

Hayward City Council

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD AUTHORIZING JOINT APPLICATION TO AND PARTICIPATION IN THE STATE HOMEKEY PROGRAM FOR THE PROJECT RECLAMATION SCATTERED SITE PROGRAM IN A TOTAL NOT-TO-EXCEED AMOUNT OF \$10 MILLION AND FINDING OF CEQA EXEMPTION

WHEREAS, the State of California Department of Housing and Community Development (“Department”) has issued a Notice of Funding Availability, dated March 29, 2023 (“NOFA”), for the Homekey Program (“Homekey” or “Program”). The Department has issued the NOFA for Homekey grant funds pursuant to Health and Safety Code section 50675.1.3 (Assem. Bill No. 140 (2021-2022 Reg. Sess.), § 20.); and

WHEREAS, in response to the “Request for Information for Projects and Properties to House People Experiencing Homelessness Through the Homekey Program” released by the City of Hayward on October 20, 2021, Bay Area Community Services submitted a proposal for the Project Reclamation supportive shared housing program; and

WHEREAS, the terms and conditions of the NOFA for the third round of Homekey include new provisions excepting supportive shared housing programs from pre-existing site control requirements and setting aside \$40 million of its discretionary reserve to fund up to four (4) supportive shared housing programs for up to \$10 million in capital acquisition, rehabilitation, and operational expenses per program; and

WHEREAS, the CITY OF HAYWARD (“Lead Applicant”) desires to jointly apply for Homekey grant funds with BAY AREA COMMUNITY SERVICES (“Corporation”) and with the Cities of Livermore (“Co-Applicant”), Piedmont (“Co-Applicant”), and Union City (“Co-Applicant”). Therefore, Lead Applicant is joining Corporation and Co-Applicant in the submittal of an application for Homekey funds (“Application”) to the Department for review and consideration; and

WHEREAS, the Department is authorized to administer Homekey pursuant to the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code). Homekey funding allocations are subject to the terms and conditions of the NOFA, the Application, the Department-approved STD 213, Standard Agreement (“Standard Agreement”), and all other legal requirements of the Homekey Program.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to submit a joint Application to the Department in response to the NOFA, and to jointly apply for Homekey grant funds in a total amount not to exceed \$10 million.

BE IT FURTHER RESOLVED THAT if the Application is approved, the City Manager is hereby authorized and directed to execute a Standard Agreement, in a form to be approved by the City Attorney, in a total amount not to exceed \$10 million, any and all other documents required or deemed necessary or appropriate to secure the Homekey funds from the Department and to participate in the Homekey Program, and all amendments thereto (collectively, the "Homekey Documents").

BE IT FURTHER RESOLVED THAT Lead Applicant acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement, in a form to be approved by the City Attorney, and that the NOFA and Application will be incorporated in the Standard Agreement by reference and made a part thereof. Any and all activities, expenditures, information, and timelines represented in the Application are enforceable through the Standard Agreement. Funds are to be used for the allowable expenditures and activities identified in the Standard Agreement.

BE IT FURTHER RESOLVED THAT CITY MANAGER KELLY MCADOO, or her designee, is authorized to execute the Application and the Homekey Documents on behalf of Lead Applicant for participation in the Homekey Program.

BE IT FURTHER RESOLVED THAT the City Manager, or her designee, is authorized to negotiate and develop an agreement with the Co-Applicants and Corporation outlining the roles and responsibilities of each entity if the Application is approved, subject to the review and approval as to form by the City Attorney.

BE IT FURTHER RESOLVED THAT pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.; "CEQA"), the Program is a ministerial project and is therefore exempt from review pursuant to Public Resource Code Section 21080(b)(1), which states the general rule that CEQA does not apply to ministerial projects.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2023

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward