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OFFICE OF THE CITY CLERK  
OAKLAND

2010 MAY 27 PM 6:02

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Office of the City Administrator  
Dan Lindheim  
City Administrator

(510) 238-3301

June 8, 2010

Community Economic Development Committee  
Oakland, California

Chairperson De La Fuente and Members of the Committee:

**RE: Report and Resolution Amending Resolution No. 82636 C.M.S. Authorizing a Subcontract with the County of Alameda to Administer the California Community Services and Development Department's Weatherization Assistance Program Outside of Oakland, to Allow for the Use of Funds Within Oakland**

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**SUMMARY**

On March 16, 2009, the City Council passed Resolution No. 82636 C.M.S. (*Attachment A*) authorizing the City Administrator to apply for, accept and appropriate grant funds from the American Recovery and Reinvestment Act of 2009 (Federal Government's "Stimulus Package") for up to \$4,000,000 from the California Community Services and Development Department's Weatherization Assistance Program (ARRA WAP) to provide weatherization services to low-income residents of Alameda County and authorizing a subcontract with Alameda County to administer the program outside of Oakland. Staff requests approval of a resolution amending Resolution No. 82636 C.M.S. to allow for the use of funds within Oakland.

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**FISCAL IMPACT**

Contingent upon the City's receipt of ARRA WAP funds, the subcontract with Alameda County to provide weatherization services to low-income residents within Oakland will be for an amount not to exceed \$250,000 and will come from ARRA WAP funds allocated to serve Oakland residents (\$2,160,000 total).

**KEY ISSUES AND IMPACTS**

As stated in the Staff Report to the Community Economic Development Committee dated March 9, 2010 (*Attachment B*), the State, based upon the poverty rates in Oakland compared to other parts of the County service area, is allocating 55.4% of the ARRA WAP funds for Oakland (up to \$2,160,000) and the remainder of 44.6% to the County (up to \$1,740,000). The City will serve as lead agency and administer funds for Oakland residents while Alameda County will be a subcontractor and administer funds for the rest of the service area.

As previously reported, the City plans on directing the majority of ARRA WAP funds allocated to serve Oakland residents toward multi-family affordable housing projects, such as those already funded through the affordable housing Notice of Funding Availability (NOFA). However, the City would also like to allocate \$250,000 of these funds to provide weatherization services to single-family homes in Oakland.

The County of Alameda is focusing its ARRA WAP-funded program design on single-family homes in the service area outside of Oakland. The City has an existing contract with the County of Alameda to administer the City's Minor Home Repair Program for single-family homes within Oakland. Because the County is already targeting its ARRA WAP services toward single-family homes, including training staff on weatherization measures and procedures specifically appropriate for single-family housing stock, and because the City has an existing successful relationship with the County to administer residential repair services to single-family homes in Oakland, staff believes that subcontracting with the County to provide ARRA WAP services to single-family homes within Oakland is the most expedient way to serve those low-income residents. City staff will continue to focus on providing ARRA WAP services to low-income multi-family affordable housing residents.

The subcontract with the County to provide ARRA WAP to low-income single-family households in Oakland would be for an amount not to exceed \$250,000 for the period commencing upon execution of the City's ARRA WAP contract with the State and ending March 30, 2012, the end of the ARRA WAP grant period. The contract would be contingent upon the City's receipt of the ARRA WAP grant from the State.

**SUSTAINABLE OPPORTUNITIES**

**Economic:** These funds will improve and maintain the single-family housing stock in Oakland by providing for the installation of health and safety and weatherization measures and reducing energy costs for low-income residents.

**Environmental:** The use of the ARRA WAP will improve the energy efficiency of the City's existing single-family housing stock, resulting in more efficient usage of our existing natural resources.

**Social Equity:** Improving housing conditions and reducing energy costs for low-income residents is a means of achieving greater social equity.

**DISABILITY AND SENIOR CITIZEN ACCESS**

Low-income residents receiving ARRA WAP services will include seniors and persons with disabilities. The State's Title 24 and the Americans with Disabilities Act require consideration of persons with disabilities in design and construction of housing. These requirements include accessible units and facilities.

**RECOMMENDATIONS AND RATIONALE**

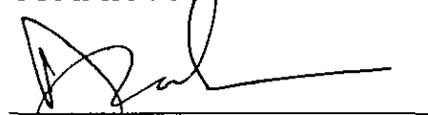
Staff recommends that the Council adopt the resolution amending Resolution No. 82636 C.M.S. to allow for the use of ARRA WAP funds for single-family homes within Oakland

Respectfully submitted,



\_\_\_\_\_  
Margaretta Lin  
Deputy City Administrator

APPROVED AND FORWARDED TO THE  
COMMUNITY ECONOMIC DEVELOPMENT  
COMMITTEE

  
\_\_\_\_\_  
Office of the City Administrator

**Attachments A and B**

Item #: \_\_\_\_\_  
CED  
June 8, 2010

# **Attachment A**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 FEB 25 PM 7:58

Approved as to form and legality



Deputy City Attorney

## OAKLAND CITY COUNCIL

Resolution No. 82636 C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (FEDERAL GOVERNMENT'S "STIMULUS PACKAGE") FOR UP TO \$4,000,000 FROM THE CALIFORNIA COMMUNITY SERVICES DEPARTMENT'S WEATHERIZATION ASSISTANCE PROGRAM TO PROVIDE WEATHERIZATION SERVICES TO LOW-INCOME RESIDENTS OF ALAMEDA COUNTY, AUTHORIZING A SUBCONTRACT WITH THE COUNTY OF ALAMEDA TO ADMINISTER THE PROGRAM OUTSIDE OF OAKLAND, AND AUTHORIZING GRANTS AND LOANS TO PROPERTY OWNERS FOR THE PROGRAM WITHOUT RETURNING TO COUNCIL**

**WHEREAS**, it is anticipated that the federal government will award grant funds in the amount of approximately \$787,000,000 from the American Recovery and Reinvestment Act of 2009 ("ARRA" or "Stimulus Package") to state and local governments to stimulate the economy by creating and preserving jobs; and

**WHEREAS**, the City of Oakland may be eligible to receive a portion of the grant funds; and

**WHEREAS**, due the urgent economic conditions, the federal government is releasing information on an ongoing basis regarding application deadlines and the criteria for funding and the types of programs, projects that will qualify for the funding and the Mayor, City Administrator and the City Council wish to be in the best posture (1) to be apprised of and updated regarding developments regarding the Stimulus Package and the City's options, (2) to prepare and complete and revise as necessary timely grant applications, and (3) to obtain the maximum amount of grant funds for which the City of Oakland may be eligible; and

**WHEREAS**, the City learned that funds are available from the California Community Services Department's Weatherization Assistance Program ("WAP") and the City wishes to apply for a grant from the Stimulus Package for said purpose; now therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to apply for, accept and appropriate up to \$4,000,000 in grant funds from the ARRA under the WAP in order to provide grants or loans of up to \$6,500 per unit for the weatherization of multi-family or single-family affordable housing for low-income residents in Alameda County, and to partner with Alameda County's Community Development Agency for their administration of ARRA WAP funds for low-income residents in other parts of Alameda County, with the exception of Berkeley, Albany, and Emeryville; and be it

**FURTHER RESOLVED:** That, should the City receive an award of such funds, the City Council hereby appropriates up to \$4,000,000 in such funds to a new fund and projects to be determined; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to negotiate and enter into a subcontract with the County of Alameda for their administration of ARRA WAP funds for low-income residents in other parts of Alameda County; and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is authorized to make grants and loans under the WAP to property owners for the weatherization of multi-family or single-family affordable housing for low-income residents in Oakland, and negotiate and enter into grant contracts or loan contracts for this purpose without returning to Council; and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is authorized to adopt program rules and guidelines with respect to the WAP consistent with this Resolution; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator to take any other action with respect to the grant and the WAP consistent with this Resolution and its basic purpose; and be it

**FURTHER RESOLVED:** That prior to execution, all contracts and agreements shall be reviewed and approved for form and legality by the Office of the City Attorney and a final copy shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 16 2010

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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

# **Attachment B**

# CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

Office of the City Administrator  
Dan Lindheim  
City Administrator

(510) 238-3301

March 9, 2010

Community Economic Development Committee  
Oakland, California

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2010 FEB 25 PM 7:58

Chairperson Dela Fuente and Members of the Committee:

**RE: Report and Resolution Authorizing the City Administrator, On Behalf of the City of Oakland, to Apply for, Accept and Appropriate Grant Funds from the American Recovery and Reinvestment Act of 2009 (Federal Government's "Stimulus Package") for Up to \$4 Million from the California Community Services Department's Weatherization Assistance Program for the Purpose of Providing Weatherization Services to Low-Income Residents**

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## SUMMARY

Under the American Recovery and Reinvestment Act of 2009 ("ARRA" or Federal Government's "Stimulus Package"), the U.S. Department of Energy has provided additional funds for weatherization assistance programs ("WAP") around the nation in order to provide grants for low-income residents to weatherize their homes. The nonprofit agency that has been operating the WAP for Oakland and other parts of Alameda County, Spectrum, was awarded an allocation of \$3.9 million in ARRA funds to provide weatherization services. Through an agreement with the State of California, Spectrum has relinquished the administration of the ARRA funds. The State of California has requested that the City of Oakland consider administering the ARRA funds for Oakland. Staff has been working with the State and Alameda County to develop a plan to administer the WAP funds--the City of Oakland would serve as the

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March 9, 2010

lead agency and administer funds for Oakland residents while Alameda County would be a subcontractor and administer funds for the rest of the County. Staff recommends the submission of an application to the State for up to \$4 million for the purpose of providing weatherization services to low-income residents.

#### **FISCAL IMPACT**

The grant application for WAP will be for up to \$4 million. The funds will be appropriated to a new Fund and new Projects to be established in the Housing and Community Development Division in CEDA.

#### **KEY ISSUES AND IMPACTS**

Funded at \$5 billion nationally and \$185,811,061 statewide, the ARRA WAP provides grants of \$6,500 per unit to eligible low-income residents to conduct basic weatherization services that would result in reduced energy costs and environmental benefits. Eligible residents must have incomes at or below 200% of the 2009 Federal Poverty Income Guidelines and Definition of Income. Weatherization services include a comprehensive series of energy efficiency measures that encompass the building envelope, its heating and cooling systems, its electrical system, and electricity consuming appliances. The WAP analysis takes a whole-house approach, which maximizes a unit's energy efficiency and energy cost savings.

The State of California was allocated \$186 million in ARRA WAP funds and provided formula allocations to jurisdictions in California. Spectrum, a nonprofit based in Hayward, has been operating the WAP serving Oakland and other parts of Alameda County, with the exception of Emeryville, Berkeley and Albany where the local jurisdictions administer the WAP. Spectrum was allotted \$3.9 million in ARRA funds to enhance their existing programs.

Based upon issues that arose regarding the administration of the ARRA WAP funds, Spectrum decided to relinquish its administration of the ARRA WAP funds. The Governor's office notified the City of Oakland about the situation and requested assistance to ensure that the WAP funds designated for Oakland and other parts of Alameda County would be utilized effectively. Staff has been engaged in planning efforts with the Alameda County Community Development Agency and the State to develop a joint plan for the City and County to administer the \$3.9 million in ARRA WAP funds, which are required to be expended by March 31, 2012.

The State is required to complete 30% of its overall total of project units by September 2010. The State estimates weatherizing approximately 43,000 units throughout the state, needing to complete approximately 13,000 by September 2010.

The State, based upon the poverty rates in Oakland compared to the other parts of the County service area, is allocating 55.4% of the ARRA WAP funds for Oakland (\$2.16 million) and the remainder of 44.6% to the County (\$1.74 million).

#### **PROGRAM DESCRIPTION**

Given the need to expend the ARRA WAP funds expeditiously, servicing the needs of low-income residents for weatherization work and for jobs generation, the City of Oakland is prioritizing the use of its ARRA WAP funds for multi-family affordable housing projects and single family housing units. The City's Housing and Community Development staff will oversee the use of the ARRA WAP funds, which will be provided as loans and grants of up to \$6,500 per unit for affordable multifamily property rehabilitation, owner-occupied rehabilitations and single-family acquisition and rehabilitations.

The ARRA WAP funds will be used to augment and leverage other existing affordable housing programs for multifamily rehabilitation, owner-occupied rehabilitation, and single-family site acquisition and rehabilitation, such as those already funded through the affordable housing Notice of Funding Availability (NOFA), the Neighborhood Stabilization Program (NSP), and the City's homeowner rehabilitation programs. Other potential programs to augment and leverage WAP funds include the State Energy Program (SEP), (for which the City of Oakland was awarded funds in early February 2010), and the Department of Energy Energy Efficiency and Conservation Block Grant Program (EECBG) (which the City applied for in December 2009 with awards expected to be announced shortly).

The County's program design is to utilize its ARRA WAP funds in two years.

#### **SUSTAINABLE OPPORTUNITIES**

**Economic:** These funds will improve and maintain the affordable housing inventory in Oakland by reducing energy costs.

**Environmental:** The use of the ARRA WAP will improve the energy efficiency of the City's existing affordable housing stock, resulting in more efficient usage of our existing natural resources.

**Social Equity:** Improving affordable housing is a means of achieving greater social equity. Oakland's neighborhood-level environment will be improved by rehabilitating underused and blighted buildings. The proposed projects will preserve and improve affordable housing for low income individuals.

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March 9, 2010

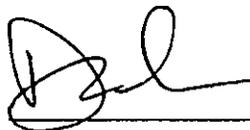
**DISABILITY AND SENIOR CITIZEN ACCESS**

Projects receiving the ARRA WAP funds will include units for seniors and persons with disabilities. The State's Title 24 and the Americans with Disabilities Act require consideration of persons with disabilities in design and construction of housing. These requirements include accessible units and facilities. Furthermore, all developers receiving City or Agency funds are required to effectively market housing units to the disabled community.

**RECOMMENDATIONS AND RATIONALE**

Staff recommends that the Council adopt the resolution authorizing the City Administrator to apply for, accept, and appropriate grant funds from the California Department of Community Services and Development's Weatherization Assistance Program for up to \$4 million for the purpose of providing weatherization services to low-income residents in Oakland and other parts of Alameda County, with the exception of Berkeley, Albany, and Emeryville.

Respectfully submitted,

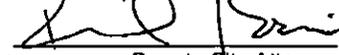


Dan Lindheim  
City Administrator

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 FEB 25 PM 7:58

Approved as to form and legality

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE GRANT FUNDS FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (FEDERAL GOVERNMENT'S "STIMULUS PACKAGE") FOR UP TO \$4,000,000 FROM THE CALIFORNIA COMMUNITY SERVICES DEPARTMENT'S WEATHERIZATION ASSISTANCE PROGRAM TO PROVIDE WEATHERIZATION SERVICES TO LOW-INCOME RESIDENTS OF ALAMEDA COUNTY, AUTHORIZING A SUBCONTRACT WITH THE COUNTY OF ALAMEDA TO ADMINISTER THE PROGRAM OUTSIDE OF OAKLAND, AND AUTHORIZING GRANTS AND LOANS TO PROPERTY OWNERS FOR THE PROGRAM WITHOUT RETURNING TO COUNCIL

**WHEREAS**, it is anticipated that the federal government will award grant funds in the amount of approximately \$787,000,000 from the American Recovery and Reinvestment Act of 2009 ("ARRA" or "Stimulus Package") to state and local governments to stimulate the economy by creating and preserving jobs; and

**WHEREAS**, the City of Oakland may be eligible to receive a portion of the grant funds; and

**WHEREAS**, due the urgent economic conditions, the federal government is releasing information on an ongoing basis regarding application deadlines and the criteria for funding and the types of programs, projects that will qualify for the funding and the Mayor, City Administrator and the City Council wish to be in the best posture (1) to be apprised of and updated regarding developments regarding the Stimulus Package and the City's options, (2) to prepare and complete and revise as necessary timely grant applications, and (3) to obtain the maximum amount of grant funds for which the City of Oakland may be eligible; and

**WHEREAS**, the City learned that funds are available from the California Community Services Department's Weatherization Assistance Program ("WAP") and the City wishes to apply for a grant from the Stimulus Package for said purpose; now therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or his designee to apply for, accept and appropriate up to \$4,000,000 in grant funds from the ARRA under the WAP in order to provide grants or loans of up to \$6,500 per unit for the weatherization of multi-family or single-family affordable housing for low-income residents in Alameda County, and to partner with Alameda County's Community Development Agency for their administration of ARRA WAP funds for low-income residents in other parts of Alameda County, with the exception of Berkeley, Albany, and Emeryville; and be it

**FURTHER RESOLVED:** That, should the City receive an award of such funds, the City Council hereby appropriates up to \$4,000,000 in such funds to a new fund and projects to be determined; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to negotiate and enter into a subcontract with the County of Alameda for their administration of ARRA WAP funds for low-income residents in other parts of Alameda County; and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is authorized to make grants and loans under the WAP to property owners for the weatherization of multi-family or single-family affordable housing for low-income residents in Oakland, and negotiate and enter into grant contracts or loan contracts for this purpose without returning to Council; and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is authorized to adopt program rules and guidelines with respect to the WAP consistent with this Resolution; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator to take any other action with respect to the grant and the WAP consistent with this Resolution and its basic purpose; and be it

**FURTHER RESOLVED:** That prior to execution, all contracts and agreements shall be reviewed and approved for form and legality by the Office of the City Attorney and a final copy shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES -BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**DRAFT**

Approved as to Form and Legality

2010 MAY 27 PM 6:02

Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

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**RESOLUTION AMENDING RESOLUTION NO. 82636 C.M.S. AUTHORIZING A SUBCONTRACT WITH THE COUNTY OF ALAMEDA TO ADMINISTER THE CALIFORNIA COMMUNITY SERVICES AND DEVELOPMENT DEPARTMENT'S WEATHERIZATION ASSISTANCE PROGRAM OUTSIDE OF OAKLAND, TO ALLOW FOR THE USE OF FUNDS WITHIN OAKLAND.**

**WHEREAS**, the City Council previously passed Resolution No. 82636 C.M.S. authorizing the City Administrator, on behalf of the City of Oakland, to apply for, accept and appropriate grant from the American Recovery and Reinvestment Act of 2009 (Federal Government's "Stimulus Package") for up to \$4 million from the California Community Services and Development Department's Weatherization Assistance Program ("ARRA WAP") for the purpose of providing weatherization services to low-income residents and authorizing a subcontract with Alameda County to administer the program outside of Oakland; and

**WHEREAS**, the State's allocation of WAP funds to serve low-income residents in other parts of Alameda County is an amount up to \$1,740,000 and, contingent on the City's receipt of those grant funds as lead agent, the City intends to subcontract with the Alameda County Community Development Agency to administer those funds for the purpose of providing weatherization services outside of Oakland; and

**WHEREAS**, the City also desires to enter into a subcontract with the Alameda County Community Development Agency for an amount not to exceed \$250,000 to provide ARRA WAP services to low-income residents within Oakland; and

**WHEREAS**, the total amount of the City's subcontract with the Alameda County Community Development Agency to provide WAP services will be for an amount not to exceed \$1,990,000, with not more than \$1,740,000 allocated to serve low-income residents outside Oakland and not more than \$250,000 allocated to serve single-family homes within Oakland; now, therefore, be it

**RESOLVED:** that the City Council hereby amends Resolution No. 82636 C.M.S. to authorize the City Administrator or his designee to enter into a subcontract with the Alameda County Community Development Agency, contingent upon receipt of WAP funds from the State, for an amount not to exceed \$250,000 to provide ARRA WAP services to low-income residents within Oakland; and be it

**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 subcontract and projects consistent with this Resolution and its basic purpose; and be it

**FURTHER RESOLVED:** that prior to execution, all contracts and agreements shall be reviewed and approved for form and legality by the Office of the City Attorney and a final copy shall be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,  
AND PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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