

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR \$310,000 IN NON-COMPETITIVE PLANNING GRANT FUNDING PROVIDED UNDER THE BUILDING HOME AND JOB ACT (SB2) AND EXECUTE THE GRANT AGREEMENT AND RELATED DOCUMENTS**

**WHEREAS**, the State of California, Department of Housing and Community Development (“Department”) has issued a Notice of Funding Availability (“NOFA”) dated March 28, 2019, for its Planning Grants Program (“PGP”); and

**WHEREAS**, the City Council of the City of Milpitas desires to submit a project application for the PGP to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP; and

**WHEREAS**, the SB 2 grant application will be for the not to exceed the amount of \$310,000. The grant term begins on the day the Department and the City of Milpitas have both signed the completed Standard Agreement;COMPETITIVEand

**WHEREAS**, the end of the grant term will be determined by the state based on the availability of grant funds and the administrative requirements for liquidation. The anticipated grant term runs through June 30, 2022; and

**WHEREAS**, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2))) related to the PGP Program.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Manager is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application for the amount of \$310,000 in grant funds.
3. In connection with the PGP grant, if the application is approved by the Department, the City Manager or Planning Director is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$310,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City of Milpitas obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents"), as approved by the City Attorney.
4. The City of Milpitas shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, the information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City of Milpitas agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

5. The City Manager is authorized to execute the City of Milpitas Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the City of Milpitas as required by the Department for receipt of the PGP Grant.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Rich Tran, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher J. Diaz, City Attorney