DISTRIBUTION DATE: 7/20/2020



MEMORANDUM

TO: Honorable Mayor & City Council **FROM:** Alexa Jeffres, Director EWD

Shola Olatoye, Director HCD Adam Benson, Finance Director

SUBJECT: CARES Act Overview **DATE:** July 20, 2020

The purpose of this memorandum is to: 1) provide additional details on the requirements of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act); and, 2) provide a summary of the Administration's proposed expenditure plan for CARES Act funds as authorized by the City Council in the Fiscal Year (FY) 2020-21 Midcycle Budget (June 23, 2020).

Allocation to City of Oakland (\$36.99 million)

The CARES Act was approved by Congress and signed into law on March 27, 2020. The Act included approximately \$150 billion in stimulus aid to states and local governments with a population of 500,000 or more. The City of Oakland fell short of this population threshold and, as such, did not receive a direct allocation of stimulus aid from the federal government. The State of California allocated \$225 million of its CARES Act funding to California cities with population of 300,000 or more. The City of Oakland's share of the State's CARES Act funds is \$36,994,706.

General Guidance & Limitations

The Act provides that the funds can be used for COVID-19 related expenses incurred between March 1, 2020 and December 30, 2020. The CARES Act generally limits expenditures to those that are directly related to the COVID-19 health emergency, including second order effects such as economic support arising from business interruptions caused by COVID-19. The Act also requires that expenditures not be accounted for in the most recently approved budget.

The U.S. Treasury developed program guidance and answers to frequently asked questions, which can be accessed here:

- Guidance: https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf
- FAQs: https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf

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It is important to note that all CARES Act funds must be **SPENT** by December 30, 2020, not merely encumbered or under contract with a third party. The State of California has placed additional spending requirements on local governments and is currently requiring that all CARES Act funds be spent by October 30, 2020 (see discussion below on reporting requirements).

Application, Fund Distribution Timeline, and Reporting Requirements

In July 2020, the California Department of Finance (DOF) released an application process (http://www.dof.ca.gov/budget/COVID-19/CRF Allocations/) for local governments. Staff completed the application and submitted the certification form prior to the July 10th deadline.

Receipt of the CARES Act funding is contingent on the City's adherence to federal guidance, the state's stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent executive orders or statutes, and all California Department of Public Health orders, directives, and guidance issued in response to the COVID-19 public health emergency.

The State has provided the following distribution timeline, which is subject to change:

<u>Date</u>	Amount (\$ in Millions)
End of July 2020 (1/6 th)	\$6.15
August 1 (1/6 th)	\$6.15
September 1 (1/6 th)	\$6.15
Before 10/1 (Balance)	\$18.45

By September 1, 2020, via a form still to be issued by the Department of Finance, cities will be required to report on the details, justification, and status of their expenditures. This report will determine whether cities will receive additional time to expend funds beyond the State's October 30 deadline and whether they are to receive additional installments. Based on preliminary conversations with DOF staff, the intent of this September 1, 2020 reporting requirement, is to ensure that local governments are on track to have all CARES Act funds spent by the federal deadline and ensure sufficient time for the State to monitor and recoup, if necessary.

Proposed Spending Plan

On June 23, 2020, the City Council approved the FY 2020-21 Midcycle Budget, which included a \$36.9 million appropriation of CARES Act funds for various programs and services. *Attachment A* provides additional details on the Administration's proposed expenditure plan, based upon Council's approved budget.

The FY 2020-21 Midcycle Budget included \$10.3 million in CARES Act funds allocated to the Economic & Workforce Development Department (EWDD) and \$5.1 million in CARES Act funding the Housing and Community Development Department (HCDD).

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EWDD: As of July 14, approximately \$2.1 million of these funds have been programmed by City Council as direct grants to designated recipients. The remaining funds will be programmed through intermediary organizations to provide direct grants and technical assistance to businesses, non-profits, artists and arts organizations, as directed by City Council in the midcycle budget. Staff is working expeditiously to develop criteria and finalize agreements with intermediary organizations to begin issuing grants to meet the state and federal deadlines outlined above and get these critical emergency relief funds out quickly to Oakland's business, nonprofit and arts communities.

HCDD: Deployment of resources to address housing insecurity related to COVID-19 will be carried out through intermediary organizations currently engaged in this work to ensure timely distribution of funds. Staff has been working with these organizations through the Oakland Housing Secure and Keep Oakland Housed programs and will work to ensure grant agreements are put in place expeditiously and that funds are targeted to those most impacted by the health crisis. HCD has also partnered with the University of Pennysylvia, which has provided a research fellow. The fellow is providing national and local data analysis on the real time impacts of the pandemic on Oakland's communities to inform spending and targeting efforts.

For questions, please contact Alexa Jeffress, Director of Economic & Workforce Development, at (510) 238-3635, Shola Olatoye, Director of Housing and Community Development, at (510) 238-3714, or Adam Benson, Director of Finance, at (510) 238-2026.

Respectfully submitted,

ALEXA JEFFRESS

Director, EWD

SHOLA OLATOYE Director, HCD

ADAM BENSON
Director of Finance

Attachments (1)

- Attachment A: CARES Act Spending Plan

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East and West Oakland Food Security Initiatives S300,000 S400,000 S400,000 S400,000 S400,000 S500,000				4	street medians, and parks. Project examples are tree planting, weed and litter removal, gardening, graffiti	
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3. \$2.5 million for immediate housing solutions for people experiencing homelessness or at risk of homelessness as a result of COVID-19 health and employment impacts. Seeking clarification of 7.17.20 proposal for \$2 million for homelessness response set-aside.					can't make rent due to COVID-19 related impacts, thereby jeopardizing viability of property operations.	program administered by
homelessness as a result of COVID-19 health and employment impacts. Seeking clarification of 7.17.20 proposal for \$2 million for homelessness response set-aside.					\$2.5 million for immediate housing solutions for people experiencing homelessness or at risk of	
					homelessness as a result of COVID-19 health and employment impacts.	
Total - CARES Act \$26,900,000	_				Seeking clarification of 7.17.20 proposal for \$2 million for homelessness response set-aside.	
Total CDBG-CV \$4,500,000			Total - CARES Act	\$26,900,000		