

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT A JOINT APPLICATION WITH RESOURCES FOR COMMUNITY DEVELOPMENT TO THE CALIFORNIA STRATEGIC GROWTH COUNCIL AND/OR CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IN AN AMOUNT NOT TO EXCEED \$12,551,400 FOR THE AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM; AND RELATED ACTIONS

WHEREAS, the State of California, the Strategic Growth Council (SGC) and the Department of Housing and Community Development (Department) has issued a Notice of Funding Availability dated October 2, 2017 (NOFA), under the Affordable Housing and Sustainable Communities (AHSC) Program established under Division 44, Part 1 of the Public Resources Code commencing with Section 75200; and

WHEREAS, the City of San José (Applicant) desires to jointly apply for AHSC Program funds with Resources for Community Development and submit the Application Package released by the Department for the AHSC Program; and

WHEREAS, the SGC is authorized to approve funding allocations for the AHSC Program, subject to the terms and conditions of the NOFA, Program Guidelines, Application Package, and Standard Agreement. The Department is authorized to administer the approved funding allocations of the AHSC Program;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The City Manager or his designee is hereby authorized and directed to apply for and submit a joint application, with Resources for Community Development, to the

Department the AHSC Program Application as detailed in the NOFA dated October 2, 2017, for Round 3 in a total amount not to exceed \$12,551,400 of which \$8,000,000 is requested as a loan for an Affordable Housing Development (AHD) (“AHSC Loan”) and \$4,551,400 is requested for a grant for Housing-Related Infrastructure (HRI), Sustainable Transportation Infrastructure (STI), Transit-Related Amenities (TRA) or Program (PGM) activities (“AHSC Grant”) as defined the AHSC Program Guidelines adopted by SGC on July 17, 2017 errata August 14, 2017.

2. If the application is approved, the City Manager or his designee is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) in a total amount not to exceed \$12,551,400 (\$8,000,000 for the AHSC Loan and \$4,551,400 for the AHSC Grant), and any and all other documents required or deemed necessary or appropriate to secure the AHSC Program funds from the Department, and all amendments thereto (collectively, the “AHSC Documents”).
3. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in Exhibit A of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. Applicant hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package.
4. The City Manager or his designee is authorized to execute in the name of Applicant the AHSC Program Application Package and the AHSC Program Documents as required by the Department for participation in the AHSC Program.

5. The City Manager or his designee is authorized to negotiate and execute an agreement with RCD to allocate responsibilities and liabilities between the City and the Developer in the event the grant and loan are awarded to the City and RCD as co-applicants;
6. The City Manager or his designee is authorized to negotiate and execute an agreement with the Valley Transportation Authority (VTA) as a non-applicant for the purpose of providing and operating enhanced transit services using an electric bus and installing and maintaining transportation amenities.

ADOPTED this ____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

The undersigned TONI J. TABER, City Clerk, of the Applicant here before named does hereby attest and certify that the forgoing is a true and full copy of a resolution of the City of San José City Council adopted at a duly convened meeting on the date above-mentioned, which has not been altered, amended or repealed.

RD:HAH:LMB
12/19/2017

ATTEST:

TONI J. TABER, CMC
City Clerk

Dated: _____