

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 PROGRAM AND AFFIRMING THE CITY COUNCIL'S ADOPTION OF A FIVE-YEAR PERMANENT LOCAL HOUSING ALLOCATION PLAN

WHEREAS, the State Department of Housing and Community Development ("Department") is authorized to provide up to \$195 million under the SB 2 Permanent Local Housing Allocation 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, the Department issued a Notice of Funding Availability ("NOFA") dated February 26, 2020, under the Permanent Local Housing Allocation (PLHA) Program; and

WHEREAS, the City of Alameda is an eligible Local Government applying for the program to administer one or more eligible activities; and

WHEREAS the Department may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement and other contracts between the Department and PLHA grant recipients; and

WHEREAS, the City of Alameda has developed a five- year PLHA Plan ("PLHA Plan") that details: 1) the manner in which allocated funds from this Program would be used; 2) a description of the way the City would prioritize investments that increase the supply of housing for households at or below 60% of the Area Median Income; 3) a description of how the Plan is consistent with the programs in the City's Housing Element; and 4) evidence that the Plan was authorized and adopted by resolution of the City Council; and

WHEREAS, in order to be eligible for funds under this Program, the City Council must conduct a public hearing to receive comments on a proposed PLHA Plan; and

WHEREAS, on July 7, 2020, the City Council did conduct such public hearing; and

WHEREAS, the City Council finds that the proposed PLHA Plan details the manner in which allocated funds from this Program will be used; describes the way the City will prioritize investments that increase the supply of households at or below 60% of the Area Median Income; and describes how the Plan is consistent with the programs in the City's Housing Element; and

WHEREAS, the City Council finds that the public had an adequate opportunity to review and comment on the proposed PLHA Plan.

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

1. If the City of Alameda 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 the City of Alameda may have with the Department.
2. The City of Alameda is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA of \$3,352,590, in accordance with all applicable rules and laws.
3. City Council 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
4. City Council 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.
5. Pursuant to City Council's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
6. City Council certifies that, if funds are used for the development of an Affordable Rental Housing Development, the City 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 City of Alameda-approved underwriting of the Project for a term of at least 55 years.
7. The City of Alameda shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department.
8. 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 Applicant, as the Department may deem appropriate.
9. The City Council confirms that the public had an adequate opportunity to review and comment on the PLHA Plan as the staff report regarding the PLHA Plan was published on Thursday, June 24, 2020, and the public hearing was conducted on Tuesday, July 7, 2020.

10. The City Council adopts and affirms its adoption of the 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 regular meeting assembled on the 7th day of July 2020, 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 8th day of July 2020

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM

Yibin Shen, City Attorney
City of Alameda