

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) PREPARE AND SUBMIT TO THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT A FIRST SUBSTANTIAL AMENDMENT TO THE CITY OF OAKLAND'S FIVE-YEAR CONSOLIDATED PLAN FOR FISCAL YEARS 2020-21 THROUGH 2024-25 TO ADD CDBG-ELIGIBLE BACKUP ACTIVITIES TO BE FUNDED WITH CDBG FUNDS THAT BECOME AVAILABLE AS A RESULT OF PROJECTS BEING COMPLETED UNDER BUDGET, DELAYED OR CANCELLED; AND**

- 2) AWARD, WITHOUT RETURNING TO COUNCIL, AGREEMENTS TO THIRD PARTY CONTRACTORS AND SUB RECIPIENTS FOR BACK-UP PROJECTS AND ACTIVITIES IDENTIFIED IN EXHIBIT A ATTACHED HERETO USING CDBG FUNDS THAT BECOME AVAILABLE AS A RESULT OF PROJECTS BEING COMPLETED UNDER BUDGET, DELAYED OR CANCELLED IN FISCAL YEARS 2020-21 THROUGH 2024-25, SUBJECT TO COMPLIANCE WITH ANY APPLICABLE COMPETITIVE BIDDING REQUIREMENTS.**

WHEREAS, the City of Oakland submitted a Five-Year Consolidated Plan (Con Plan) to the United States Department of Housing and Urban Development (HUD) for Fiscal Years (FY) 2020-21 through 2024-25 as mandated by Title 24, Part 91, Subpart A of the Code of Federal Regulations (24 C.F.R 91.1, et seq.); and

WHEREAS, pursuant to 24 C.F.R. section 570.902, Community Development Block Grant funds must be expended in a timely manner; and

WHEREAS, HUD's "*Keeping Your CDBG Funds Moving*" manual authorizes grantees to identify "backup" projects to be included as part of the Five-Year Consolidated Plan (Con Plan) and Annual Action Plan (AAP) process that can be substituted for CDBG funded activities that are cancelled or delayed or added because a CDBG funded activity was completed under budget; and

WHEREAS, including backup projects in the Con Plan and AAP helps facilitate the efficient and expeditious expenditure of CDBG funds as mandated by 24 C.F.R. section 570.902; and

WHEREAS, a list identifying backup projects to be included in the City of Oakland’s First Substantial Amendment to its FY 2020-21 through 2024-25 Con Plan and 2021-22 AAP is provided in **Exhibit A** attached hereto; now, therefore, be it

RESOLVED: That the City Council hereby authorizes and directs the City Administrator or designee, to prepare and submit to HUD the City’s First Substantial Amendment to its FY 2020-21 through 2024-25 Con Plan and related documents, and to review and consider all public comments received with regard to said amended Con Plan; and be it

FURTHER RESOLVED: That the City Administrator is authorized to award without returning to City Council, agreements to third-party contractors and sub recipients for backup projects and activities identified in **Exhibit A** attached hereto using CDBG funds that become available as a result of projects being completed under budget, delayed or cancelled to facilitate the efficient and expeditious expenditure of CDBG funds as required by 24 C.F.R. 570.902; and be it

FURTHER RESOLVED: That the City Administrator or designee is hereby authorized to approve any amendments to the Final Annual Action Plan, and any amendments, modifications or extensions of CDBG agreements, 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, all agreements shall be reviewed and approved as to form and legality by the City Attorney and executed copies 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