



RESOLUTION NO. 2009-65

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO APPROVING THE APPLICATION FOR AND ACCEPTANCE OF CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2009 INFILL INFRASTRUCTURE GRANT PROGRAM FUNDS AND AUTHORIZING EXECUTION OF DOCUMENTS

(Infill Infrastructure Grant Program to promote infill housing development within the following Infill Infrastructure Grant Project: [*Transit Village*])

WHEREAS, The City of Fresno a California municipal corporation and local governmental entity (hereinafter referred to as "City of Fresno"), as co-applicant with ROEM, wishes to apply for and receive an allocation of 2009 funds through the Infill Infrastructure Grant Program; and

WHEREAS, California Department of Housing and Community Development (hereinafter referred to as "HCD") has issued a Notice of Funding Availability ("NOFA") for the Infill Infrastructure Grant Program provided under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to the Infill Infrastructure Grant Program established in Part 12 of Division 31 of the Health and Safety Code, commencing with Sections 53545.12. Pursuant to the statute HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature to the Infill Infrastructure Grant Program, subject to the terms and conditions of the statute and the Infill Infrastructure Grant Program guidelines adopted by HCD on January 30, 2009 ("Guidelines"), the application package and standard agreement and amendments thereto and related documents/instruments necessary to Program participation; and

WHEREAS, the City of Fresno wishes to submit an application to obtain from HCD an allocation of Infill Infrastructure funds in the amount of \$3,006,433; and

WHEREAS, said procedures established by HCD require the applicant's governing body to certify, by resolution, the approval of the application to HCD and the authorization for execution of the Program standard agreement with HCD for the grant funded Program; and

WHEREAS, the City of Fresno wishes to enter into a standard agreement with HCD for the grant funded Program.

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

1. Consistent with constitutional and local law requirements and this resolution, the City of Fresno hereby approves of the application for and the acceptance of grant funding from the Infill Infrastructure Grant Program and participation therein, in response to the NOFA issued on January 30, 2009, which will request a funding allocation for the following project/area activities:

- (a) Eligible infrastructure for the City's Transit Village Project that consists of a transit facility, park, and 133 units of affordable senior housing on the south side of Kings Canyon between Peach and Adler avenues.

Adopted \_\_\_\_\_  
Approved 3/24/09  
Efface \_\_\_\_\_

EXHIBIT "A"

2009-65



2. If the application for funding is approved, the City of Fresno, consistent with constitutional and local law requirements and this resolution hereby agrees to use the Infill Infrastructure Grant Program funds for eligible activities in the manner presented in the application as approved by HCD and in accordance with Program Guidelines cited above. It also may execute any and all other instruments necessary or required by HCD for participation in the Infill Infrastructure Grant Program.

3. Appoints and authorizes the Fresno City Planning and Development Interim Director and designee(s) 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 Program/Project/Area, including any extensions or amendments thereof, subject to prior approval as to form by the City Attorney's Office.

\*\*\*\*\*

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 24th day of March, 2009.

AYES: Borgeas, Brand, Caprioglio, Dages, Perea, Xiong, Sterling  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

REBECCA E. KLISCH  
 City Clerk

By: *Rebecca Klisch*  
 Deputy

APPROVED AS TO FORM:

JAMES C. SANCHEZ  
 City Attorney

By: *Laurie A. Avedisian*  
 Laurie A. Avedisian Deputy City Attorney

Date: 3/5, 2009  
 RRC:sn [48240sn/RESO] 3/4/09