


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

- 1) **ACCEPTING AND APPROPRIATING ROUND 2 STATE RENTAL ASSISTANCE (SRA2) PROGRAM FUNDS IN AN AMOUNT NOT TO EXCEED TWELVE MILLION SEVENTY-SEVEN THOUSAND SEVEN HUNDRED THIRTEEN DOLLARS AND FIFTY-TWO CENTS (\$12,077,713.52) AWARDED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO THE CITY OF OAKLAND TO PROVIDE FINANCIAL ASSISTANCE FOR THE PAYMENT OF RENT AND OTHER HOUSING RELATED EXPENSES TO ELIGIBLE HOUSEHOLDS;**
- 2) **AUTHORIZING THE CITY ADMINISTRATOR TO TAKE ALL STEPS NECESSARY FOR THE CITY TO RECEIVE THE SRA2 FUNDS AWARDED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, INCLUDING BUT NOT LIMITED TO, SIGNING AND SUBMITTING THE ACCEPTANCE OF AWARD TERMS FORM;**
- 3) **AWARDING SRA2 GRANT AGREEMENTS IN A TOTAL AMOUNT NOT TO EXCEED TWELVE MILLION SEVENTY-SEVEN THOUSAND SEVEN HUNDRED THIRTEEN DOLLARS AND FIFTY-TWO CENTS (\$12,077,713.52) TO BAY AREA COMMUNITY SERVICES, BUILDING OPPORTUNITIES FOR SELF SUFFICIENCY, CATHOLIC CHARITIES OF THE DIOCESE OF OAKLAND, EAST BAY ASIAN LOCAL DEVELOPMENT CORPORATION, EAST OAKLAND COMMUNITY DEVELOPMENT CORPORATION, COLLECTIVE LEGAL SERVICES - EVICTION DEFENSE CENTER, AND SAFE PASSAGES TO PROVIDE FINANCIAL ASSISTANCE FOR THE PAYMENT OF RENT AND OTHER HOUSING RELATED EXPENSES TO ELIGIBLE HOUSEHOLDS;**
- 4) **AUTHORIZING THE CITY ADMINISTRATOR TO REALLOCATE FUNDING BETWEEN GRANTEES AND TO AMEND GRANT**

AGREEMENTS AWARDED PURSUANT TO THIS RESOLUTION ACCORDINGLY WITHOUT RETURNING TO COUNCIL, IF NECESSARY, TO ENSURE TIMELY EXPENDITURE OF SRA2 FUNDS; AND

- 5) AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE ANY ADDITIONAL SRA2 FUNDING MADE AVAILABLE BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND TO AMEND THE GRANT AGREEMENTS AWARDED PURSUANT TO THIS RESOLUTION TO INCREASE THE AMOUNT USING THE ADDITIONAL FUNDING, WITHOUT RETURNING TO COUNCIL, ON THE CONDITION THAT STAFF RETURN TO COUNCIL TO PROVIDE A REPORT ON THE ACCEPTANCE AND PLANNED EXPENDITURE OF ANY ADDITIONAL SRA2 FUNDING WITHIN 60 DAYS AFTER ACCEPTANCE.**

WHEREAS, Section 501 of Division N of the Consolidated Appropriations Act, 2021 appropriated \$25 billion in Emergency Rental Assistance Program (ERA) funds to States, U.S. Territories, local governments, and Indian Tribes to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic; and

WHEREAS, in January 2021, the City of Oakland received an award of ERA funds from the United States Department of the Treasury in the amount of \$12,874,764 and said funds have been allocated for rental assistance and other housing stability services in City Council Resolution No. 88520 C.M.S. (February 16, 2021) and Resolution No. 88738 C.M.S. (July 26, 2021); and

WHEREAS, Section 3201 of Title III of the American Rescue Plan Act of 2021 (Public Law No. 117-2) appropriated a second round of Emergency Rental Assistance (ERA2) funds in the amount of \$21.5 billion to States, U.S. Territories, local governments, and Indian Tribes to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic; and

WHEREAS, on July 26, 2021, the City of Oakland accepted and appropriated a direct allocation of ERA2 funds from the United States Department of the Treasury in the amount of \$19,644,850.30 (Resolution No. 88792 C.M.S.); and

WHEREAS, the State of California also received an allocation of ERA2 funds and California Assembly Bill No. 832 (AB 832), established the State Rental Assistance Program – 2 (SRA2) to administer the State’s share of ERA2 funds; and

WHEREAS, AB 832 allows municipalities to apply for an allocation of SRA2 funds to provide rental and other housing stability assistance to eligible households experiencing financial hardship as a result of the COVID-19 pandemic; and

WHEREAS, the City of Oakland requested and received an allocation of SRA2 funds from the California Department of Housing & Community Development in the amount of Twelve

Million Seventy-Seven Thousand Seven Hundred Thirteen Dollars And Fifty-Two Cents (\$12,077,713.52); and

WHEREAS, the SRA2 funds allocated by the State will enable the City to provide assistance to eligible residents who, to date, have been unable to receive financial assistance under the City's emergency rental assistance program because their household income exceeded the income limit (above 30% AMI) or they applied after all funds were awarded; and

WHEREAS, as a prerequisite to receiving the SRA2 funds, the City must sign and submit an acceptance of award terms form; and

WHEREAS, no less than 85% of the SRA2 funds awarded to the City must be used to provide direct financial assistance, including rental assistance, to eligible households as defined by the American Rescue Plan Act and no more than 15% of the SRA2 fund award may be used for administrative costs attributable to providing financial assistance; and

WHEREAS, the City must act quickly not only to ensure timely expenditure of the SRA2 funds but also to address the significant financial needs of households impacted by the COVID-19 pandemic and eagerly awaiting financial assistance; and

WHEREAS, as of August 13, 2021, the City, in partnership with Oakland non-profit agencies, has successfully deployed over \$5.3 million to property owners and other payees to pay past due and some prospective rent and utilities to housing and utility providers, benefitting 633 households. Of the 633 assisted households, approximately 41% or 256 are Black, and 27% or 172 assisted households are Latinx; and

WHEREAS, City staff has identified multiple nonprofit agencies to provide direct rental assistance and the services needed to ensure long term housing stability for Oakland's most vulnerable residents; and

WHEREAS, it is not uncommon for non-profit agencies to be able to deploy grant funds faster than expected or to experience unexpected delays in the deployment of grant funds and, therefore, it is critical that the City Administrator have the ability to increase grant awards or reallocate funds between grantees, without returning to Council, to ensure timely expenditure of the SRA2 funds and to provide rapid assistance to eligible households experiencing a financial crisis as a result of the COVID-19 pandemic; and

WHEREAS, City staff has been informed that additional SRA2 funding may become available, and, therefore, it is critical that the City Administrator have the ability to accept, appropriate and award any additional SRA2 funding that becomes available to ensure timely expenditure of any additional SRA2 funds and provide rapid assistance to eligible households experiencing a financial crisis as a result of the COVID-19 pandemic; now, therefore, be it

RESOLVED: That the City Council hereby accepts the Twelve Million Seventy-Seven Thousand Seven Hundred Thirteen Dollars And Fifty-Two Cents (\$12,077,713.52) in SRA2 funds

awarded by the California Department of Housing and Community Development to the City of Oakland; and be it

FURTHER RESOLVED: That the City Administrator is authorized to take all steps necessary to receive the SRA2 funds awarded by the California Department of Housing and Community Development, including, but not limited to, signing, and submitting the required acceptance of award terms form; and be it

FURTHER RESOLVED: That the \$12,077,713.52 in SRA2 funds shall be budgeted and identified as one-time stimulus funding and is hereby appropriated to Fund 2071, Organization 89919, Project Code (to be determined), Account 54011; and be it

FURTHER RESOLVED: That the City Council awards grants to the following non-profit agencies in the specified “Grant Amount” to provide financial assistance to eligible households, for the payment of rent and other housing related expenses, in accordance with Section 3201 of Title III of the American Rescue Plan Act of 2021

COMMUNITY PARTNER (GRANTEE)	GRANT AMOUNT
Bay Area Community Services (BACS)	\$5,000,000.00
Catholic Charities of the Diocese of Oakland	\$2,600,000.00
Collective Legal Services - Eviction Defense Center	\$2,600,000.00
Safe Passages	\$454,993.55
East Bay Asian Local Development Corporation (EBALDC)	\$400,000.00
Building Opportunities for Self Sufficiency (BOSS)	\$400,000.00
East Oakland Community Development Corporation (EOCDC)	\$200,000.00
	Total \$11,654,993.55*

; and be it

FURTHER RESOLVED: That the City Administrator is authorized to reallocate funding between grantees and to amend grant agreements awarded pursuant to this resolution to modify the

* The City of Oakland will retain 3.5% (\$422,719.97) of the total SRA2 funding award to cover administrative costs attributable to providing financial assistance to eligible households as allowed by the American Rescue Plan Act.

grant amount in accordance with any reallocation, without returning to council, if necessary, to ensure timely expenditure of SRA2 funds; and be it

FURTHER RESOLVED: That the City Administrator is authorized to accept and appropriate any additional SRA2 funding made available by the California Department of Housing and Community Development and to amend grant agreements awarded pursuant to this Resolution to increase the amount using the additional funding, without returning to Council, on the condition that staff return to Council to provide a report on the acceptance and planned expenditure of any additional SRA2 funding within 60 days after acceptance; and be it

FURTHER RESOLVED: That any additional SRA2 funding shall be budgeted and identified as one-time stimulus funding and shall be appropriated to Fund 2071, Organization 89919, Project Code (to be determined), Account 54011; and be it

FURTHER RESOLVED: That the City Council directs the City Administrator to provide regular reporting to the City Council and the public with respect to status of administering funds, status of expenditures, planned expenditures at risk of not being timely spent, reallocations, and other pertinent information to ensure complete transparency with regard to the City's use of these funds; 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 of each agreement shall be filed with the City Clerk.

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IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

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