

OFFICE OF THE CITY CLERK  
2008-07-27 10:09:45

APPROVED AS TO FORM AND LEGALITY:

*O. Bialosky*  
DEPUTY CITY ATTORNEY

# OAKLAND CITY COUNCIL

RESOLUTION No. 81270 C. M. S.

**RESOLUTION 1) AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT THE CONSOLIDATED PLAN ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT FOR FISCAL YEAR 2008-09 TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; 2) AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE FUNDS TOTALING \$14,956,613 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP, EMERGENCY SHELTER GRANT AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM AS PART OF THE OF THE CITY'S FY 08-09 BUDGET; 3) AUTHORIZE THE CITY ADMINSTRATOR TO APPROPRIATE \$1,070,478 IN PROGRAM INCOME AND ANY AMOUNTS IN EXCESS THEREOF FOR HOUSING REHABILITATION AS PART OF THE CITY'S FY 08-09 BUDGET; 4)AUTHORIZE THE REPROGRAMMING OF \$1,012,000 IN CURRENT YEAR EXCESS FUNDS TO OFFSET FY 08-09 SHORTFALLS FOR SECTION 108 LOAN REPAYMENT AND HOMELESS SERVICES AS PART OF THE CITY'S FY 08-09 BUDGET**

**WHEREAS**, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Oakland prepare and submit a Consolidated Plan as a condition for receiving federal funds for housing and community development activities; and

**WHEREAS**, the Consolidated Plan should be submitted to HUD by May 15, 2008, but no later than the end of the City's current fiscal year; and

**WHEREAS**, the City has published a draft of the Consolidated Plan Annual Action Plan and has provided for a public comment period of 30 days according to HUD requirements; and

**WHEREAS**, the City desires to accept grants from HUD for the following programs in the following amounts as identified in the Consolidated Plan;

Community Development	
Block Grant (CDBG)	\$8,326,488
HOME	4,278,160
American Dream Downpayment	
Initiative (ADDI)	27,271
Emergency Shelter Grant	372,694
HOPWA	1,952,000

and

**WHEREAS**, a public hearing will be held May 6, 2008, to solicit public comment on the proposed Consolidated Plan including consideration of the categorical allocation of CDBG funds to programs and projects for FY 2008-09; and

**WHEREAS**, funding recommendations for the FY 2008-09 CDBG grant were made during the FY 2007-08 process; and

**WHEREAS**, the previous CDBG FY 2007-09 Adopted Budget included \$2.5 million in “program income,” which represents funds received as repayments of loans made to low income homeowners to rehabilitate their homes; and

**WHEREAS**, in the past year the CDBG program income has fallen sharply due to the downturn in the housing market; and

**WHEREAS**, estimated revenue for FY 2008-09 from Program Income is \$1,070,478; and

**WHEREAS**, there is a need for funds to make up the shortfall in the program income and the cut in grant allocation to cover the Section 108 Loan Repayment and Homeless Services; and

**WHEREAS**, there is \$1,012,000 available in CDBG current year excess funds to make up the shortfall in the program income and the cut in grant allocation to cover the Section 108 Loan Repayment and Homeless Services; now therefore, be it

**RESOLVED:** That the City Council hereby authorizes and directs the City Administrator, and/or her designee, to prepare the final Consolidated Plan, consistent with the draft Action Plan and related documents, and consider public comments received; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes and directs the City Administrator, and/or her designee, to take any actions necessary to execute and submit the documents mentioned above to HUD and any other materials that may be required to secure HUD approval of the City’s Consolidated Plan; and be it

**FURTHER RESOLVED:** That the City Council hereby accepts and appropriates the HUD funds totaling \$14,956,613 and authorizes the City Administrator or her designee to amend the appropriated amounts for FY 2008/09 to reflect actual grant receipts for the programs identified in the final Consolidated Plan; and be it

**FURTHER RESOLVED:** That CDBG funds shall be appropriated to the HUD-CDBG Fund (2108), HOME funds shall be appropriated to the HUD-HOME Fund (2109) and ESG & HOPWA funds shall be appropriated to the Miscellaneous Grants Fund (2999); and be it

**FURTHER RESOLVED:** That for FY 2008-09 the City Council hereby appropriates Program Income totaling \$1,070,478 and appropriates any Program Income in excess of \$1,070,478 to Housing Rehabilitation Programs to allow for additional funding of loans or grants; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to approve any amendments to the Consolidated Plan, and any amendments, modifications or extensions of FY 2008-09 agreements, with the exception of the allocation of additional funds, 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, agreements shall be reviewed and approved as to form and legality by the City Attorney, and copies filed with the City Clerk; and be it

**FURTHER RESOLVED:** That the City Council hereby allocates \$1,012,000 of CDBG current year excess funds to make up the shortfall in the program income and the cut in grant allocation to cover the Section 108 Loan Repayment and Homeless Services; and be it further

**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 project and the allocation of CDBG funds consistent with this Resolution and its basic purpose.

IN COUNCIL, OAKLAND, CALIFORNIA,           MAY 6 2008          , 2008


**PASSED BY THE FOLLOWING VOTE:**

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

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