOLVED: That CDBG funds shall be appropriated to the HUD-CDBG Fund (2108), HOME funds shall be appropriated to the HUD-HOME Fund (2109) and ESG

& HOPWA funds shall be appropriated to the HUD-ESG/SHP/HOPWA Fund (2103); and be it

FURTHER RESOLVED: That for FY 2006-07 the City Council hereby appropriates Program Income totaling \$3,000,000 and appropriates any Program Income in excess of \$3,000,000 to Housing Rehabilitation Programs to allow for additional funding of loans or grants; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to approve any amendments to the Consolidated Plan, and any amendments, modifications or extensions of FY 2006-07 agreements, with the exception of the allocation of additional funds, and take any other action with respect to the agreements consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That prior to execution, agreements shall be reviewed and approved as to form and legality by the City Attorney, and copies filed with the City Clerk; and be it

FURTHER RESOLVED: That the City Council hereby allocates \$1,839,260 of excess CDBG program income collected in FY 2004-05 to make payments in FY 2006-07 and future years on the Regular Section 108 Loan and the Section 108 Loan used for the Martin Luther King Jr., Plaza Project; and be it further

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to conduct negotiations, execute documents, and take any other action with respect to the project and the allocation of CDBG funds consistent with this Resolution and its basic purpose.

MAY 2 2006

, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:


AYES- ~~BRUNNER~~, BRUNNER, CHANG, ~~KERNIGHAN~~, NADEL, QUAN, REID, AND

PRESIDENT DE LA FUENTE — 6

NOES- Brooks - 1

ABSENT- ∅

ABSTENTION- Kernighan - 1

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