

AGENDA ITEM NO. 1D
COUNCIL MEETING: June 9, 2011
APPROVED BY _____

DEPARTMENT DIRECTOR _____

CITY MANAGER *Mark Scott*

June 9, 2011

FROM: CRAIG SCHARTON, Assistant Director
Development and Resource Management *Craig Scharton*

THROUGH: CLAUDIA CAZARES, Division Manager
Housing and Community Development Division *Claudia Cazares*

BY: CORRINA NUNEZ, Project Manager
Housing and Community Development Division *Corrina Nunez*

SUBJECT: RESOLUTION – AUTHORIZING AND APPOINTING A NEW SIGNATORY FOR
EXECUTION OF DOCUMENTS FOR THE STATE OF CALIFORNIA BUILDING EQUITY
AND GROWTH IN NEIGHBORHOODS PROGRAM

RECOMMENDATIONS

Staff recommends the Council adopt the attached Resolution (Exhibit A) authorizing the Development and Resource Management Department, Assistant Director, or his designee, to execute standard agreements, any amendments thereto, and any other documents necessary to participate in the Building Equity and Growth In Neighborhoods (BEGIN) Program, subject to revisions and approval by the City Attorney's office.

EXECUTIVE SUMMARY

In April, 2008, the City of Fresno applied for and received \$2,580,000 in BEGIN Program funds made available through the passage of Proposition 1C, specifically for the Maple Valley project, a proposed 86-unit single-family development at North Marks and West Floradora. Since entering into the State Standard Agreement, the original City designated department has been renamed and the authorized signatory appointee has been reassigned. Therefore in an effort to comply with the BEGIN Program signatory authorization requirement, the State Department of Housing and Community Development (HCD) requested that the City adopt a new resolution with updated authorized and appointed signatory for the BEGIN Program documents.

BACKGROUND

On April 7, 2008, the City received notification from the State of California of its successful application for an allocation of \$2,580,000 in BEGIN Program funds for the proposed Maple Valley project.

After receipt of the BEGIN grant, the project was placed on hold due to the local adverse housing market. Staff therefore requested an extension to allow time for the single-family housing market to rebound. However, during the first extension period, the local single-family housing market and economy

REPORT TO COUNCIL

RE: Resolution for New Signatory for the BEGIN Program

June 9, 2011

Page 3 of 3

worsened. Therefore in March 2011, staff requested a second extension, to again allow more time to ensure the successful and expeditious sale of the proposed newly constructed homes.

On May 3, 2011, shortly after Staff submitted the request for an additional one-year time extension, the State HCD requested an updated Resolution to reflect current authorized signatories for the BEGIN Program grant documents.

In response to HCD's request, Staff prepared the attached Resolution that appoints the Development and Resource Management Department Assistant Director, or his designee, as the authorized signatory for the BEGIN grant documents, subject to revisions and approval by the City Attorney's office.

Staff recommends adoption of the Resolution as necessary to execute all grant documents including the pending second time extension. The second time extension expires on June 30, 2012.

There are no other changes to the BEGIN application requirements.

FISCAL IMPACT

There will be no fiscal impact as a result of the Resolution authorizing and appointing a new signatory.

APPENDICES

Exhibit A – Resolution

RESOLUTION NO. _____

A RESOLUTION OF FRESNO CITY COUNCIL AMENDING RESOLUTION 2007-289
APPROVING THE APPLICATION FOR AND ACCEPTANCE OF CALIFORNIA STATE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2007 "BEGIN PROGRAM"
GRANT FUNDS AND AUTHORIZING EXECUTION OF DOCUMENTS
[Mortgage Assistance to Low/Moderate Income First-Time Homebuyers within the following
BEGIN Project: (Maple Valley Project)]

WHEREAS:

A. Pursuant to its Resolution No. 2007-289, incorporated into this Resolution by reference, the City of Fresno, a California municipal corporation, applied for and received an allocation of funds in the amount of \$2,580,000.00 from the California Department of Housing and Community Development (hereinafter referred to as "HCD") 2007 Building Equity and Growth in Neighborhoods (BEGIN) Program for the Maple Valley Project; and

B. The procedures established by HCD require the City of Fresno to certify by resolution to HCD, authorization for execution of the Program standard agreement, amendments thereto and related Program documents; and

C. Resolution No. 2007-289 appoints and authorizes the Planning and Development Department Director and his/her designee and each of them as agent(s) of the City of Fresno ("Authorized Agent(s)"), to conduct all negotiations, execute and submit documents required by HCD for Program participation including, but not limited to, the standard agreement, project application(s), amendments, memoranda of understanding, payment requests and so on, which may be necessary for participation in and completion of the aforementioned Project, including any extensions or amendments thereof, subject to prior approval as to form by the City Attorney's Office; and

D. The City of Fresno Planning and Development Department Director and Planning Department titles have changed; and

E. The City of Fresno desires to appoint and authorize new Authorized Agents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRESNO THAT:

1. It appoints and authorizes the Development and Resources Management Department Assistant Director and his/her designee and each of them as agent(s) of the City of Fresno, to conduct all negotiations, execute and submit documents required by HCD for Program participation including, but not limited to, the standard agreement, project application(s), amendments, memoranda of understanding, payment requests and so on, which may be necessary for participation in and completion of the aforementioned Project, including any extensions or amendments thereof, subject to prior approval as to form by the City Attorney's Office.

2. Except as provide in section 1 above, Resolution 2007-289 shall continue in full force and effect.

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting thereof, held on the ____ day of _____ 2011.

AYES:

NOES:

ABSTAIN:

ABSENT:

REBECA E. KLISCH
City Clerk

By: _____
Deputy

Date _____

APPROVED AS TO FORM:

James C. Sanchez
City Attorney

By _____
Robert R. Coyle, Senior City Attorney

5-31-11
Date