



CITY OF  
**HAYWARD**  
HEART OF THE BAY

**DATE:** July 26, 2011  
**TO:** Mayor and City Council  
**FROM:** Assistant City Manager  
**SUBJECT:** Agenda Item #21 – Corrected and Revised Resolution

Staff is presenting this memorandum that corrects an error identified in Resolution II for Agenda Item #21 regarding a Disposition and Development Agreement for the development of City property located at 123-197 “A” Street in Hayward as an affordable ownership housing project and submittal of an application for State grant funds under the BEGIN Program. The resolution states that the City wishes to submit a BEGIN Program funding application in response to the BEGIN NOFA issued on July 8, 2011. However, HCD has not released the NOFA yet. As stated on paragraph 1, page 2 of the staff report, HCD has only announced that it will issue a NOFA for the Program later this month. A revised resolution is attached to this memorandum.

*Prepared by:*  
Omar Cortez, Housing Development Specialist

Recommended by:  
Kelly Morariu, Assistant City Manager

Approved by:

  
Fran David, City Manager

Attachments:  
Revised Resolution Authorizing the City Manager to Submit a BEGIN Grant Application

CITY COUNCIL OF THE CITY OF HAYWARD

RESOLUTION NO. 11 - \_\_\_\_\_

A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE BEGIN PROGRAM TO FINANCE THE DEVELOPMENT OF A LOW AND VERY LOW INCOME HOMEOWNERSHIP HOUSING PROJECT AT THE CORNER OF A AND WALNUT STREETS

WHEREAS, The City of Hayward, a municipal corporation of the State of California, wishes to apply for and receive an allocation of funds through the State Department of Housing and Community Development (HCD) Building Equity and Growth in Neighborhoods (BEGIN) Program; and.

WHEREAS, HCD will issue a Notice of Funding Availability (“NOFA”) for the BEGIN Program established by Chapter 14.5, Sections 50860 through 50866 of Part 2 of Division 31 of the Health and Safety Code (the “Statute”). Pursuant to the Statute, HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature to the BEGIN program, subject to the terms and conditions of the Statute and the BEGIN Program Guidelines adopted as amended by HCD on April 19, as they may be amended 2010; and

WHEREAS, The City of Hayward, in response to the BEGIN NOFA issued July 2011, wishes to submit an application to obtain from HCD an allocation of BEGIN Program funds in the amount of \$465,000.

WHEREAS, if the application for funding is approved, the City of Hayward hereby agrees to use the BEGIN Program funds for development of ten (10) duplex style townhome affordable homeownership units (the "Development") in a City-owned property located at 123-197 "A" Street in the City of Hayward.

WHEREAS, if the application for funding is approved, the City of Hayward hereby agrees to use the BEGIN Program funds for eligible activities as approved by HCD and in accordance with the BEGIN Program Guidelines; and

WHEREAS, if the City is awarded BEGIN funding pursuant to its application, the City Council desires to have the City Manager execute and cause the implementation of the Standard HCD Agreement for such funds and any amendments and addenda thereto (collectively, the “Standard Agreement”) and such other documents as may be necessary to implement the City’s BEGIN Program (“Other BEGIN Documents”), all in a manner that is consistent with the BEGIN Program Guidelines.

WHEREAS, after review of the staff report and attachments accompanying this

resolution, the City Council desires to adopt the staff recommendation to authorize the City Manager to submit a BEGIN Program funding application.

NOW, THEREFORE, BE IT RESOLVED by the City Council that:

1. The City Council finds that the above recitals are accurate.
2. The City Council hereby authorizes the City Manager to submit and execute on behalf of the City of Hayward, the BEGIN Program funding application, and, if funding is awarded, the Standard Agreement and any amendments and addenda thereto, and Other BEGIN Documents, all in a manner that is consistent with the BEGIN Program Guidelines.
3. The City Council hereby authorizes and directs the City Manager and her designees to take such steps as are reasonable and necessary to perform the City's obligations under the Standard Agreement and other BEGIN Documents in a manner that is consistent with the BEGIN Program Guidelines.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2011

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