

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO: 1) APPLY FOR AN AWARD FROM THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) LOCAL HOUSING TRUST FUND (LHTF) PROGRAM; 2) ENTER INTO A STANDARD AGREEMENT WITH THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT LOCAL HOUSING TRUST FUND PROGRAM; AND 3) ACCEPT AND APPROPRIATE AN AMOUNT NOT TO EXCEED \$5 MILLION TO SUPPORT EAH'S MISSION PARADISE AND PIMENTEL PLACE AFFORDABLE HOUSING PROJECTS

WHEREAS, the City of Hayward (the "City"), a municipal corporation, is authorized to do business in the State of California (the "State"); and

WHEREAS, the State of California Department of Housing and Community Development (the "Department") is authorized to provide up to \$57 million under the Local Housing Trust Fund Program from the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) (as described in Health and Safety Code ("HSC") Section 50842.2 et seq. (Chapter 365, Statutes of 2017 (SB 3)) (the "Program"); and

WHEREAS, the Department issued a Notice of Funding Availability ("NOFA") dated Thursday, April 30, 2020 under the Local Housing Trust Fund ("LHTF") Program; and

WHEREAS, City of Hayward established the Affordable Housing Trust Fund under Chapter 10, Article 17 of the Hayward Municipal Code for the purpose of increasing the supply of housing affordable to Moderate-, Low-, Very Low-, or Extremely Low-Income households; and

WHEREAS, City of Hayward is an eligible Local Housing Trust Fund; and

WHEREAS, the City wishes to apply for and receive an allocation of funds through the LHTF Program to support the development of Mission Paradise, and Pimentel Place ("Eligible Projects"); and

WHEREAS, matching funds required by the LHTF program were awarded to Mission Paradise and Pimentel Place by City Council on October 2, 2018 from the Inclusionary Housing Trust fund in the amounts of \$1.3 million and \$2 million respectively; and

WHEREAS, the Department may approve funding allocations for the LHTF Program, subject to the terms and conditions of HSC Section 50842.2, the LHTF Program Guidelines, NOFA Program requirements, the Standard Agreement and other related contracts between the Department and the City; and

NOW, THEREFORE, BE IT RESOLVED, that if the City receives an award of LHTF funds from the Department pursuant to the above referenced NOFA, it represents and certifies that the City will use all such funds on Eligible Projects, as outlined in **Attachment A**, 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 LHTF Program, as well as any and all contracts the City may have with the Department.

BE IT FURTHER RESOLVED that the City is hereby authorized to act as the trustee in connection with the Department's funds to Eligible Projects pursuant to the above described NOFA in an amount not-to-exceed \$5 million (the "LHTF Award").

BE IT FURTHER RESOLVED that the City is hereby authorized to create a special revenue fund for the purpose of receiving and appropriating any LHTF Award.

BE IT FURTHER RESOLVED that the City hereby agrees to match the LHTF Award on a dollar for dollar basis pursuant to the LHTF Program Guidelines Section 104 and agrees to utilize matching funds on a dollar for dollar basis for the same Eligible Projects for which the LHTF Award is used as required by HSC Section 50843.5(c).

BE IT FURTHER RESOLVED that the City Manager is authorized to accept and appropriate the LHTF Award in an amount not to exceed \$5 million and pursuant to **Attachment A** and the City's certification in this resolution, the LHTF Award will be expended only for Eligible Projects and consistent with all program requirements.

BE IT FURTHER RESOLVED that the City is subject to the terms and conditions as specified in the Standard Agreement, HSC Section 50842.2 and LHTF Program Guidelines.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the LHTF Award Documents, and any amendment or modifications thereto, on behalf of the City in a form approved by the City Attorney.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage.

IN COUNCIL, HAYWARD, CALIFORNIA July 7, 2020.

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

Attachment A
Local Housing Trust Fund Program
 Summary of Commitment for Program and Matching Funds

1. Identification of Total Funds Requested

Project	Matching Funds	Program Funds ¹	A					Manager Unit	Total Affordable Units
			Total Funds	≤ 30% AMI	≤50% AMI	≤ 60% AMI	≤ 80% AMI		
Mission Paradise	\$1,284,720	\$1,284,720	\$2,569,440	36	20	5	14	1	75
Pimentel Place	\$2,000,000	\$2,000,000	\$4,000,000	16	20	20	0	1	56
Total	\$3,284,720	\$3,284,720	\$6,569,440	52	40	25	14	2	131
% of Total	50%	50%	100%	39.7%	30.5%	19.1%	10.7%	N/A	100%

¹City will utilize 5% of Program Funds for administrative costs

Income Level	Number of Units	B		C = A * B	
		% of Total Affordable Units	Distribution of Total Funds by Income Level ²		
≤ 30% AMI	52	39.7%	\$2,542,866		
≤50% AMI	40	30.5%	\$1,953,587		
≤ 60% AMI	25	19.1%	\$1,223,394		
≤ 80% AMI	14	10.7%	\$685,357		
Total	131	100%	\$6,405,204		

² Total funds less 5% of Program Funds for administrative costs

2. List of jurisdictions where activities/projects will be delivered

- i. City of Hayward