

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE DECLARING THAT THE CITY IS
AUTHORIZED TO ACCEPT AND INCUR AN
OBLIGATION OF THE AFFORDABLE HOUSING
AND SUSTAINABLE COMMUNITIES PROGRAM
GRANT FUNDS AND ENTER INTO AND
EXECUTE STANDARD AGREEMENT STD 213
WITH THE CALIFORNIA DEPARTMENT OF
HOUSING AND SUSTAINABLE COMMUNITIES**

VTA Capitol Station Project

WHEREAS, the California Department of Housing and Community Development ("Department") and the Strategic Growth Council ("SGC") have issued an Affordable Housing & Sustainable Communities Program ("AHSC" or "AHSC Program") Notice of Funding Availability ("NOFA") for Cycle 9 of AHSC Program grant funding, dated March 25, 2025 ("AHSC Program NOFA"); and

WHEREAS, the City of San José, a municipal corporation of the State of California ("Public Entity"), in partnership with MidPen Housing Corporation, who applied to the Department in response to the NOFA and was determined to be an eligible Applicant.; and based on the Application, the Department made an award of Program funds (the "Program Award") pursuant to a conditional award letter dated December 10, 2025; and

WHEREAS, Department and SGC have made a conditional commitment of AHSC Program funds to assist the City and MidPen Housing Corporation, with the VTA Capitol Station ("Project"), and such commitment was made to awardees in the following amounts:

AHSC Program Award Component	Amount Awarded
AHSC Program Award	\$14,339,431
TOTAL	\$14,339,331

WHEREAS, the AHSC Program Grant Award expressly identified above will hereinafter jointly be referred to as the “AHSC Program Award;”

NOW, THEREFORE, IT IS RESOLVED, that the Public Entity is hereby authorized and directed to act in connection with the Program Award.

RESOLVED FURTHER: Public Entity is hereby authorized and directed to accept and incur an obligation for the Program Award. That in connection with the total amount of the Program Award, the Public Entity is authorized and directed to enter into, execute, and deliver a STD 213, Standard Agreement, and any and all other documents required or deemed necessary or appropriate to secure the Program Award from the Department and to participate in the relevant Program, and all amendments thereto (collectively, the “Program Award Documents”).

RESOLVED FURTHER: Public Entity acknowledges and agrees that it shall be subject to the terms and conditions specified in the STD 213, Standard Agreement, and that the Affordable Housing Sustainable Communities Program of 2025 NOFA and the Application will be incorporated by reference therein and made a part thereof. Public Entity also acknowledges and agrees that any and all activities, expenditures, information, and timelines represented and described in the Application are enforceable through the relevant STD 213, Standard Agreement(s). Public Entity also acknowledges and agrees that Program Award funds are to be expended only on the eligible uses and activities identified in the

relevant STD 213, Standard Agreement(s).

RESOLVED FURTHER: That the City Manager, or their designee, is hereby authorized to execute the Program Award Documents and all amendments on behalf of the Public Entity.

RESOLVED FURTHER: That this resolution shall take effect immediately upon its passage, and that any actions taken thus far in furtherance of the activities authorized by this resolution are hereby ratified.

ADOPTED this _____ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, MMC
City Clerk

CERTIFICATE OF THE CLERK OF THE PUBLIC ENTITY

The undersigned, City Clerk of the Public Entity, does hereby attest and certify that the foregoing is a true, full, and correct copy of a resolution that was duly adopted by the Corporation's governing body on this 24th day of May, 2026, and that the resolution has not been altered, amended, modified, repealed, rescinded, or annulled.

DATE: _____

TONI J. TABER, MMC
CITY CLERK