



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

- 1) **AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD), A FIRST SUBSTANTIAL AMENDMENT TO THE CITY OF OAKLAND'S ANNUAL ACTION PLAN FOR FISCAL YEAR 2024/25 TO UPDATE MULTIPLE ALLOCATIONS FOR CURRENT- AND PRIOR-YEAR HUD GRANTS;**
- 2) **AMENDING RESOLUTION NO. 90372 C.M.S., WHICH AMONG OTHER THINGS, INCLUDED EXHIBIT A ALLOCATIONS AND A LIST OF ELIGIBLE BACKUP ACTIVITIES TO BE FUNDED WITH FUNDS THAT BECOME AVAILABLE AS A RESULT OF PROJECTS BEING COMPLETED UNDER BUDGET, DELAYED, CANCELLED OR REPRIORITIZED, TO MODIFY SAID RESOLUTION TO REFLECT UPDATED ALLOCATIONS AS DESCRIBED IN AMENDED EXHIBIT A AND AN UPDATED LIST OF ELIGIBLE BACKUP ACTIVITIES TO BE FUNDED WITH GRANT FUNDS THAT BECOME AVAILABLE AS A RESULT OF PROJECTS BEING COMPLETED UNDER BUDGET, DELAYED, CANCELLED OR REPRIORITIZED, CONTINGENT UPON AVAILABLE FUNDING FROM HUD;**
- 3) **AMENDING THE CITIZEN PARTICIPATION PLAN TO INCREASE THE THRESHOLD OF WHAT CONSTITUTES A SUBSTANTIAL AMENDMENT TO AN ACTIVITY-LEVEL REALLOCATION ACTION THAT SHIFTS MORE THAN TWENTY PERCENT OF THE ANNUAL GRANT AWARD AMOUNT; AND**
- 4) **AUTHORIZING THE CITY ADMINISTRATOR TO AWARD AGREEMENTS FOR ACTIVITIES AS SET FORTH IN EXHIBIT A AND THE LIST OF ELIGIBLE BACKUP ACTIVITIES TO BE FUNDED WITH GRANT FUNDS THAT BECOME AVAILABLE AS A RESULT OF PROJECTS BEING COMPLETED UNDER BUDGET, DELAYED, CANCELLED OR REPRIORITIZED, ATTACHED HERETO, AND THE CITY'S AMENDED FISCAL YEAR 2024/25 ANNUAL ACTION PLAN INCLUSIVE OF PRIOR-YEAR FUNDING AVAILABILITY, SUBJECT TO**

COMPLIANCE WITH ANY APPLICABLE COMPETITIVE BIDDING REQUIREMENTS, WITHOUT RETURNING TO COUNCIL

WHEREAS, the City of Oakland (City) receives annual allocations of funding from the United States Department of Housing and Urban Development (HUD), including the Community Development Block Grant (CDBG) Program, Housing Opportunities for Persons With AIDS (HOPWA) Program, HOME Investment Partnerships (HOME) Program, and the Emergency Solutions Grants (ESG) Program; and

WHEREAS, on May 7, 2024, HUD announced allocation of formula grants to the City in the following amounts for 2024 Community Planning & Development (CPD) Programs:

2024 FEDERAL ENTITLEMENT FORMULA GRANTS AWARDED TO THE CITY

Community Development Block Grant (CDBG)	\$7,484,410
HOME Investment Partnerships (HOME)	\$2,368,547
Housing Opportunities for Persons With AIDS (HOPWA)	\$3,761,466
Emergency Solutions Grants (ESG)	\$646,128
Total \$14,260,551	

; and

WHEREAS, Title 24, Part 91, Subpart A of the Code of Federal Regulations (24 C.F.R 91.1, et seq.) requires the City to prepare and submit to HUD an Annual Action Plan in order to receive the above-noted HUD CPD funding awards; and

WHEREAS, HUD released CPD Notice 24-01 in February 2024 as guidance to CDBG, HOME, HOPWA, and ESG formula grantees for submitting Annual Action Plans for Fiscal Year 2024/25; and

WHEREAS, the City Council held public hearings on July 16 and December 17, 2024 and approved the Fiscal Year 2024/25 Annual Action Plans via [Resolution No. 90372](#); and

WHEREAS, Resolution No. 90372 authorized the expenditure of funds on a list of projects contained in “Exhibit A” of the Annual Action Plan as well as providing conditional authorization for the expenditure of funds on a list of eligible backup activities to be funded with federal funds that become available as a result of projects being completed under budget, delayed, or cancelled; and

WHEREAS, the award of federal funds in the CDBG, HOME, HOPWA, and ESG programs is conditioned on the timely expenditure of awarded funds; and

WHEREAS, since the adoption of the Fiscal Year 2024/25 Annual Action Plan, staff have identified new uses for federal funds that will most effectively advance the City’s housing and

community development objectives, as described in the Housing & Community Development Department's 2023-2027 Strategic Action Plan; and

WHEREAS, amending the Annual Action Plan will allow for the most efficient use of federal funding from the current and previous program years; and

WHEREAS, authorizing staff to award agreements without return to Council, whilst still complying with the City's competitive bidding procedures, would expedite the delivery of housing and community development activities and ensure compliance with federal regulations on the timely expenditure of grant funds; now, therefore, be it

RESOLVED: That the City Council amends Resolution No. 90372 to amend the Fiscal Year 2024/25 Annual Action Plan to adopt the updated "**Exhibit A**" list of projects and list of eligible backup activities to be funded with grant funds that become available as a result of projects being completed under budget, delayed, cancelled or reprioritized, contingent upon available funding from the U.S. Department of Housing & Urban Development, as attached to this Resolution; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator enter into agreements to implement the projects listed in the updated Exhibit A and list of eligible backup activities, subject to the City's competitive bidding requirements, without return to Council; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to reprogram funds from the CDBG, ESG, HOME, and HOPWA programs in the Fiscal Year 2024/25 and in previous program years, and to take associated actions to use those reprogrammed funds, without return to Council; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to transfer CDBG, ESG, HOME, and HOPWA funds between different budget accounts and fiscal years without return to Council; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to amend the Citizen Participation Plan for CDBG, ESG, HOME, and HOPWA funds to increase the threshold of what constitutes a substantial amendment to an activity-level reallocation action that shifts more than twenty percent of the annual grant award amount; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to incorporate all public comments received on this substantial amendment to Oakland’s Fiscal Year 2024/25 Annual Action Plan and take all action necessary to submit this substantial amendment to the HUD.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND PRESIDENT
PRO TEMPORE GALLO

NOES –

ABSENT – COUNCIL PRESIDENT JENKINS (serving as Mayor pursuant to Charter Section 303)

ABSTENTION –

ATTEST:

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

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