



CITY COUNCIL AGENDA ITEM NO. E.10
10/24/2023

SUBJECT: Amendment to the Community Development Block Grant Program, HOME Investment Partnership Program, and Emergency Solutions Grant Program Cooperation Agreement

DEPARTMENT: Community Development Department

STAFF: Alexis Morris, Community Development Director
Sylvia Elias, Senior Housing Analyst

TITLE/RECOMMENDATION

A resolution approving and authorizing the City Manager or designee to sign an Amendment to the Community Development Block Grant Program, HOME Investment Partnership Program, and Emergency Solutions Grant Program Cooperation Agreement to extend the agreement and provisions related to the Affirmatively Furthering Fair Housing Final Rule; and any other such documents necessary for the implementation of the agreement.

FISCAL IMPACT

There is no fiscal impact if the City approves the amendment requested by Contra Costa County. If the amendment is not approved, the City will lose its ability to receive future funding for qualifying projects. Qualifying projects and potential funding are not known at this time.

BACKGROUND

The primary purpose of the Community Development Block Grant (CDBG) Program is the development of viable urban communities by providing decent housing, a suitable living environment, and expanded economic opportunities for persons of very-low and low-income. The purpose of the HOME Investment Partnership (HOME) Program is to expand the supply of decent, safe, sanitary, and affordable housing for very-low and low-income families and households.

Since 1993, the City, along with most other cities in the county, has been a signatory to a Cooperation Agreement (the "Agreement") with Contra Costa County to act as a cooperating municipality in the CDBG Program, HOME Program, and Emergency Solutions Grant Program. Along with extending the Agreement for federal fiscal years 2024-2026, changes in federal law require that the Agreement be amended to reflect



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new regulatory requirements that streamline the planning and application processes for various U.S. Department of Housing and Urban Development (HUD) grants, including CDBG and HOME. While the subject amendment reflects streamlined regulations, the remainder of the Agreement, as previously amended over the years, remains the same.

Specifically, HUD is requiring urban counties and participating municipalities such as Brentwood to amend their cooperation agreements by including reference to the Affirmatively Furthering Fair Housing Final Rule. A brief description of the provision is provided as follows.

Affirmatively Furthering Fair Housing Final Rule: HUD released a final rule to equip communities receiving HUD funding with the data and tools that will help them meet long-standing fair housing obligations in their use of HUD funds (the "Rule"). HUD will provide publicly open data for grantees to use to assess the state of fair housing within their communities and to set locally-determined priorities and goals. The Rule responds to recommendations of the Government Accountability Office and stakeholders for HUD to enhance its fair housing planning obligations by providing greater clarity and support to jurisdictions receiving HUD funding, and facilitating local decision making on fair housing priorities and goals.

The Rule adds stricter regulations for Contra Costa County (the "County") to develop assessment plans, which includes setting goals and priorities in fair housing, discrimination, and other landlord/tenant issues. The amendment details the applicability of the Rule and describes the compliance requirements that the parties to the Agreement must follow.

CITY COUNCIL STRATEGIC INITIATIVE

Focus Area 4: Community Development, Goal 4: Provide a diversity of housing opportunities, including equitable distribution of affordable housing for all socio-economic segments of the Brentwood community.

PREVIOUS ACTION

Previous Action by the City Council is included on Attachment 1.



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ENVIRONMENTAL DETERMINATION

Not Applicable.

ATTACHMENT(S)

1. Previous Actions
2. Resolution
3. Resolution No. 93-49
4. CDBG-HOME Amendment
5. Department of Conservation and Development Letter dated September 15, 2023