

  
City Attorney's Office

2020 FEB 20 PM 2:35

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HIS OR HER DESIGNEE TO APPLY FOR, ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IN AN AMOUNT NOT TO EXCEED \$3 MILLION DOLLARS UNDER THE CALHOME PROGRAM FOR ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNIT PROGRAMS**

**WHEREAS**, the California Department of Housing and Community Development (hereinafter referred to as "HCD") has issued a Notice of Funding Availability ("NOFA") on November 27, 2019, as amended on December 23, 2019, and further amended on February 5, 2020, for the CalHome Program established by Chapter 84, Statutes of 2000 (SB 1656 Alarcon), and codified in Chapter 6 (commencing with Section 50650) of Part 2 of Division 31 of the Health and Safety Code (the "Statute"). Pursuant to the Statute, HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature to the CalHome program, subject to the terms and conditions of the Statute and the CalHome Program Regulations adopted by HCD in April 2004; and

**WHEREAS**, on February 4, 2020, the Oakland City Council adopted Resolution 80018 C.M.S., which contained an ineligible name for the above referenced notice of funding availability;

**WHEREAS**, the City of Oakland currently operates the Home Maintenance and Improvement Program to provide loans and technical assistance to very low and lower-income homeowners (e.g. those with household incomes of not more than 80% of the Area Median Income (AMI)); and

**WHEREAS**, the NOFA published by HCD permits local jurisdictions to apply for the maximum award of \$5 Million Dollars and permits jurisdictions to allocate awarded funds for eligible activities in the manner presented in the application, as approved by HCD and in accordance with the regulations of the program; and

**WHEREAS**, the City of Oakland desires to submit an application to obtain an allocation of CalHome grant funds from HCD in an amount not to exceed \$3 Million Dollars for loan assistance for home owners for the rehabilitation and/or new construction of Accessory Dwelling Units ("ADU") and Junior Accessory Dwelling Units ("JADU"), and desires to submit a separate resolution for an additional \$2 Million for mortgage assistance program assistance;

**WHEREAS**, no matching funds are required for the CalHome program; and

**WHEREAS**, there is a substantial need for additional funds to assist in providing financial assistance to lower-income homeowners in Oakland; and

**WHEREAS**, if awarded, grant funds from the HCD CalHome program will be used to fund the Home Maintenance and Improvement Program to allow the City to provide loans to homeowners; now, therefore, be it

**RESOLVED**: That this resolution replaces Resolution 80018 C.M.S.; and be it

**FURTHER RESOLVED**: That the City Administrator, or his or her designee in the event that sufficient evidence of designation is provided to HCD, is hereby authorized to submit an application to the HCD CalHome program for grant funds for an amount not to exceed \$3 Million Dollars, to be used to fund loans to assist very low to lower-income homeowners; and be it

**FURTHER RESOLVED**: That the City Administrator or his or her designee is hereby authorized to accept the HCD CalHome program grant funds, and if awarded, deposit said funds in the California Department of Housing and Community Development Fund (Fund 2144), Project to be determined, and appropriate said funds to Accessory Dwelling Unit and Junior Accessory Dwelling Unit activities to be used specifically to assist very low to lower-income homeowners; and be it

**FURTHER RESOLVED**: That the City Administrator or his or her designee is authorized to negotiate and execute the standard agreements and any amendments thereto between the City and HCD for this program; and be it

**FURTHER RESOLVED**: That said agreements shall be reviewed and approved by the City Attorney's Office for form and legality prior to execution, and copies will be placed on file with the City Clerk; and be it

**FURTHER RESOLVED**: That if the application for funding is approved, the City hereby agrees to use the CalHome funds for eligible activities in the manner presented in the application, as approved by HCD and in accordance with the regulations of the program, to assist additional homeowners in accordance with the City's ADU and JADU programs; and be it

**[REMAINDER INTENTIONALLY BLANK]**

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**FURTHER RESOLVED:** That the City Council hereby appoints the City Administrator or his or her designee as agent of the City to conduct negotiations, execute documents required by HCD, and take any other action, including negotiating the amount, terms, and conditions of the Oakland CalHome Program loans to homeowners, funded with the HCD CalHome program funds consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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