



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION:

- 1) **ACCEPTING AND APPROPRIATING A TOTAL AWARD OF U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT GRANT FUNDS IN THE AMOUNT OF \$14,617,844 FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENTS PARTNERSHIP (HOME), EMERGENCY SOLUTIONS GRANT (ESG), AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FISCAL YEARS 2020-2022 PROGRAMS;**
- 2) **ACCEPTING AND APPROPRIATING CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT FUNDS IN THE AMOUNT OF \$2,723,889 AWARDED TO THE CITY OF OAKLAND UNDER THE ESG AND HOPWA PROGRAMS TO PREVENT, PREPARE FOR AND RESPOND TO THE CORONAVIRUS;**
- 3) **AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE CITY OF OAKLAND FIVE-YEAR CONSOLIDATED PLAN FOR FISCAL YEARS 2020-21 THROUGH 2024-25 AND THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2020-21;**
- 4) **APPROPRIATING \$850,000 IN REVOLVING LOAN FUND PROGRAM INCOME AND ANY AMOUNTS IN EXCESS THEREOF FOR HOUSING REHABILITATION ACTIVITIES OR OTHER CDBG-ELIGIBLE ACTIVITIES;**
- 5) **AUTHORIZING THE CITY ADMINISTRATOR TO AWARD GRANT AGREEMENTS TO VARIOUS THIRD-PARTY CONTRACTORS AND SUB-RECIPIENTS IDENTIFIED IN EXHIBIT A ATTACHED HERETO FOR FISCAL YEARS 2020-2022 CDBG, HOME, ESG, AND HOPWA PROGRAMS; AND**
- 6) **AUTHORIZING THE USE OF GENERAL PURPOSE FUNDS TO PAY CENTRAL SERVICE OVERHEAD CHARGES FOR THE EMERGENCY SOLUTIONS GRANT AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAMS.**

WHEREAS, the United States Department of Housing & Urban Development (HUD) has allocated formula entitlement grants to the City of Oakland in the following amounts under the 2020 Community Planning & Development (CPD) programs:

- Community Development Block Grant (CDBG) \$ 7,705,609
- HOME Investment Partnership (HOME) \$ 3,173,979

- Housing Opportunities for Persons with AIDS (HOPWA) \$ 3,078,240
- Emergency Solutions Grant (ESG) \$ 660,016
- Total **\$14,617,844**

; and

WHEREAS, the City of Oakland has been awarded supplemental Housing Opportunities for Persons With AIDS (HOPWA-CV) and Emergency Solutions Grant (ESG-CV) funding under the Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136) in the following amounts to prevent, prepare for, and respond to coronavirus:

- Housing Opportunities for Persons with AIDS (HOPWA-CV) \$2,275,917
- Emergency Solutions Grant (ESG-CV) \$ 447,972
- Total **\$2,723,889**

; and

WHEREAS, on May 19, 2020, Oakland City Council accepted and appropriated CDBG CARES Act funds (CDBG-CV) in the amount of \$4,532,841 as part of the First Substantial Amendment to the 2019-20 Annual Action Plan; and

WHEREAS, Title 24, Part 91, Subparts A-C and F of the Code of Federal Regulations (24 C.F.R 91.1, et seq.) requires the City of Oakland to prepare and submit to HUD a Five-Year Consolidated Plan (Con Plan), inclusive of a 2020-21 Annual Action Plan (AAP) in order to receive the award amounts listed above under the CPD formula grant and CARES Act allocations; and

WHEREAS, in light of the COVID-19 pandemic, HUD reduced the citizen participation comment period under 24 CFR section 91.105 from 30 days to 5 days; and

WHEREAS, in light of the COVID-19 pandemic, HUD also waived the public hearing requirements under 24 CFR section 91.105 to allow local jurisdiction to hold virtual public hearings, if social distancing is recommended by health officials, as long citizens are provided reasonable notice and opportunity to comment; and

WHEREAS, a public hearing will be held June 30, 2020 to solicit public comment on the City’s Con Plan, which includes categorical allocation of CDBG, HOME, HOPWA, ESG, HOPWA-CV, ESG-CV and CDBG-CV funds for Fiscal Year (FY) 2020-21; and

WHEREAS, in FY 2020-21, the City’s Department of Housing & Community Development expects to collect \$850,000 in Revolving Loan Program Income from loan fees and payments under the City’s CDBG-funded Residential Lending and Housing Rehabilitation program; and

WHEREAS, said Revolving Loan Program Income is utilized and reported annually as leveraging for CDBG funds awarded to the City; and

WHEREAS, staff seeks approval to utilize Revolving Loan Program Income collected in

excess of the \$850,000 in FY 2019-20 and FY 2020-21 for housing rehabilitation and other CDBG-eligible activities; and

WHEREAS, no more than 7.5 percent of ESG funds and no more than 3 percent of HOPWA funds awarded to the City may be used to cover grantee (the City’s) administrative costs; and

WHEREAS, the Community Housing Services Division will be required to pay an estimated \$8,354 in Central Services Overhead costs for the administration of its ESG grant funds and an estimated \$11,522 in Central Service Overhead costs for the administration of its HOPWA grant funds; and

WHEREAS, payment of the Central Services Overhead costs for the administration of its ESG and HOPWA grant funds may cause the Community Housing Services Division to exceed the 7.5% and 3% administrative costs caps for ESG and HOPWA funds, respectively; now therefore be it

RESOLVED: That the City Council hereby accepts and appropriates CDBG, HOME, HOPWA, ESG, and CARES Act funding (HOPWA-CV and ESG-CV) as follows:

• Community Development Block Grant (CDBG)	\$ 7,705,609
• HOME Investment Partnership (HOME)	\$ 3,173,979
• Housing Opportunities for Persons with AIDS (HOPWA)	\$ 3,078,240
• Emergency Solutions Grant (ESG)	\$ 660,016
Total	\$14,617,844
• Housing Opportunities for Persons with AIDS (HOPWA-CV)	\$ 2,275,917
• Emergency Solutions Grant (ESG-CV)	\$ 447,972
Total	\$ 2,723,889

; and be it

FURTHER RESOLVED: That CDBG grant funds shall be appropriated to the HUD-CDBG Fund 2108, HOME funds shall be appropriated to the HUD-HOME Fund 2109, HOPWA and HOPWA-CV funds shall be appropriated to the HUD-HOPWA Fund 2103, and ESG and ESG-CV funds shall be appropriated to the HUD-ESG Fund 2103; and be it

FURTHER RESOLVED: That the City Council appropriates \$850,000 in Revolving Loan Program Income for housing rehabilitation services for FY 2020-21 and authorizes the use of all Revolving Loan Program Income received in excess of \$850,000 in FY 2019-20 and FY 2020-21 for housing activities and other CDBG-eligible activities, including projects to address the impact of the coronavirus crisis on Oakland communities, without returning to Council; and be it

FURTHER RESOLVED: That the City Council appropriates Revolving Loan Program Income funds to Fund 2018; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to take all actions necessary to prepare and timely submit the City’s Five Year Consolidated Plan for FY 2020-21 through FY 2024-25, the 2020-21 AAP, and any related documents, to HUD for the purpose of securing HUD approval; and be it

FURTHER RESOLVED: That the City shall provide a period of not less than five days for public comment on the amendments to the AAP and shall review and consider all public comments regarding said amendments prior to submission of the Con Plan to HUD for review and approval; and be it

FURTHER RESOLVED: That City Council hereby authorizes a contribution from the General-Purpose-Fund to be included in the City’s Adopted Budget for CSO costs related to the HOPWA and ESG programs in amounts equivalent to the Department of Human Services FY 2020/21 CSO costs estimated to be \$8,354 for ESG and \$11,522 for HOPWA; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to award agreements to the third-party contractors and sub-recipients for projects and activities as set forth in Exhibit A attached hereto and in the City’s 2020-21 – 2024-25 Con Plan subject to compliance with any applicable CDBG and City competitive bidding requirements; and be it

FURTHER RESOLVED: That prior to execution, all agreements shall be reviewed and approved as to form and legality by the City Attorney, and executed copies shall be filed with the City Clerk.

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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: _____

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