

  
City Attorney's Office

# OAKLAND CITY COUNCIL

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

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**RESOLUTION:**

- 1) **ACCEPTING AND APPROPRIATING AN AWARD OF UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT GRANT FUNDS IN THE AMOUNT OF \$14,766,961 FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENTS PARTNERSHIP (HOME), EMERGENCY SOLUTIONS GRANT (ESG), AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAMS FOR FISCAL YEAR 2021-2022;**
- 2) **AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2021-22;**
- 3) **APPROPRIATING \$850,000 IN REVOLVING LOAN PROGRAM INCOME AND ANY AMOUNTS COLLECTED IN EXCESS THEREOF FOR HOUSING REHABILITATION ACTIVITIES AND OTHER CDBG-ELIGIBLE ACTIVITIES AND PROJECTS;**
- 4) **AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE GRANT AGREEMENTS FOR THE FISCAL YEAR 2021-2022 CDBG, HOME, ESG, AND HOPWA PROGRAMS; AND**
- 5) **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 2021 Community Planning and Development (CPD) Programs:

- Community Development Block Grant (CDBG) \$ 7,750,367
  - HOME Investment Partnership (HOME) \$ 3,124,987
  - Housing Opportunities for Persons with AIDS (HOPWA) \$ 3,234,468
  - Emergency Solutions Grant (ESG) \$ 657,139
- Total** **\$14,766,961**

; and

**WHEREAS**, Title 24, Part 91, Subpart A 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 an Annual Action Plan (AAP) consisting of the information set forth in 24 C.F.R. 91.220 in order to receive the above-noted HUD CPD funding awards; and

**WHEREAS**, HUD released CPD Notice 21-02 in February 2021 as guidance to CDBG, HOME, HOPWA, and ESG formula grantees for submitting Annual Action Plans for FY 2021-22, including a waiver to allow for Virtual Public Hearings in preparation of the FY 2021-22 AAP; and

**WHEREAS**, a public hearing will be held June 1, 2021 to solicit public comment on the City’s Con Plan, which includes categorical allocation of CDBG, HOME, HOPWA, ESG, and Revolving Loan Program Income (RLF/PI) funds for Fiscal Year (FY) 2021-22; and,

**WHEREAS**, the Residential Lending/Rehabilitation Division of 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 to HUD as leveraging for CDBG funds awarded to the City; and

**WHEREAS**, staff recommends using and seeks approval to use Revolving Loan Program Income collected from the following six project that is in excess of the anticipated \$850,000 for housing rehabilitation activities and other CDBG-eligible activities, including but not limited to backup activities and projects identified in **Exhibit A** attached hereto

<b>Fund</b>	<b>Organization</b>	<b>Project</b>
2108	89939	1000087
2108	89939	1000090
2108	89939	1000362
2108	89939	1001244
2108	89939	1001304
2108	89939	1001419

; and

**WHEREAS**, not more than 7.5 percent of ESG funds awarded and not more than 3 percent

of HOPWA funds awarded to the City may be used to cover grantee (the City’s) administration costs; and

**WHEREAS**, the limited ESG and HOPWA grantee administrative funds are necessary to cover personnel and operations costs for the Community Housing Services (CHS) Division of the Human Services Department, payment of Central Services Overhead (CSO) may cause CHS to exceed the 7.5 percent and 3 percent caps mandated by ESG and HOPWA grants; now therefore be it

**RESOLVED:** That the City Council hereby accepts and appropriates CDBG, HOME, HOPWA, and ESG funding as follows:

• Community Development Block Grant (CDBG)	\$ 7,750,367
• HOME Investment Partnership (HOME)	\$ 3,124,987
• Housing Opportunities for Persons with AIDS (HOPWA)	\$ 3,234,468
• <u>Emergency Solutions Grant (ESG)</u>	<u>\$ 657,139</u>
<b>Total</b>	<b>\$14,766,961</b>

; and be it

**FURTHER RESOLVED:** That the CDBG grant funds in the amount of \$7,750,367 shall be appropriated to Fund 2108 (HUD-CDBG Fund), HOME grant funds in the amount of \$3,124,987 shall be appropriated to Fund 2109 ( HUD-HOME Fund), and the HOPWA and ESG grant funds in the total amount of \$3,891,607 shall be appropriated to Fund 2103 (HUD-HOPWA and HUD-ESG Fund); and be it

**FURTHER RESOLVED:** That the City Council hereby appropriates \$850,000 in Revolving Loan Program Income to Fund 2108, to be used for housing rehabilitation services for FY 2021-22; and be it

**FURTHER RESOLVED:** That the City Council hereby appropriates any Revolving Loan Program Income collected from the following six project that is in excess of above-noted \$850,000 to Fund 2108, and directs that any such excess funds shall be used solely for housing activities and other CDBG-eligible projects and activities, including but not limited to any backup projects and activities identified in **Exhibit A** attached hereto

<b>Fund</b>	<b>Organization</b>	<b>Project</b>
2108	89939	1000087
2108	89939	1000090
2108	89939	1000362
2108	89939	1001244
2108	89939	1001304
2108	89939	1001419

; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to take any and all actions necessary to timely prepare and submit to HUD the City’s Annual Action Plan (AAP) for FY 2021-22 and any related documents for the purpose of securing HUD 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 FY 2021-23 Biennial Budget for Central Service Overhead (CSO) costs related to the HOPWA and ESG programs in amounts equivalent to the Department of Human Services FY 2021-22 CSO costs estimated to be \$11,227 for ESG and \$15,826, for HOPWA; and be it

**FURTHER RESOLVED:** That project numbers listed in Exhibit A for each project and activity may be subject to change based on the availability of requested project numbers in the City’s Oracle Finance System; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized to enter into agreements with the third-party contractors and sub recipients for projects and activities as set forth in **Exhibit A** attached hereto and in the City’s 2021-22 AAP; 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 - 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