

CITY OF ALAMEDA RESOLUTION NO. _____

AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR SENATE BILL 2 FUNDING FROM THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNDER THE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM, ACCEPTING PLHA FUNDING, AND ALLOCATING PLHA FUNDING

WHEREAS, the State of California (State) Department of Housing and Community Development (HCD) is authorized to provide up to \$296 million under the Senate Bill 2 (SB 2) Permanent Local Housing Allocation (PLHA) Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)); and

WHEREAS, HCD issued a Notice of Funding Availability (NOFA) dated December 29, 2023 under the PLHA program; and

WHEREAS the City of Alameda ("City") is an eligible Local government who has applied for program funds to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation; and

WHEREAS HCD may approve funding allocations for the PLHA program, subject to the terms and conditions of the PLHA Guidelines (Guidelines), NOFA, program requirements, the PLHA Standard Agreement, and other contracts between HCD and PLHA grant recipients.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that:

1. If the City receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA program, as well as any and all contracts Applicant may have with the Department.
2. They City is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formular allocation, \$3,352,590 as stated in Appendix B of the current NOFA in accordance with all applicable rules and laws. The City is further authorized and directed to received funding amounts of \$497,024 for calendar year 2022, as shown in Appendix A of the current NOFA in accordance with all applicable rules and laws.
3. The City hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules

and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the City and HCD.

4. Pursuant to Section 302(c)(4) of the Guidelines, the City's revised PLHA Five-Year PLHA Plan (Plan) for the 2019-2023 allocations is attached to this resolution, and the City hereby adopts the PLHA Plan and certifies compliance with all public notice, public comments, and public hearing requirements in accordance with the Guidelines.

5. The City certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), "entity" means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation.

6. The City certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest.

7. Pursuant to the City's certification in this resolution, the PLHA funds will be expended only for eligible "Activities" and consistent with all program requirements.

8. The City certifies that, if funds are used for the acquisition, construction or rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements states in Guidelines Section 302(c)(6)(A),(B),(C).

9. The City certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years.

10. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the Guidelines and any other applicable SB 2 Guidelines published by HCD.

11. The City Manager, or designee, is authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the program or the PLHA grant awarded to the City, as HCD may deem appropriate.

12. The City is authorized to submit an application for SB 2 funding from HCD under the PLHA program, accept PLHA funding, and appropriate the PLHA funds in accordance with the revised Five-Year PLHA Plan.

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I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 17th day of September 2024, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 18th day of September 2024.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda