

AGENDA REPORT

TO: Edward D. Reiskin FROM: Alexa Jeffress, Director EWDD

City Administrator Shola Olatoye, Director HCDD Adam Benson, Finance Director

SUBJECT: CARES Act Overview **DATE:** July 23, 2020

City Administrator Approval Jul 24, 2020

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution:

- 1) Accepting Coronavirus Aid, Relief, And Economic Security (CARES) Act Funds In The Amount Of \$36,994,706 Awarded By The State Of California (State) To The City Of Oakland (City) To Address The Public Health And Public Safety Impacts Of COVID-19;
- 2) Authorizing The City Administrator To Take All Steps Necessary For The City To Receive The CARES Act Funds Awarded By The State, Including, But Not Limited To, Completing And Submitting The State's Local Government Certification Form, Without Returning To Council;
- 3) Waiving The City's Competitive Processes For The Procurement Of Computerized Or Information Technology (IT) Systems, Supplies, Construction Services And Professional Services To Allow For The Expeditious Use Of CARES Act Funds To Address The Public Health And Public Safety Impacts Of COVID-19;
- 4) Authorizing The City Administrator To Select CARES Act Fund Sub-Recipients And To Award Contracts And Grant Agreements Using Cares Act Funds In Accordance With City Council Appropriations In The Fiscal Year 2020-21 Mid-Cycle Budget Or Subsequent City Council Direction Received Prior To August 1, 2020 To Address The Public Health And Public Safety Impacts Of COVID-19, Without Returning To Council; And
- 5) Authorizing The City Administrator To Reallocate CARES Act Funds To Any Item Of Appropriation For Eligible Projects And Activities In The City's Fiscal Year 2020-21 Mid-Cycle Budget If Necessary, To Ensure Timely Expenditure Of CARES Act Funds, Without Returning To Council.

EXECUTIVE SUMMARY

The Coronavirus Aid, Relief, And Economic Security (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.**

The adoption of this resolution will ensure timely spenddown of funds, provide maximum flexibility for the use of funds and satisfy Federal and State deadline requirements. This agenda report will provide additional details on the requirements of the CARES Act and 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).

BACKGROUND / LEGISLATIVE HISTORY

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 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

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.

ANALYSIS AND POLICY ALTERNATIVES

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.

COVID-19 Relief Fund

The Oakland COVID-19 Relief Fund ("Relief Fund") launched on March 20, 2020, just three days after the County's shelter-in-place orders was announced, to provide rapid and targeted assistance to Oakland's vulnerable residents and communities impacted by COVID-19. Under the direction of section 9 of the City's March 23rd Emergency Order, City Staff provided information, data and advice to aid the Relief Fund (a project of the Oakland Fund for Public Innovation (OFPI)) in issuing direct grants and technical assistance to residents, small businesses, non-profits and organizations to address the basic needs of Oakland's most vulnerable communities and residents and those further impacted by racial disparities during this pandemic.

This coordination between City staff and OFPI, along with philanthropic and community advisors, resulted in the Relief Fund issuing more than \$5.5 million in grants to community-based organizations working on the front lines of the COVID-19 crisis to serve Oakland's most vulnerable communities. \$2.9 million was used for direct financial assistance to Oakland residents, providing emergency cash aid for extremely low-income community members,

particularly those experiencing housing instability, populations not eligible for government assistance due to their immigration status, and people of color.

These grants included:

- \$1,500,000 for Working Solutions to issue 275 grants of \$5,000 to extremely low-income small business owners to cover immediate operating expenses such as payroll and rent.
- \$400,000 Keep Oakland Housed 113 families served with an average of \$3,000 provided per family to retain their current housing and prevent homelessness.
- \$250,000 to Centro Legal de la Raza 865 Oakland residents, ineligible for unemployment insurance due to their immigration status, received \$500 each
- \$200,000 to Oakland Starting Smart & Strong 450 HeadStart families received \$500 each
- \$150,000 to Center for Cultural Innovation 286 Oakland-based low income artists and culture workers received emergency grants, averaging \$1,868 each, to fund basic needs
- \$100,000 to One Fair Wage Campaign (in collaboration with Restaurant Opportunities Center United) – 1,193 Oakland restaurant/service workers received \$500 each
- Alameda County Family Justice Center 21 families assisted to date with an average of \$1,000 toward housing and essential needs per family plus supportive services.
- Oakland LGBTQ Center Funds for LGBTQ households with housing issues, estimate that 50-75 households will be served
- East Bay Asian Local Development Corporation, Prospera, & Street Level Health –
 Providing varying amounts of direct financial assistance to their residents/members in
 need
- Oakland Public Education Fund & Oakland REACH 250 families received \$400 each

This Relief Fund coordination has further equipped City staff to more rapidly and strategically deploy the CARES Act resources, incorporating lessons learned and initial feedback from the Relief Fund investments.

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 citywide programs and services. A large portion of the funding is allocated to two departments as discussed further in this report. 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 to the Housing and Community Development Department (HCDD). *Attachment 1* provides additional details on the Administration's proposed expenditure plan, based upon Council's approved budget.

EWDD: As of July 21, \$2,325,000 of the \$10,300,000 in CARES funds allocated to EWDD have been programmed by City Council as direct grants to designated recipients. These remaining \$7,975,000 falls generally into 3 categories –Small Business relief, including for Opportunity Zone businesses; Non-Profit Relief; and Relief for Artists and Arts Organizations. These funds

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will be programmed through local intermediary organizations with the experience and capacity to quickly provide direct grants and technical assistance to recipients within these categories.

The approach of using intermediary organizations to provide very targeted support to vulnerable residents was modeled in the Relief Fund coordination and the Working Solutions Small Business Emergency Grant Program and Center for Cultural Innovation East Bay/Oakland Relief Fund for Individuals in the Arts. Both programs were developed with input from EWDD staff. The Small Business Emergency Grant Program resulted in 275 businesses receiving emergency grants of \$5,000, with over 86 percent of grants going to business owner of color (32 percent to black owned businesses), 60 percent to woman owned businesses, and 85 percent to businesses with less than \$250,000 in annual revenues. The Center for Cultural Innovation East Bay/Oakland Relief Fund for Individuals in the Arts issued \$2,000 grants to more than 280 Oakland-based low-income artists and culture workers with priority given to the most financially vulnerable populations - Black, Indigenous, Latinx, foreign-born immigrant, LGBTQ, and people with disabilities.

HCDD: Deployment of State CARES Act 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. Through the aforementioned Relief Fund coordination, 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. HCDD has also partnered with the University of Pennsylvania, 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.

FISCAL IMPACT

The City is receiving \$36.9 million CARES Act funds allocation from the State. Approximately \$10 million will be used to address the City's ongoing public health and public safety impacts of COVID-19 pandemic. The remaining \$27 million will support communities as outlined in the FY 2020-21 Midcycle Budget.

PUBLIC OUTREACH / INTEREST

EWDD Public Outreach

The criteria for the programs being developed now are informed by the business and artist emergency grant programs referenced above, as well as by EWDD's business survey data, the recommendations of the Oakland Economic Recovery Advisory Council and EWDD staff's ongoing outreach and communication with the business, nonprofit and arts communities.

In March and May of 2020 EWDD posted online business impact surveys in 5 languages to collect data about COVID-19 economic impacts and recovery efforts. Over 1,400 businesses completed the surveys and results show that Oakland's small and low-income businesses have been profoundly impacted, with businesses overwhelmingly listing their most urgent needs as financial grants and immediate cash assistance.

The Oakland Economic Recovery Advisory Council was formed in May 2020 to recommend specific local policy and strategies to facilitate economic recovery from the COVID-19 crisis and longer-term strategies for a more resilient and equitable economy. The Advisory Council consists of representatives from business, non-profit, and governmental partners representing key sectors, along with City staff. The Recovery Advisory Council working groups have made specific recommendations, including the need to help small businesses and non-profits negotiate commercial rent repayment and the need for Personal Protective Equipment (PPE), materials and technical assistance to support safe business reopening.

HCDD Public Outreach

State CARES Act Funds: Outreach for the rent and homeowner relief activities will be informed in part by the work each of the above referenced intermediary organizations is currently conducting through Keep Oakland Housed and Oakland Housing Secure, which are now addressing the needs of those impacted by COVID-19. However, the State CARES Act agreements will include specific outreach goals and methodologies that target individuals, households, and neighborhoods most impacted by COVID-19, The agreements will also include reporting requirements to monitor and track progress in serving those targeted. Data from the University of Pennsylvania research fellow's work will inform the outreach targeting and reporting rubric.

Specifically, outreach will include, but is not limited to:

- Email blasts using listserves and mailing lists from Council Members, the Mayor's Office, the partner agencies, Community Development Block Grant grantees, Department of Human Services' social service agency grantees, Oakland Active Campaign, Alameda County EveryOne Home, and housing providers
- Written materials will be made available at City Parks and Recreation facilities, local grocery stores, and other venues as available and appropriate within shelter in place constraints
- Social media
- PSAs on a diverse array of radio stations, KTOP, and other popular media outlets
- Direct outreach to community, faith-based, and professional organizations such as Faith in Action, Lotus Bloom Family Resource Center, Black Real Estate Brokers association, NAACP, Black church leaders, and Kaiser Permanente
- To the extent feasible, holding small in-person workshops that allows for social distancing

CDBG-CV Funds: For the rent and homeowner relief and preservation components, staff will release a rolling Request for Qualifications (RFQ) starting in August to solicit agencies qualified to provide immediate housing services and activities that respond to COVID-19 impacts. The RFQ will solicit interested non-profits in Oakland, particularly those located in and/or serving residents of East and West Oakland. An objective of the RFQ process is to identify smaller, community-based organizations lead and representing people severely impacted by displacement and COVID-19 in Oakland to engage in activities serving their communities in a direct manner.

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Outreach for the RFQ will include, but is not limited to:

- City of Oakland iSupplier
- City of Oakland Website
- Listserves and mailing lists such as: Alameda County EveryOne Home, Oakland Active Campaign, City of Oakland Housing Notice Of Fund Availability (NOFA) contact list and CDBG email and mailing list
- Social media
- Press Release
- Public notice posted in news publications, including, Oakland Post, East Bay Ties, Sing Tao, and El Mundo

COORDINATION

This report was prepared in coordination between the Economic & Workforce Development Department, Housing and Community Development Department, Finance Department, the City Administrator's Office and various departments.

SUSTAINABLE OPPORTUNITIES

Economic: The CARES Act funding will be used to support essential City services.

Environmental: There are no direct environmental impacts associated with the City Council action requested in this report.

Race & Equity: The CARES Act funding will be used to support Oakland's equity goals and objectives, including programs and services to Oakland's vulnerable population and communities of color.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution:

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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, EWDD

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> SHOLA OLATOYE Director, HCDD

ADAM BENSON Director of Finance

Attachments (1)

- Attachment A: CARES Act Spending Plan

ATTACHMENT A - CARES Act Relief Funds - FY 20/21 Budget Appropriations

as Adopted on June 23, 2020; Amended July 14

Item	Dept.	Description	Amount	Staff proposal to deploy	Method of Dissemination
2	DIT	COVID: Broadband/ Digital Resilience		1.\$500,000 Digital Inclusion Committee	Direct payment to vendor
	DIT	Initiative	\$7,700,000	2.\$4,900,000 Prime Vendor Wi-Fi Design, build, and Deployment + 2-3 years Support for 15 Wi-Fi Zones	Direct payment to vendor
					' '
				3. \$50,000 Advertising campaign to increase awareness in community of new internet access resource	Direct payment to vendor
				4. \$200,000 Outside Project Management to manage vendor and technical aspects of project	Direct payment to vendor
				5. \$2,000,000 Connect BRT fiber to City Network and connection points throughout target areas	Direct payment to vendor
				6. \$50,000 Contingency	
				\$750,000 - HVAC improvements primarily at City Hall and potentially at other City facilities (recreation	
				centers, libraries). Inefficient HVAC systems need to be converted to allow for high efficiency and higher	
				levels of filtration. Facilities Maintenance has already changed out filters at all facilities that they are able to.	
				The remaining facilities cannot accept the high filtration MERV 13/14 filters for a variety of reasons,	
3	DPW	COVID: Facilities Resilience Initiative	\$2,000,000	including air balance.	
				\$150,000 – Signage, markings, striping, stanchions, and barriers for all facilities.	
				\$100,000 – Relocation/reconfiguration of furniture to allow for proper social distancing.	
				\$500,000 – Purchase and installation of new furniture/cubicles to accommodate Department needs	
				\$100,000 – Purchase of stand-alone screening kiosks, primarily for City Center Complex due to space	
				constraints	
				\$50,000 – Purchase and install touchless dispensers such as disinfectants and paper towels.	
				\$100,000 – Purchase and install various plumbing fixtures such as touchless faucets and bottle fillers.	
				\$250,000 – Purchase, install, and/or replace automatic door openers/holders and accompanying door	
				systems where necessary	
				Direct grants to non-profit organizations currently delivering rent and mortgage relief financial assistance to	Direct grants to
		COVID: Anti-Displacement:		serve more people at risk of losing their housing due to COVID related impacts.	intermediaries
4	HCD	Residential Rent and Mortgage Relief	\$5,000,000		
				1. \$2,700,000 to non-profit Community Development Financial Institution (CDFI) Fund to make rapid relief	Direct grant to intermediary
		Anti-displacement Small Business		grants to small businesses suffering business interruption. Modelled on existing Small Business Grant Fund	
5	EWD	and Non-Profit Support	\$4,000,000	with more expansive criteria.	
				2. \$1,000,000 to non-profit CDFI to make direct rapid response grants to non-profit organizations (non-arts)	Direct grant to intermediary
				suffering from business interruption.	
				3. \$150,000 to non-profit orgs to support the design, manufacturing, and distribution of resources to help	Direct grant to intermediary
				low-income businesses reopen safely, including PPE, materials and technical assistance to help business	
				create parklets and use outdoor space to support their businesses.	
				4. \$150,000 to a technical assistance (TA) provider to help small businesses and non-profits with commercial	Direct grant to intermediary
				rent and lease re-negotiation	

ATTACHMENT A - CARES Act Relief Funds - FY 20/21 Budget Appropriations

as Adopted on June 23, 2020; Amended July 14

tem	Dept.	Description	Amount	Staff proposal to deploy	Method of Dissemination
	1	·		1. \$500,000 to non-profit arts intermediary to make emergency individual artist grants, building on existing	Direct grant to intermediary
6	EWD	Artist Relief	\$1,800,000	artist relief program.	,
				2. \$1,000,000 to non-profit arts intermediary to make emergency grants to non-profit arts organizations.	Direct grant to intermediary
					,
					Direct grant to intermediary
				3. \$200,000 in TA to help arts organizations pivot to new models for revenue and space	
				4. \$100,000 as a direct grant to Spearitwurx; Approved by Council on July 14.	Grant to Council-selected
					recipients
				\$2 million to non-profit CDFI to deploy funds to small businesses located in Opportunity Zones.	Direct grant to intermediary
7	' EWD	Opportunity Zone Fund	\$2,000,000		
				Direct grants to City Council-approved non-profits, \$500k for Brothers & Sisters, Approved by Council on July	Grants to Council-selected
				<u>14.</u>	recipients
				\$150k to Good Good Eatz and \$75k to BWOPA-TILE, Approved by Council July 21	
		L			
8	EWD	Entrepreneurship Innovations Fund	\$1,000,000	Remaining \$275k to support City Workforce Development Programs	
				Direct grants for health safety measures and upgrades to third party facilities to allow them to avoid business	•
		Detrofit City ayand 2nd Dorty		interruption.	facilities
_	LEW B	Retrofit City-owned 3rd Party Facilities	¢500,000		
9	EWD	raciities	\$500,000	Support of Measure C facilities, incl. Peralta Hacienda, Fairyland and Feather River	Discrete superior to Constrain
				Direct grants to City Council-approved non-profits. Four Ethnic Chambers and other community centered	Direct grants to Council-
10	EWD	Small Business TA/Outreach	\$700,000	organizations: 4 chambers + OCCUR, Unity Council, E. Oakland Entrep. Forum, <u>Approved by Council on July</u>	selected recipients
10	LVVD	COVID: Community Health	\$700,000	Direct grant to City Council-approved non-profit, Oakland Frontline Healers, Approved by Council on July 14.	Direct grants to Council-
11	CAO	Interventions	\$500,000	Direct grant to city Council-approved non-pront, Oakiand Frontinie Flediers, Approved by Council on July 14.	selected recipients
	CAO	COVID: Workforce Development	\$300,000	Develop cleaning and beautification projects to address blight and improve appearance of neighborhoods,	Direct grants to recipients
		Program for Neighborhood		street medians, and parks. Project examples are tree planting, weed and litter removal, gardening, graffiti	Direct grants to recipients
12	DPW	Beautification	\$400,000	removal.	
			, 10,100	Direct grants to City Council-approved non-profits, Approved by Council on July 14 1. \$150k to BCZ for	Grants to Council-selected
		East and West Oakland Food		farmer's market on 73rd and Foothill 2. \$150k to DACA D3 farmer's market in W. Oakland	recipients
13	EWD	Security Initiatives	\$300,000		
	Ì		. , , , , , ,	Park Ambassadors Program, Citywide Community Education, PPE Distribution, Food Service Locations, DSW	
14	OPRYD	COVID Response	\$400,000	assignments	
		Emergency healthy food support for			
		neighborhood-based grocery stores			
15	HCD	in flatlands	\$500,000		
				Funding to Just Cities to conduct outreach activities through a collaborative of community based partners	Appropriated
		COVID Fair Chance Housing		that ensures access to housing pursuant to the Fair Chance Access to Housing Ordinance for people exiting	
16	HCD	Community Outreach	\$100,000	the criminal justice system who are at high risk of COVID-19.	

ATTACHMENT A - CARES Act Relief Funds - FY 20/21 Budget Appropriations

as Adopted on June 23, 2020; Amended July 14

Item	Dept.	Description	Amount	Staff proposal to deploy	Method of Dissemination
		Urgent support of COVID-compliant			
		safe food distribution, including for			
17	TBD	seniors, persons with disabilities.	\$90,000	Grant to Meals on Wheels. Approved by Council on July 21.	
$\overline{}$				1. \$1.5 million for additional rent and mortgage relief programs. HCD issuing an RFQ to identify community	Direct grants to
	HCD	CDBG-CV	\$4,500,000	based organizations who can carry out this work.	intermediaries
				2. \$500,000 to owners of restricted affordable housing experiencing revenue losses related to tenants who	Direct grants to sponsors;
				can't make rent due to COVID-19 related impacts, thereby jeopardizing viability of property operations.	program administered by
					staff
				3. \$2.5 million for immediate housing solutions for people experiencing homelessness or at risk of	TBD
				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.	
	_	Total - CARES Act	<u>\$26,990,000</u>		
		Total CDBG-CV	\$4,500,000		