

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION:**

- 1) **ACCEPTING AND APPROPRIATING A TOTAL AWARD OF U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$14,131,647 FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENTS PARTNERSHIP (HOME), EMERGENCY SOLUTIONS GRANT (ESG), AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) FISCAL YEARS 2025-2027 PROGRAMS;**
- 2) **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 2025-26 THROUGH 2029-30 AND THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2025-26;**
- 3) **APPROPRIATING ANY AVAILABLE REVOLVING LOAN FUND PROGRAM INCOME FOR HOUSING REHABILITATION ACTIVITIES OR OTHER CDBG-ELIGIBLE ACTIVITIES;**
- 4) **ACCEPTING AND ADOPTING THE 2025-2029 COUNTY OF ALAMEDA REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE REPORT; AND**
- 5) **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 FUNDS THAT BECOME AVAILABLE AS A RESULT OF PROJECTS BEING COMPLETED, UNDER BUDGET, DELAYED OR CANCELLED, ATTACHED HERETO, 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 HIV/AIDS (HOPWA) Program, Home Investment Partnership (HOME) Program, and the Emergency Solutions Grant (ESG) Program; and

**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 2025 Community Planning & Development (CPD) programs:

• Community Development Block Grant (CDBG)	\$7,412,561
• HOME Investment Partnership (HOME)	\$2,276,585
• Housing Opportunities for Persons with AIDS (HOPWA)	\$3,784,714
• Emergency Solutions Grant (ESG)	<u>\$657,787</u>
Total	<b>\$14,131,647; and</b>

**WHEREAS**, the United States Department of Housing and Urban Development (HUD) may from time to time make an administrative error in calculating the City of Oakland's grant amount or may otherwise increase or decrease the grant amount, and while such instances will require an amendment to the Annual Action Plan, such amendments will not be considered substantial, unless the amount of the adjustment is more than 20% of the original grant amount, per the Citizen Participation Plan; and

**WHEREAS**, on April 30, 2025, HUD notified the City that the department discovered an administrative error in the allocation of American Rescue Plan Act of 2021 HOME Investment Partnerships Program (HOME-ARP) grant funds in the amount of \$16,934, which resulted in a revised 2021 HOME-ARP award of \$11,342,875; 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 2025-26 Annual Action Plan (AAP) in order to receive the award amounts listed above under the CPD formula grant; and

**WHEREAS**, a public hearing will be held July 1, 2025 to solicit public comment on the City's Con Plan, which includes categorical allocation of CDBG, HOME, HOPWA, and ESG funds for Fiscal Year (FY) 2025-26; and

**WHEREAS**, California Government Code § 8899.50 requires all California cities to engage in Affirmatively Furthering Fair Housing; and

**WHEREAS**, the County of Alameda, as a lead agency, together with the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, Union City and Unincorporated Alameda County; the housing authorities for the cities of Alameda, Berkeley, Livermore, and Oakland; and the Housing Authority of the County of Alameda—have formed a regional collaborative for the purpose of completing a Regional Analysis of Impediments to Fair Housing for the 2025-2029 Consolidated Plan cycle; and

**WHEREAS,** in FY 2025-26, 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 used and reported annually to the U.S. Department of Housing and Urban Development; and

**WHEREAS,** staff seeks approval to use Revolving Loan Program Income collected in excess of the \$850,000 in FY 2025-26 and FY 2026-27 for rehabilitation and other CDBG-eligible activities; now therefore be it

**RESOLVED:** That the City Council hereby accepts and appropriates CDBG, HOME, HOPWA, and ESG funding up to an amount not to exceed as follows:

• Community Development Block Grant (CDBG)	\$7,412,561
• HOME Investment Partnership (HOME)	\$2,276,585
• Housing Opportunities for Persons with AIDS (HOPWA)	\$3,784,714
• Emergency Solutions Grant (ESG)	<u>\$657,787</u>
Total	<b>\$14,131,647;</b>

; and be it

**FURTHER RESOLVED:** That the City Council hereby accepts and appropriates HOME Investment Partnerships – American Rescue Plan Act on 2021 (HOME-ARP) grant funds in the amount of \$16,934 to which the City is legally entitled due to the discovery of an administrative error by the United States Department of Housing and Urban Development in calculating the City of Oakland’s 2021 HOME-ARP award; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to take all actions necessary to prepare and timely submit amendments to the City’s Five-Year Consolidated Plan and/or Annual Action Plans that are not substantial per the Citizen Participation Plan, including accepting and appropriating grant funds for amounts less than 20% of the original grant amount; 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 funds shall be appropriated to the HUD-HOPWA Fund 2103, and ESG 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 2025-26 to HUD-CDBG Fund 2108, and authorizes the appropriation and use of all Revolving Loan Program Income received in excess of \$850,000 for housing activities and other CDBG-eligible activities, without returning to Council; 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

2025-26 through FY 2029-30, the 2025-26 Annual Action Plan (AAP), amendments to past AAPs, and any related documents, to HUD for the purpose of securing HUD approval; and be it

**FURTHER RESOLVED:** That the City Council accepts and adopts the 2025-2029 Regional Analysis of Impediments to Fair Housing; and be it

**FURTHER RESOLVED:** That the City Council accepts and adopts the 2025-2029 Citizen Participation Plan enclosed with the 2025-2029 Consolidated Plan; and be it

**FURTHER RESOLVED:** That the City Council adopts the attached “**Exhibit A**” list of projects and list of eligible backup activities to be funded with CDBG, ESG, HOME and/or HOPWA funds that become available as a result of projects being completed under budget, delayed, or cancelled, 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 procedures, without return to Council; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator 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 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND  
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

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