

**RESOLUTION NO. 145-17**

**RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, AUTHORIZING THE CITY OF RICHMOND TO BE LISTED AS A CO-APPLICANT ALONG WITH MERCY HOUSING CALIFORNIA AND COMMUNITY HOUSING DEVELOPMENT CORPORATION OF NORTH RICHMOND, ON AND TO SUBMIT AN APPLICATION FOR FUNDS UNDER THE STATE OF CALIFORNIA STRATEGIC GROWTH COUNCIL AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM FOR FUNDING UP TO \$20,000,000 TO SUPPORT THE REHABILITATION OF THE HACIENDA APARTMENTS AND IMPROVEMENTS TO THE TRANSPORTATION INFRASTRUCTURE SURROUNDING THE DEVELOPMENT AREA**

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**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 (NOFA) dated October 2, 2017, 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 AHSC program provides funding to support affordable housing developments, disadvantaged communities, housing-related infrastructure, sustainable transportation infrastructure, and transportation-related amenities; and

**WHEREAS**, the Hacienda Development Project consists of the rehabilitation of one hundred fifty (150) affordable rental units designated for households with annual incomes of up to 50% area median income; and

**WHEREAS**, the Hacienda Development Project meets the AHSC funding requirements by being an affordable housing development project located in an disadvantaged community in need of improvements to transportation infrastructure; and

**WHEREAS**, the AHSC program requires developers to include the public agency as a co-applicant if the public agency has a financial or real property interest in the proposed project or otherwise include a commitment to enter into a contractual agreement to develop the project, if it is awarded AHSC program funds; and

**WHEREAS**, on September 26, 2017, the Commissioners of the Richmond Housing Authority Board authorized the city manager and/or his designee, under resolution 2042, to execute an Exclusive Negotiating Rights Agreement (ENRA) and Predevelopment Cost Sharing Agreement (PCSA) with Mercy Housing California and Community Housing Development Corporation of North Richmond (Development Team) for an eighteen (18) month term for the Hacienda Development Project; and

**WHEREAS**, the Development Team will include with their AHSC Program Application a copy of the executed ENRA and PCSA with the Richmond Housing Authority to develop the Hacienda Development Project; and

**WHEREAS**, the City of Richmond (City) desires to be a co-applicant with the Development Team and apply for AHSC program funds and submit the Application Package released by the Department for the AHSC program; and

**WHEREAS**, the City 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; and

**WHEREAS**, if awarded, the Development Team will be responsible for the rehabilitation of the Hacienda Apartments and the City will be responsible for the improvements to the transportation infrastructure surrounding the development area, including the construction of new pedestrian and bicycle safety routes and connections from the downtown Richmond BART Station to the Richmond Ferry Terminal, which terminal is scheduled to be in operation in Fall 2018; and

**WHEREAS**, the AHSC application requires submittal of a resolution of the governing

body of the applicant authorizing the application and the execution of associated AHSC program documents if the application is selected for funding; and

**WHEREAS**, by the Agenda Report accompanying this Resolution, the City Council has been provided with additional information upon which the findings and actions set forth in this Resolution are based.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Richmond (Applicant) resolve as follows:

1. The Applicant hereby finds the above recitals are true and correct and serve, together with the Agenda Report, as the basis for the findings and actions set forth in this Resolution.
  2. The Applicant is hereby authorized and directed to apply for and submit to the Department the AHSC Program Application as detailed in the NOFA dated October 2, 2017 for the 2018-2019 Fiscal Year in an amount not to exceed \$20,000,000. If the application is approved, the Applicant is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) in an amount not to exceed \$20,000,000, 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 (AHSC Program Documents).
  3. The 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. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. The 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 the Applicant the AHSC Program Application Package and the AHSC Program Documents as required by the Department for participation in the AHSC Program.
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I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a regular meeting thereof held December 19, 2017, by the following vote:

AYES: Councilmembers Choi, Martinez, Myrick, Recinos, Willis, Vice Mayor Beckles, and Mayor Butt.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: None.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

TOM BUTT  
Mayor

Approved as to form:

BRUCE GOODMILLER  
City Attorney

State of California            }  
County of Contra Costa        }        : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Resolution No. 145-17**, finally passed and adopted by the Council of the City of Richmond at a regular meeting held on December 19, 2017.

  
Pamela Christian, Clerk of the City of Richmond