




# AGENDA REPORT

**TO:** Edward D. Reiskin  
City Administrator

**FROM:** Shola Olatoye  
Director, HCDD

**SUBJECT:** 2019/20 Consolidated Annual  
Performance & Evaluation Report

**DATE:** February 16, 2021

City Administrator Approval 

Date: March 4, 2021

## **RECOMMENDATION**

**Staff Recommends That The City Council Conduct A Public Hearing And Upon Conclusion Receive The City Of Oakland's Consolidated Annual Performance & Evaluation Report (CAPER) For Fiscal Year (FY) 2019/20 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grant Programs To Be Submitted To The United States Department Of Housing And Urban Development.**

## **EXECUTIVE SUMMARY**

This report transmits to the City Council the City of Oakland's Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year (FY) 2019/20 as mandated by the Department of Housing & Urban Development (HUD) Federal Register Section 24 Code of Federal Regulations (CFR) Part 91.520 (24 CFR 91.520).

The 2019/20 CAPER, published and posted for citizen review and comment for a 15-day period as mandated by 24 CFR 91.520(a), from February 19, 2021 through March 6, 2021 provides a summary of the activities carried out with Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With AIDS (HOPWA) formula grant funds awarded to the City of Oakland for FY 2019/20.

Under HUD's regulatory waiver authority at 24 CFR 5.110 and 24 CFR 65, HUD waived the requirement that the 2019/20 CAPER be submitted within 90 days of the end of the City of Oakland's program year and extended the deadline for submitting the CAPER to within 180 days of the end of the City of Oakland's program year.

During this period, staff responsible for coordinating and submitting the CAPER were also responsible for preparing and submitting to HUD and City Council, the Five Year Consolidated Plan and the Second Substantial Amendment to the 2019/20 Annual Action Plan (AAP) for additional Coronavirus Aid, Relief, & Economic Security Act (CARES Act) funds awarded to the City under CDBG and ESG programs. To ensure accuracy of information reported in the CAPER, the report was not presented on the scheduled December 1, 2020 date.

City Council  
March 16, 2021

Staff requests the City Council's consideration in authorizing the 2019/20 CAPER for final submission to HUD.

## **BACKGROUND / LEGISLATIVE HISTORY**

By Federal mandate, the City of Oakland submitted to HUD the 2019/20 Annual Action Plan (AAP) for funds allocated under HUD/Community Planning & Development (CPD) Formula Grants: CDBG, HOME, ESG and HOPWA as approved by Oakland City Council per Resolution No. 87729 and No. 87730 C.M.S. on June 4, 2019 and later corrected on July 9, 2019 per Resolution No. 87806 C.M.S.

Per Title 24 of the Federal Code of Regulations 91.520 (24 CFR 91.520), the City is also required to report annually on the progress it has made in carrying out its Five-Year Consolidated Plan (Con Plan) and its AAP. The performance report or Consolidated Annual Performance & Evaluation Report (CAPER) must include a description of the resources made available, the investment of available resources, the geographic distribution and location of investments, the families and persons assisted (including the racial and ethnic status of persons assisted), actions taken to affirmatively further fair housing, and other actions indicated in the Con Plan and AAP. The CAPER is generally due to HUD within 90 days after the close of the City's program year. In response to potential Coronavirus (COVID-19) impacts on reporting, HUD granted a waiver of this requirement, extending the CAPER due date to 180 days following the City of Oakland's program year-end.

## **ANALYSIS AND POLICY ALTERNATIVES**

Satisfying the HUD CAPER, performance, and expenditure requirements provides for continued funding for the following objectives:

1. **CDBG:** *Grant awarded by HUD to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons.*
2. **HOME:** *Grant awarded by HUD to state and local governments designed exclusively to create affordable housing for low-income households.*
3. **ESG:** *Grant awarded by HUD to entitled cities and counties to provide homeless services through street outreach, emergency shelter, homelessness prevention, rapid re-housing assistance, and Homeless Management Information Systems.*
4. **HOPWA:** *Grant awarded by HUD to local communities, States, and nonprofit organizations for projects that benefit low-income persons living with HIV/AIDS and their families.*

For Program Year 2019/20, a total of \$13,964,586 awarded to the City under the 2019/20 CDBG, HOME, HOPWA and ESG programs was allocated along with other match and leverage funds to support the following activities:

- 1 Accessibility, availability and sustainability of decent affordable housing,
- 2 Accessibility, availability and sustainability of suitable living environments.
- 3 Accessibility, availability and sustainability of economic opportunities.
- 4 Accessibility, availability and sustainability of public services to low- and moderate income residents of Oakland.
- 5 Rapid re-housing and other assistance to decrease episodes of homelessness; and
- 6 AIDS housing and services for people living with AIDS and their families.

A Summary of Accomplishments reported in the 2019/20 CAPER is provided in **Attachment A** of this report.

### **FISCAL IMPACT**

The CAPER is one of two mandatory annual reports due to HUD to report performance and accomplishments achieved under the CDBG, HOME, HOPWA and ESG programs toward meeting goals set in the City's Annual Action Plan and Five-Year Consolidated Plan.

Future funding to be awarded by HUD under the Formula Grant Program is in-part contingent upon satisfying this reporting requirement. Staff estimates approximately \$13 million in formula grant funding will be allocated in February or March of 2021 to the City under HUD/CPD's Formula Grant program, benefitting low- and moderate-income Oakland residents, businesses, unsheltered residents, people living with HIV/AIDS and special-needs populations.

### **PUBLIC OUTREACH / INTEREST**

Per 24 CFR 91.105(d)(1), the City publishes and posts the CAPER for Oakland residents' review and feedback. To provide residents with reasonable opportunity to review the CAPER and provide feedback, the CAPER is posted for not less than a fifteen-day period prior to submitting the CAPER to HUD and presenting to City Council in a public hearing.

A Public Notification of the City's 2019/20 CAPER was posted in the East Bay Times, The Post, El Mundo, and Sang Tao newspaper publications, announcing the availability of the draft CAPER for Oakland residents' review and comments. Said notice also included the following information concerning the 2019/20 CAPER:

- CAPER Public Comment Period – February 19 – March 6, 2021
- Due Date for Public Comments – March 6, 2021
- Forwarding Information for Public Comments
  - [cdbg@oaklandca.gov](mailto:cdbg@oaklandca.gov) or
  - City of Oakland/CDBG Division  
250 Frank H. Ogawa Plaza, Suite 5313  
Oakland, CA 94612  
Attention: Greg Garrett

- Online access for the CAPER and Council Calendar
  - <https://www.oaklandca.gov/services/2019-20-consolidated-annual-performance-and-evaluation-report-caper>
  - <https://oakland.legistar.com/Legislation.aspx>

In addition, staff provided email notices to the CDBG contact lists that includes the seven Community Development District Boards, CDBG applicants and recipients, residents, and other CDBG contacts.

Public comments submitted during the public comment period will be entered and made available for review in Section CR-40 of the 2019/20 CAPER.

The public hearing on the 2019/20 CAPER scheduled for March 16, 2021 will provide another opportunity to obtain public comment and questions regarding the City's performance and accomplishments in housing, community development, public services, strategies and outcomes reported in the CAPER under the CDBG, HOME, HOPWA and ESG programs.

## **COORDINATION**

The 2019/20 CAPER is submitted in coordination with Department of Housing & Community Development, Economic Workforce Development, Human Services Department, Oakland Public Works, Oakland Housing Authority, and recipients of CDBG, HOME, HOPWA, and ESG funds.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** CDBG, HOME, ESG and HOPWA supports activities and services that benefit low- and moderate-income residents of Oakland, unsheltered residents, special needs populations and persons to provide for affordable housing, economic opportunities and suitable living environments; all of which contribute to sustainable economic opportunities for Oakland residents.

**Environmental:** A environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users. Not every project is subject to a full environmental review (i.e., every project's environmental impact must be examined, but the extent of this examination varies).

**Race & Equity:** CDBG, HOME, ESG and HOPWA supports activities for low- and moderate-income residents, unsheltered residents and persons living with HIV/AIDS. Support to these populations and subpopulations, seeks to minimize disparities in outcomes by race in all areas of well-being, including but not limited to housing, suitable living environments, economic opportunities and services.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Conduct A Public Hearing And Upon Conclusion Receive The City Of Oakland's Consolidated Annual Performance & Evaluation Report (CAPER) For Fiscal Year (FY) 2019/20 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grant Programs To Be Submitted To The United States Department Of Housing And Urban Development.

For questions regarding this report, please contact Gregory D. Garrett, CDBG Manager, at 510.238.6187.

Respectfully submitted,



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Director, Department of Housing & Community  
Development

Reviewed by:  
Maryann Leshin, Deputy Director  
Department of Housing & Community  
Development

Prepared by:  
Gregory D. Garrett, Manager  
Community Development Block Grant

Attachments (1):  
A: Summary of Accomplishments