

APPROVED AS TO FORM AND LEGALITY:



Special Counsel, Oakland City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION AMENDING RESOLUTION NO. 85286 C.M.S. TO ALLOW BUSINESSES ALONG THE BUS RAPID TRANSIT (BRT) ROUTE TO APPLY FOR BUSINESS ASSISTANCE FUND GRANTS DUE TO IMPACTS FROM THE COVID-19 CRISIS; AND AMENDING RESOLUTION NO. 86321 C.M.S. TO MODIFY BUSINESS ASSISTANCE FUND PROGRAM GUIDELINES TO:

- A. ADD “WORKING CAPITAL” AS AN ELIGIBLE USE OF FUNDS;**
- B. AMEND THE EQUITABLE DISTRIBUTION MODEL GUIDELINES TO TAKE INTO ACCOUNT FINANCIAL LOSS DUE TO THE COVID-19 CRISIS; AND**
- C. ALLOW THE REALLOCATION OF FUNDS FROM ONE SUB-DISTRICT TO ANOTHER SHOULD THERE BE A LACK OF ELIGIBLE BUSINESSES.**

WHEREAS, Alameda-Contra Costa Transit District (“AC Transit”) is currently constructing the East Bay Bus Rapid Transit (“BRT”) Route along International Boulevard (“Corridor”) in the City of Oakland (“City”) to improve bus transit service by improving existing infrastructure, vehicles and bus scheduling; and

WHEREAS, the City and AC Transit agree that a well-implemented BRT project will have beneficial impacts to the businesses along the Corridor and that project success will be further enhanced by targeted business support and development services provided by the City; and

WHEREAS, the City developed a Business Sustainability Program (“BSP”) to provide technical assistance to businesses along the Corridor to remain viable during and after BRT construction and commencement of operations; and

WHEREAS, the City also established the Business Assistance and Sustainability Fund, which is currently known as the Business Assistance Fund (“BAF”), to provide moneys for the Business Sustainability Program; and

WHEREAS, pursuant to Resolution No. 85286 C.M.S., the City Council authorized the appropriation of \$1,000,000 from the General Purpose Fund (1010) and an allocation of \$1,000,000 Community Development Block Grant (CDBG) funds into the BAF; and

WHEREAS, pursuant to Resolution No. 86606 C.M.S., the City Council authorized the City Administrator to create the BAF to provide direct monetary assistance in the form of loans and grants to businesses for the purpose of enhancing the viability of such businesses that will experience and have experienced adverse permanent impact from BRT infrastructure changes; and

WHEREAS, pursuant to Resolution 86321, the City Council authorized the City Administrator to create program guidelines for the BAF; and

WHEREAS, on April 6, 2020, the Department of Housing and Urban Development (HUD) issued a “Quick Guide to CDBG Eligible Activities to Support Coronavirus and Other Infectious Disease Response,” which included an eligible activity to “avoid job loss caused by business closures related to social distancing by providing short-term working capital assistance to small businesses to enable retention of jobs held by low- and moderate-income persons;” and

WHEREAS, Alameda County temporary shelter-in-place orders from COVID-19 have profoundly impacted businesses along the BRT corridor, and BRT businesses surveyed said they need immediate access to working capital to sustain themselves during the crisis; now therefore be it

RESOLVED: the City Council hereby approves an amendment to Resolution No. 85286 C.M.S. to allow businesses along BRT route to apply for business assistance fund grants if they will experience and/or have experienced 1) adverse permanent impact from BRT infrastructure changes; and/or 2) financial loss due to the COVID-19 crisis; and be it

FURTHER RESOLVED: the City Council hereby approves an amendment to Resolution No. 86321 C.M.S. to 1) add “working capital” as an eligible use of funds; 2) modify the equitable distribution model guidelines to take into account financial losses incurred by businesses due to the COVID-19 crisis; and 3) allow the reallocation of funds from one sub-district to another should there be a lack of eligible businesses; and be it

FURTHER RESOLVED: that the City Administrator or designee is hereby authorized, without returning to Council, to spend funds and take other administrative actions with respect to the adopted budget and the prior approvals for the BAF, as amended by this Resolution, consistent with this Resolution and such prior approvals and their basic purposes; and be it

FURTHER RESOLVED: that the City Administrator or designee is hereby directed to ensure that all expenditures are consistent with the amended CDBG guidelines of HUD and accurately reported.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST:

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