



AGENDA REPORT

TO: Jestin D. Johnson
City Administrator


FROM: Emily Weinstein,
Director, Housing and
Community Development

SUBJECT: 2023/24 Consolidated Annual
Performance & Evaluation Report &
2024/25 Annual Action Plan

DATE: November 7, 2024

City Administrator Approval

Date:


Jestin Johnson (Nov 21, 2024 08:57 PST)

Nov 21, 2024

RECOMMENDATION

Staff Recommends That The City Council Conduct A Public Hearing And Upon Conclusion Accept Two Informational Reports:

- (1) Receive The City Of Oakland's Consolidated Annual Performance & Evaluation Report (CAPER) For Fiscal Year (FY) 2023/24 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, Emergency Solutions Grant, HOME American Rescue Plan And 2023/24 Activities Administered Under The Coronavirus Aid Relief & Economic Security Act Funds Allocated Under The Community Development Block Grant.**
- (2) Receive The City Of Oakland's Annual Action Plan (AAP) For Fiscal Year 2024-2025 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grants Programs**

EXECUTIVE SUMMARY

This informational report transmits to the public and to the Oakland City Council (Council), the City of Oakland's Consolidated Annual Performance and Evaluation Report (CAPER) for

CED Committee
December 10, 2024

Fiscal Year (FY) 2023/24 as mandated by the United States Department of Housing & Urban Development (HUD) under Title 24, Part 91, Sections 91.105 and 91.520(a) of the Code of Federal Regulations (24 C.F.R. §§ 91.105; 91.520(a)).

In 2023 the HUD Community Planning & Development (CPD) Department awarded the City of Oakland (City) a total of \$14,664,598 under four HUD/CPD Formula Entitlement grants as authorized by Council Resolution No. 89799 C.M.S., passed on June 20, 2023.

A breakdown of the awards by grant is provided in **Table A** below.

Table A: HUD/CPD 2023/24 Grant Awards

HUD CPD Grant	Award
Community Development Block Grant (CDBG)	\$7,351,600
HOME Investment Partnership (HOME)	\$2,935,667
Housing Opportunities for Persons Living With AIDS (HOPWA)	\$3,722,566
Emergency Solutions Grant (ESG)	\$654,765
TOTAL 2023/24 HUD CPD FORMULA GRANT AWARDS	\$14,664,598

Attachment B of this report provides a summary of accomplishments included in the City's 2023/24 CAPER for activities funded under the CDBG, HOME, HOPWA, and ESG, CDBG-CV, ESG-CV and other fund resources used to achieve overall priorities set in the 2023/24 Annual Action Plan. The full CAPER is available online for review at <https://www.oaklandca.gov/news/notice-of-request-for-public-comments-on-the-city-of-oaklands-second-public-hearing-for-fy2024-25-annual-action-plan-and-the-city-of-oaklands-consolidated-annual-performance-and-evaluation-report-for-fy-2023-24>

This informational report also transmits to the public and to the Oakland City Council (Council) a second copy and reading of the City's 2024/2025 Annual Action Plan (AAP). The FY 2024/25 AAP was submitted to United States Department of Housing & Urban Development (HUD) Community Planning & Department (CPD) Division on August 16, 2024. This occurred after City Council received and authorized the FY 2024/25 AAP on July 16, 2024 through Council Resolution No. 90372 C.M.S.

However, per 24 Code of Federal Regulations (C.F.R) § 91.105 (d) the City's citizen participation plan, HUD will only release funds for an AAP after two public hearings have been conducted. This second hearing will meet HUD's requirement for citizen participation for the four FY 2024/25 formula grants listed below in **Table B**:

Table B: HUD/CPD 2024/25 Annual Action Plan Grant Awards

HUD CPD Grant	Award
Community Development Block Grant (CDBG)	\$7,484,410
HOME Investment Partnership (HOME)	\$2,368,546.71
Housing Opportunities for Persons Living With AIDS (HOPWA)	\$3,761,466
Emergency Solutions Grant (ESG)	\$646,128
TOTAL 2024/25 HUD CPD FORMULA GRANT AWARDS	\$14,260,550.71

BACKGROUND / LEGISLATIVE HISTORY

The City's FY 2023/24 CAPER includes a description of the resources made available, the investment of available resources, the geographic distribution and location of investments, the families and persons assisted (including the racial and ethnic status of persons assisted), actions taken to affirmatively further fair housing, and other actions as planned and approved under the 2020/21 – 2024/25 Five Year Consolidated Plan (Con Plan), and the 2023/24 AAP.

Under Title 24, Part 91, Section 91.520 of the Code of Federal Regulations (24 C.F.R. § 91.520), the City is required to report annually on the progress it has made in carrying out its Five-Year Consolidated Plan (Con Plan), AAP and Substantial Amendments to the Con Plan or AAPs.

The 2023/24 Annual Action Plan (AAP) allocates HUD/ CPD Formula Grants awarded to the City under the CDBG, HOME, ESG, and HOPWA. Said fund uses are authorized by Oakland City Council Resolution No. 89799 C.M.S. passed on June 20, 2023. In FY 2023/24, the City continued the use of CDBG-CV allocations as authorized by Oakland City Council Resolution No. 88135 and No. 88416. HOME American Rescue Plan (HOME ARP) activity and funds are authorized by Oakland City Council Resolution No. 88977.

Per 24 C.F.R. § 91.105 (d) the City's citizen participation plan must provide citizens with reasonable notice and an opportunity to comment on performance reports. The citizen participation plan must provide a period not less than 15 days for public review and comments on the CAPER that is to be submitted to HUD.

Similarly, for the FY 2024/25 AAP, the City needs to comply with the Citizen Participation Plan as mandated by Title 24 Code of Federal Regulations (CFR) 91.105 and 24 CFR 91.115). The City of Oakland's Citizen Participation Plan requires two hearings for the Annual Action Plan.

The City had its first hearing when presenting the FY 2024/25 Annual Action Plan (AAP) for City Council authorization and adoption at the July 16, 2024 meeting. After the first hearing concluded, City Council voted to authorize the FY 2024/25 AAP through Council Resolution No. 90372 C.M.S. The City then submitted its FY 2024/25 AAP to HUD on August 16, 2024. After

the submission of the FY 2024/25 AAP, HUD informed the City that it needed to hold a second public hearing in order for HUD to release funding to the City.

This second hearing will go over the FY 2024/25 AAP for further citizen input. **Attachments C & D** are the submitted City Council report that contains information on the FY 2024/25 AAP including a breakdown of all funding allocations in the FY 2024/25 AAP Exhibit A.

Once this second public hearing has occurred, the City will request for HUD to release its FY 2024/25 CPD grant agreement for access to allocated funds.

ANALYSIS AND POLICY ALTERNATIVES

The City's 2023/24 CAPER evaluates and reports accomplishments and progress towards six priority goals established under the 5 Year Con Plan and 2023/24 AAP:

1. Affordable Housing
2. Homeless Solutions
3. Economic Development
4. Community Development Public Services
5. Neighborhood Stabilization
6. Public Facility Improvement & Infrastructure Improvements

FY 2023/24 activities reported under these priority-goals support and advance the Citywide priority of:

- housing,
- homeless solutions,
- economic and cultural security;
- Oakland's Permanent Access To Housing (PATH) framework to addressing homelessness, and
- Oakland's Housing & Community Development Strategic Plan Framework.

All strategic actions were performed from a racial equity perspective to best target resources to the most vulnerable residents in consideration of housing needs, the state of homelessness, the level of under-served communities, and the disparities of opportunity and access for Oakland residents living with low- to moderate- incomes, especially those most impacted by racial disparities.

For more information on the specific outcomes, please read **Attachment A & B** to get an in-depth summary of the FY 2023/24 CAPER.

The City is required to complete a second hearing for the FY 2024/25 AAP in order for HUD to release these funds for expending. **Attachments C & D** are the submitted City Council report that contains information on the FY 2024/25 AAP including a breakdown of all funding allocations in the FY 2024/25 AAP **Exhibit A**.

FISCAL IMPACT

The CAPER is a HUD-mandated annual report on the performance and evaluation activities carried out during FY 2023/24 under HUD CPD Formula Grant programs.

Funds awarded under the 2023/24 HUD/CPD award not expended during the FY 2023/24 will expire September 2031 for CDBG, 2031 for HOME, 2026 for HOPWA, and 2025 for ESG.

HOME ARP funds expire September 2030 and HUD CPD Cares Act funds awarded under CDBG-CV expire 2026.

The City follows each of the expenditure periods listed above.

The FY 2024/25 Annual Action Plan authorized resolution accepted and appropriated \$14,260,550.71 in HUD CPD funds for the FY2024/2025 budget from the four Federal entitlement grants in **Table B** above will provide support of affordable housing, housing, and services for persons with HIV/AIDS, homeless services, and other community development services principally benefitting the City's residents with low- to moderate-incomes or living in low- to moderate areas. CDBG grant funds in the amount of \$7,484,410 and RLPI in the amount of \$850,000 shall be appropriated to Fund 2108 (HUD-CDBG Fund), HOME grant funds in the amount of \$2,368,546.71 shall be appropriated to Fund 2109 (HUD-HOME Fund), and the HOPWA and ESG grant funds in the amount of \$3,761,466 and \$646,128, respectively shall be appropriated to Fund 2103 (HUD-HOPWA and HUD-ESG Fund).

PUBLIC OUTREACH / INTEREST

Per 24 C.F.R. § 91.105(d)(1), the City publishes and posts the CAPER online to provide Oakland residents reasonable opportunity to review and provide feedback regarding the CAPER. The CAPER is posted on the City of Oakland website for not less than a fifteen-day period.

A Public Notification of the City's 2023/24 CAPER was posted in the *East Bay Times*, *The Post*, *El Mundo*, and *Sing Tao* newspaper publications, announcing the availability of the CAPER and the public comment period. Said notice also included the following information concerning the 2023/24 CAPER:

- CAPER Public Comment Period – December 1, 2024 – December 15, 2024
- Forwarding Information for Public Comments to:

CDE@oaklandca.gov or

City of Oakland/Community Development & Engagement () Division

250 Frank H. Ogawa Plaza, Suite

5313 Oakland, CA 94612

Attention: Ecaterina Burton, Monitoring & Evaluation Supervisor for CDE

- Online access for the CAPER and Council Calendar at:
<https://www.oaklandca.gov/news/notice-of-request-for-public-comments-on-the-city-of-oaklands-second-public-hearing-for-fy2024-25-annual-action-plan-and-the-city-of-oaklands-consolidated-annual-performance-and-evaluation-report-for-fy-2023-24>

In addition, staff provided email notices to the various community contact lists made available to the City's CDE Division.

This item is to be presented on December 17, 2024 at Oakland City Council, as a public hearing item for the FY 2023/24 CAPER as an informational report, providing a second opportunity for the City to obtain public comments regarding the outcomes and accomplishments reported in the 2023/24 CAPER.

Public comments submitted during the 15-day public comment period and during the public hearing will be entered and made part of Section CR-40 of the 2023/24 CAPER prior to submitting the CAPER to HUD for final review and approval.

The FY 2024/25 Annual Action Plan for its first hearing on July 16, 2024, also had a public comment period. Per 24 CFR 91.105, the public was provided 30 days to review and comment on the 2024/25 AAP from June 28, 2024 to July 27, 2024. An [announcement](#) was made on the City's website prior to this period. The full 2024/25 AAP was posted at for the public to review:
<https://www.oaklandca.gov/documents/annual-action-plan-fy-2024-2025>.

For this upcoming second hearing, the City will do another 30 day period for public comment prior to the second public hearing. The public comment period will happen from November 15, 2024 until December 15, 2024.

COORDINATION

The 2023/24 CAPER is submitted in coordination with Department of Housing & Community Development, Economic Workforce Development, Human Services Department, and the Oakland Housing Authority. The 2024/25 AAP was prepared in July 2024 in coordination with the City Attorney's Office, Budget Bureau, Human Services Department, Department of Housing & Community Development, and Department of Economic and Workforce Development.

This combined report has been reviewed by the City Attorney's Office and by the City's Budget Bureau Office.

SUSTAINABLE OPPORTUNITIES

Economic: CDBG, HOME, ESG and HOPWA supports activities and services that benefit low- and moderate-income residents of Oakland, unsheltered residents, special needs populations and persons to provide for affordable housing, economic opportunities, and suitable living environments; all of which contribute to sustainable economic opportunities for Oakland residents.

Environmental: An environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end- users. Not every project is subject to a full environmental review (i.e., every project's environmental impact must be examined, but the extent of this examination varies).

Race & Equity: CDBG, HOME, ESG, and HOPWA supports activities for low- and moderate- income residents, unsheltered individuals, and persons living with HIV/AIDS. Support to these populations and subpopulations, seeks to minimize disparities in outcomes by race in all areas of well-being, including but not limited to housing, suitable living environments, economic opportunities, community development, and public services.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Conduct A Public Hearing And Upon Conclusion Accept Two Informational Reports:

- (1) Receive The City Of Oakland's Consolidated Annual Performance & Evaluation Report (CAPER) For Fiscal Year (FY) 2023/24 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, Emergency Solutions Grant, HOME American Rescue Plan And 2023/24 Activities Administered Under The Coronavirus Aid Relief & Economic Security Act Funds Allocated Under The Community Development Block Grant.
- (2) Receive The City Of Oakland's Annual Action Plan (AAP) For Fiscal Year 2024-2025 Community Development Block Grant, HOME Investment Partnerships, Housing Opportunities For Persons With AIDS, And Emergency Solutions Grants Programs

For questions regarding this report, please contact Ecaterina Burton, Community Development & Engagement Monitoring & Evaluation Supervisor, at eburton@oaklandca.gov.

Respectfully submitted,

Emily Weinstein

Emily Weinstein (Nov 20, 2024 14:31 PST)

Emily Weinstein
Director,
Department of Housing & Community
Development

Reviewed by:
Greg Garrett, Manager
Community Development &
Engagement

Prepared by:
Ecaterina Burton, Monitoring &
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Attachments (4):

- A. FY23-24 CAPER Informational Report
- B. FY23-24 CAPER Summary of Accomplishments
- C. FY24-25 Annual Action Plan Informational Report
- D. FY24-25 Annual Action Plan Exhibit A