



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

(1) ACCEPTING AND APPROPRIATING AN AWARD OF UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT GRANT FUNDS IN THE AMOUNT OF \$14,664,598 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 2023-2024;

(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 2023-2024;

(3) APPROPRIATING UP TO \$850,000 IN REVOLVING LOAN PROGRAM INCOME TO SUPPORT THE CITY'S RESIDENTIAL LENDING/HOUSING REHABILITATION PROGRAMS AND ANY AMOUNTS COLLECTED IN EXCESS THEREOF FOR HOUSING REHABILITATION ACTIVITIES AND OTHER CDBG-ELIGIBLE ACTIVITIES AND PROJECTS WITHOUT RETURNING TO COUNCIL;

(4) AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND EXECUTE GRANT AGREEMENTS UNDER THE FISCAL YEAR 2023-2024 CDBG, HOME, ESG, AND HOPWA PROGRAMS;

(5) AUTHORIZING THE USE OF GENERAL-PURPOSE FUNDS TO PAY CENTRAL SERVICE OVERHEAD CHARGES UP TO \$11,836 FOR THE 2023 EMERGENCY SOLUTIONS GRANT AND \$17,220 UNDER THE 2023 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAMS

WHEREAS, on February 27, 2023, the United States Department of Housing & Urban Development (HUD)/Community Planning & Development (CPD) announced HUD/CPD allocation of formula grants to the City of Oakland as an Entitlement Grantee in the following amounts for 2023 CPD Programs:

2023 FEDERAL ENTITLEMENT FORMULA GRANTS AWARDED TO THE CITY

Community Development Block Grant (CDBG)		\$7,351,600
HOME Investment Partnership (HOME)		\$2,935,667
Housing Opportunities for Persons with AIDS (HOPWA)		\$3,722,566
Emergency Solutions Grant (ESG)	-	\$654,765
Total		\$14,664,598

Table 1

; 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 23-01 in February 2023 as guidance to CDBG, HOME, HOPWA, and ESG formula grantees for submitting Annual Action Plans (AAP) for Fiscal Year (FY) 2023/2024 FY 2023/2024 AAP; and

WHEREAS, CPD Notice 23-01 instructs all CDBG, HOME, HOPWA and ESG grantees that Plans (AAP or Consolidated Plans) should be submitted to HUD at least 45 days before the start date of the program year, and no later than August 16, 2023; and

WHEREAS, a public hearing will be held June 20, 2023, for public comment on the AAP, which includes categorical allocation of CDBG, HOME, HOPWA, ESG, and Revolving Loan Program Income (RLF/PI) funds for Fiscal Year FY 2023/2024 and Back-up projects for CDBG in the case of delayed or canceled CDBG projects; 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 and seeks approval to use RLF/PI collected that is in excess of the anticipated \$850,000 and deposited into Fund 2108; Organization 88939, Project (Various), be used for housing rehabilitation activities and other CDBG-eligible activities, including but not limited to *CDBG Backup Activities* authorized under Oakland City Council Resolution No.88710 – *The First Amendment To the City Of Oakland Five Year Consolidated Plan For FY 2020/2021 – 2024/2025* and Backup activities identified in Exhibit A of this resolution; 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 for FY 2023/2024 as indicated in Table 1 above; and be it

FURTHER RESOLVED: That the CDBG grant funds in the amount of \$7,351,600 shall be appropriated to Fund 2108 (HUD-CDBG Fund), HOME grant funds in the amount of \$2,935,667 shall be appropriated to Fund 2109 (HUD-HOME Fund), and the HOPWA and ESG grant funds in the total amount of \$4,377,331 shall be appropriated to Fund 2103 (HUD-HOPWA and HUD-ESG Fund); and be it

FURTHER RESOLVED: That the City Council hereby appropriates up to \$850,000 in Revolving Loan Fund Program Income to Fund 2108, to be used for housing rehabilitation services for FY 2023/2024; and be it

FURTHER RESOLVED: That the City Council hereby appropriates any Revolving Loan Program Income collected from Oakland Residential Lending/Rehabilitation Division programs 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 authorized under Oakland City Council Resolution 88710 C.M.S., passed June 15, 2021 and Exhibit A attached herein; 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 2023/2024 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 2023/24 Budget for Central Service Overhead (CSO) costs related to the HOPWA and ESG programs in amounts equivalent to the

Department of Human Services FY 2023/2024-CSO costs estimated to be \$11,836 for ESG and \$17,220, for HOPWA; and be it

FURTHER RESOLVED: That the City Administrator is authorized to negotiate and enter into agreements with the third-party contractors and subrecipients for the projects and activities and up to the amounts set forth in **Exhibit A** attached hereto; and for backup projects and activities, if any, up to the amounts set forth and previously authorized by Resolution 88710 C.M.S., passed June 15, 2021, without returning to Council, and be it

FURTHER RESOLVED: That project numbers in **Exhibit A** for each project and activity listed is subject to change based on the availability of requested project numbers in the City's Oracle Finance System; 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 - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED

City Clerk and Clerk of the Council of the City
of Oakland, California

CDBG, HOME, ESG, HOPWA 2023/24 ALLOCATIONS

EXHIBIT A

PROJECT	Line	AWARDEE	Project Numbers	CDBG FY 22/23 Up To	CDBG CARRY- FORWARD- Up To	REVOLVING LOAN PROGRAM Up	HOME	HOPWA	ESG	TOTAL
City of Oakland Housing & Community Development HOPWA - Grantee Administration FY 2023/24-2026/27	1	City of Oakland	1006666					\$ 111,677		\$ 111,677
City of Oakland Housing & Community Development HOPWA-Facility Based Operating Costs fy 2023/24- 2026/27	2	Alameda County Healthy Homes Department	1006666					\$ 990,000		\$ 990,000
City of Oakland Housing & Community Development HOPWA-Project Sponsor Admin. fy 2023/24-2026/27	3	Alameda County Healthy Homes Department	1006666					\$ 47,962		\$ 47,962
City of Oakland Housing & Community Development HOPWA-Information and Referral fy 2023/24-2026/27	4	Alameda County Healthy Homes Department - Eden I & R	1006666					\$ 195,573		\$ 195,573
City of Oakland Housing & Community Development HOPWA-Project Sponsor Admin. fy 2023/24-2026/27	5	Alameda County Healthy Homes Department - Eden I & R	1006666					\$ 11,445		\$ 11,445
City of Oakland Housing & Community Development HOPWA-Permanent Housing Placement fy 2023/24-2026/27	6	Alameda County Healthy Homes Department - East Oakland Community Project	1006666					\$ 34,375		\$ 34,375
City of Oakland Housing & Community Development HOPWA-Information & Referral 2023/24- 2026/27	7	Alameda County Healthy Homes Department - East Oakland Community Project	1006666					\$ 56,250		\$ 56,250
City of Oakland Housing & Community Development HOPWA-Support Services FY 2023/24- 2026/27	8	Alameda County Healthy Homes Department - East Oakland Community Project	1006666					\$ 245,675		\$ 245,675
City of Oakland Housing & Community Development HOPWA-Support Services FY 2023/24- 2026/27	9	Alameda County Healthy Homes Department - East Bay Innovations	1006666					\$ 38,678		\$ 38,678
City of Oakland Housing & Community Development HOPWA-Short Term Rent Mortgage & Utilities 2023/24- 2026/27	10	Alameda County Healthy Homes Department -AIDS Project of the East Bay	1006666					\$ 381,285		\$ 381,285
City of Oakland Housing & Community Development HOPWA-Tenant Based Rental Assistance FY 2023/24-2026/27	11	Alameda County Healthy Homes Department -AIDS Project of the East Bay	1006666					\$ 439,413		\$ 439,413

City of Oakland Housing & Community Development HOPWA-Support Services FY 2023/24-2026/27	12	Alameda County Healthy Homes Department - Resources for Community Development	1006666				\$ 54,400	\$ 54,400
City of Oakland Housing & Community Development HOPWA-Short Term Rent, Mortgage and	13	Contra Costa County	1006666				\$ 70,000	\$ 70,000
City of Oakland Housing & Community Development HOPWA-Information & Referrals FY	14	Contra Costa County	1006666				\$ 253,708	\$ 253,708
City of Oakland Housing & Community Development HOPWA-Permanent Housing Placement	15	Contra Costa County	1006666				\$ 31,500	\$ 31,500
City of Oakland Housing & Community Development HOPWA-Support Services FY 2023/24-	16	Contra Costa County	1006666				\$ 590,364	\$ 590,364
City of Oakland Housing & Community Development HOPWA-Project Sponsor Admin. FY	17	Contra Costa County	1006666				\$ 71,172	\$ 71,172
City of Oakland Housing & Community Development HOPWA-Unallocated FY 2023/24-2026/27	18	Contra Costa County	1006666				\$ 99,089	\$ 99,089
City of Oakland Housing and Community Development Minor Home Repair Program	19	Alameda County Healthy Homes Department	1006861 -\$98,112 CF 1006231 \$31,088 CF 1001107 \$30,000	\$ 98,112	\$ 61,088			\$ 159,200
City of Oakland Access Improvement Project and Lead Safe Painting	20	City of Oakland HCD Residential Lending/Rehabilitation	1006863 CF 1005945	\$ 301,000	\$ 139,000			\$ 440,000
Affordable Housing Funding New Construction/Rehabilitation of Affordable Rental Housing	21	City of Oakland HCD/ Housing Development Services	1000379				\$ 293,567	\$ 293,567
Affordable Housing Funding New Construction/Rehabilitation of Affordable Rental Housing	22	City of Oakland HCD/ Housing Development Services	1000379				\$2,642,100	\$ 2,642,100
Emergency Home Repair Program & Home Maintenance & Improvement Program	23	City of Oakland HCD Residential Lending/Rehabilitation	1006865 CDBG 1006868 RLP	\$ 69,891		\$ 850,000		\$ 919,891
Department of Human Services/ Admin	24	Community Housing Services Administration	1006654	\$ 495,462				\$ 495,462
Department of Human Services/ Program Delivery	25	Community Housing Services Program Delivery	1006660	\$ 240,327				\$ 240,327
Department of Human Services/ PATH Set Aside	26	East Oakland Community Project Operations/Abode - for PATH 3rd Party Agreements	EOCP- 1006683- \$158,244 PATH- 1006661- \$246,772	\$ 405,016				\$ 405,016
PATH ESG Admin	27	City of Oakland /HSD/CHS	1006663				\$ 49,107	\$ 49,107
PATH ESG Grant Agreements	28	City of Oakland /HSD/CHS	1006663				\$ 605,658	\$ 605,658
City of Oakland Business Assistance	29	Economic Workforce Development	1006870	\$ 310,858				\$ 310,858
City of Oakland HCD Fair Housing	30	East Bay Community Law Center	1006872	\$ 261,476				\$ 261,476

City of Oakland HCD Fair Chance Ordinance	31	To Be Determined	1006874 CDBG CF 1006448	\$ 90,000	\$ 90,000				\$ 180,000
Code Compliance Relocation Program	32	City of Oakland HCD/Community Development Engagement	1006876 CDBG CF 1006232	\$ 132,000	\$ 130,000				\$ 262,000
AntiDisplacement Info and Referral & Relocation Staff	33	City of Oakland HCD/Community Development Engagement	1006882	\$ 181,000					\$ 181,000
Rehabilitation Program Delivery	34	City of Oakland HCD/Res. Lending - Rehabilitation	1006880	\$ 785,826					\$ 785,826
CDBG Program Administration	35	City of Oakland Community Development & Engagement	1006883	\$ 742,623					\$ 742,623
CDBG Program Delivery	36	City of Oakland Community Development & Engagement	1006883	\$ 601,635					\$ 601,635
Commercial Lending	37	Main Street Launch	1006888	\$ 300,000					\$ 300,000
Housing Stability/Housing Related Legal and Rental Assistance*	38	Homeless Prevention/Intervention Agency	1006890	\$ 494,897					\$ 494,897
Acquisition for support of affordable housing	39	City of Oakland/HCD Protection and Preservation	1006892	\$ 1,841,477					\$ 1,841,477

Totals				\$ 7,351,600	\$ 420,088	\$ 850,000	\$2,935,667	\$3,722,566	\$ 654,765	\$ 15,934,686
--------	--	--	--	--------------	------------	------------	-------------	-------------	------------	---------------

EXHIBIT A

Pre-Approved Back-Up projects to be funded with CDBG funds in case of delay, cancelation or deobligation of current and prior year (carryforward) CDBG funds for projects listed as part of this legislation or under either of the 2020/21 - 2024/25 Five Year Consolidated Plan or 2020/21 - 2023/24 Annual Action Plans.

BACK UP PROJECTS	AWARDEE	Project Numbers (To be Determined Upon)	CDBG FY 22/23 - Allocations Up To	CDBG CARRY-FORWARD - Allocations Up	REVOLVING LOAN PROGRAM-
Homeless Prevention/Intervention. Wrap around services and short term financial assistance. (Subject to public service cap unless funded with 2019 and 2020 CDBG Funds)	BU1		\$ 500,000	\$ 500,000	
Residential Lending Rehabilitation Programs-Preservation-Owner Occupied	BU2		\$ 200,000	\$ 200,000	\$ 500,000
Affordable Housing Acquisition for Rehab-Production (New construction not eligible under CDBG)	BU3		\$ 2,000,000	\$ 500,000	\$ 500,000
Interim Assistance-Emergency Conditions	BU4		\$ 600,000	\$ 600,000	\$ 500,000
Code Enforcement Relocation	BU5		\$ 250,000	\$ 250,000	