

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

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

RESOLUTION AUTHORIZING THE CITY MANAGER TO: 1) SUBMIT AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR AN AMOUNT NOT-TO-EXCEED \$5 MILLION; 2) EXECUTE A STANDARD AGREEMENT AND ANY SUBSEQUENT AMENDMENTS, MODIFICATIONS, OR DOCUMENTS THERETO; 3) ACCEPT AND APPROPRIATE AWARDED FUNDS IN AN AMOUNT NOT-TO-EXCEED \$5 MILLION; AND 4) ALLOCATE FUNDS, IF AWARDED, TO EAH'S MISSION PARADISE AND RESOURCE FOR COMMUNITY DEVELOPMENT'S PARCEL GROUP 8 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 ("LHTF Funds") under the Local Housing Trust Fund ("LHTF") 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 Monday, May 3, 2021 under the 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 applying to the LHTF Program to administer one or more eligible activities using LHTF Funds; 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 Parcel Group 8 Affordable Housing Projects ("Eligible Projects"); 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.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward 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 Local Housing Trust Program Fund for the purpose of receiving and appropriating the 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 allocate funds 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 Program Application, the LHTF Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the LHTF Award, as the Department may deem appropriate, 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 adoption.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021.

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	Total Funds	Committed Matching Funds (\$)	Committed Matching Funds (%)	Program Funds (\$)¹	Program Funds (%)
Mission Paradise	\$4,943,668	\$3,764,720³	32%	\$1,178,948	30%
Parcel Group 8 Affordable Housing	\$10,742,625	\$8,000,000²³	68%	\$2,742,625	70%
<b>Total (\$)</b>	<b>\$15,686,293</b>	<b>\$11,764,720</b>	<b>100%</b>	<b>\$3,921,573</b>	<b>100%</b>
<b>Total (%)</b>	<b>100%</b>	<b>75%</b>		<b>25%</b>	

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

²Includes estimated \$6 million land value of City donated land. Actual land value to be determined by appraisal.

³Includes allocation of funds not to exceed \$2.48 million for Mission Paradise and \$2 million for Parcel Group 8 Affordable Housing. Final amount awarded from the Inclusionary Housing Trust is dependent on the land appraisal and what will maximize competitiveness for the LHTF application.

Project	≤ 30% AMI	≤ 50% AMI	≤ 60% AMI	≤ 80% AMI	Manager Unit	Total Affordable Units
Mission Paradise	36	20	5	14	1	75
Parcel Group 8 Affordable Housing	24	67	13	0	1	104
<b>Total</b>	<b>60</b>	<b>87</b>	<b>18</b>	<b>14</b>	<b>2</b>	<b>179</b>
<b>Total (%)</b>	<b>34%</b>	<b>49%</b>	<b>10%</b>	<b>8%</b>	<b>N/A</b>	<b>100%</b>

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

- i. City of Hayward