

RESOLUTION NO. 2015-121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AUTHORIZING INCREASING BUDGETED REVENUE AND APPROPRIATIONS IN FUND 462 IN THE AMOUNT OF \$500,000; AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE STANDARD AGREEMENT AND ANY AND ALL AMENDMENTS FOR THE CATALYST PROJECTS FOR CALIFORNIA SUSTAINABLE STRATEGIES PILOT PROGRAM SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, in December 2009, the State of California Department of Housing and Community Development (Department) issued a Request for Proposals under its Catalyst Projects for California Sustainable Strategies (CPCSS) Pilot Program, and;

WHEREAS, at the regular meeting of March 16, 2010, the City Council and Agency Board approved Resolution No. 2010-41 and Resolution No. 2010-06 (MRA), which ratified submittal of an Application to the Department for the CPCSS, and;

WHEREAS, on August 18, 2010, the City of Marina received a letter from the Department stating that the Application for The Dunes Development Project was selected as one of thirteen Catalyst Projects throughout the State of California and The Dunes Project was awarded a grant in the amount of \$500,000, and;

WHEREAS, at the regular meeting of January 24, 2012, the City Council approved Resolution No. 2012-07 approving a Memorandum of Agreement and Application for Catalyst Projects for California Sustainable Strategies Pilot Program in the amount of \$500,000 (**“Exhibit A”**), and;

WHEREAS, the purpose of the CPCSS pilot program was to stimulate sustainable development projects. Under terms of the grant, \$500,000 (less \$25,000 administrative costs) will go into a city account which can then be used by The Dunes Development to pay impact fees for certain qualified uses, one of which is Phase I C residential housing. To date the impact fees for Phase I C residential homes paid by the Dunes have exceeded \$500,000, and;

WHEREAS, the City Council has previously approved the submittal of the grant application and has accepted the grant award. The purpose of this action is to address technical language amendments required by the State of California in order to receive the Standard Agreement and funds in the amount of \$500,000, and;

WHEREAS, resolution (**“Exhibit B”**) reflects the City’s standard language relative to increasing budgeted revenue and appropriations in Fund 462 in the amount of \$500,000; authorizing Finance Director to make necessary accounting and budgetary entries, and; authorizing the City Manager to execute the Standard Agreement and any and all amendments, and;

WHEREAS, resolution (**“Exhibit C”**) contains standard language required by the State of California and authorizes the City Manager to execute the Standard Agreement and any and all amendments, and;

WHEREAS, upon receipt of the Standard Agreement, the City of Marina shall execute the document and simultaneously submit a funds request for reimbursement in the amount of \$500,000.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina does hereby:

1. Authorize increasing budgeted revenue and appropriations in Fund 462 in the amount of \$500,000;
2. Authorize Finance Director to make necessary accounting and budgetary entries, and;
3. Authorize the City Manager to execute the Standard Agreement and any and all amendments on the Catalyst Projects for California Sustainable Strategies Pilot Program subject to final review and approval by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 20th day of October 2015, by the following vote:

Ayes: COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

Catalyst Projects for California Sustainable Strategies Pilot Program Resolution Template

Please note: The Department will not disburse grant funds until the new adopted resolution is submitted. In addition, if the application is being signed by a designee of the authorized representative, the applicant must also submit a designee letter or other proof of signing authority.

RESOLUTION NO. 2015-121

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AUTHORIZING APPLICATION FOR THE CATALYST PROJECTS FOR CALIFORNIA SUSTAINABLE STRATEGIES PILOT PROGRAM

WHEREAS:

- A. The State of California, Department of Housing and Community Development (Department) has issued a competitive Request for Proposals for designations of Catalyst Projects, dated December 2009 (the "RFP"), under the Catalyst Projects for the California Sustainable Strategies Pilot (CPCSS) Program.
- B. The City of Marina desires to apply for the Catalyst Community Grant Program and submit the Application Package released by the Department for the CPCSS.
- C. The Department is authorized to approve funding allocations for the CPCSS Program, subject to the terms and conditions of the RFP, Guidelines, Application Package, Standard Agreement and Memorandum of Understanding (MOU).

THEREFORE, IT IS RESOLVED THAT:

1. Applicant is hereby authorized and directed to apply for and submit to the Department the CPCSS Program Application Package released December 2009, in the amount not to exceed \$500,000. If the application is approved, the Applicant is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) in an amount not to exceed \$500,000, and any and all other documents required or deemed necessary or appropriate to secure the CPCSS Program Grant from the Department, and all amendments thereto (collectively, the "CPCSS Grant Documents").
2. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures, to be identified in Exhibit A of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. Applicant hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the RFP, Program Guidelines and Application Package.
3. The City Manager of the City of Marina is authorized to execute in the name of the Applicant the CPCSS Program Application Package, Standard Agreement, MOU, and any and all amendments thereto as required by the Department for participation in the CPCSS Program.

PASSED AND ADOPTED this 20th Day of October, 2015, by the following vote:

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

The undersigned Deputy City Clerk of the Applicant here before named does hereby attest and certify that the forgoing is a true and full copy of a resolution of the City Council adopted at a duly conveyed meeting on the date above-mentioned, which has not been altered, amended or repealed.

Anita Sharp, Deputy City Clerk

October 14, 2015

Item No: **8k(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of October 20, 2015

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NOS. 2015-,
AUTHORIZING INCREASING BUDGETED REVENUE AND
APPROPRIATIONS IN FUND 462 IN THE AMOUNT OF \$500,000;
AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY
ACCOUNTING AND BUDGETARY ENTRIES, AND AUTHORIZING THE
CITY MANAGER TO EXECUTE STANDARD AGREEMENT AND ANY
AND ALL AMENDMENTS FOR THE CATALYST PROJECTS FOR
CALIFORNIA SUSTAINABLE STRATEGIES PILOT PROGRAM SUBJECT
TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution Nos. 2015-, increasing budgeted revenue and appropriations in Fund 462 in the amount of \$500,000;
2. Authorizing Finance Director to make necessary accounting and budgetary entries, and;
3. Authorizing the City Manager to execute the Standard Agreement and any and all amendments on the Catalyst Projects for California Sustainable Strategies Pilot Program subject to final review and approval by the City Attorney.

BACKGROUND:

In December 2009, the State of California Department of Housing and Community Development (Department) issued a Request for Proposals under its Catalyst Projects for California Sustainable Strategies (CPCSS) Pilot Program.

At the regular meeting of March 16, 2010, the City Council and Agency Board approved Resolution No. 2010-41 and Resolution No. 2010-06 (MRA), which ratified submittal of an Application to the Department for the CPCSS.

On August 18, 2010, the City of Marina received a letter from the Department stating that the Application for The Dunes Development Project was selected as one of thirteen Catalyst Projects throughout the State of California and The Dunes Project was awarded a grant in the amount of \$500,000.

At the regular meeting of January 24, 2012, the City Council approved Resolution No. 2012-07 approving a Memorandum of Agreement and Application for Catalyst Projects for California Sustainable Strategies Pilot Program in the amount of \$500,000 (“**EXHIBIT A**”)

The purpose of the CPCSS pilot program was to stimulate sustainable development projects. Under terms of the grant, \$500,000 (less \$25,000 administrative costs) will go into a city account which can then be used by The Dunes Development to pay impact fees for certain qualified uses, one of which is Phase I C residential housing. To date the impact fees for Phase I C residential homes paid by the Dunes have exceeded \$500,000.

ANALYSIS:

The City Council has previously approved the submittal of the grant application and has accepted the grant award. The purpose of this action is to address technical language amendments required by the State of California in order to receive the Standard Agreement and funds in the amount of \$500,000.

Resolution (“**EXHIBIT B**”) reflects the City’s standard language relative to increasing budgeted revenue and appropriations in Fund 462 in the amount of \$500,000; authorizing Finance Director to make necessary accounting and budgetary entries, and; authorizing the City Manager to execute the Standard Agreement and any and all amendments.

Resolution (“**EXHIBIT C**”) contains standard language required by the State of California and authorizes the City Manager to execute the Standard Agreement and any and all amendments, which is forthcoming.

Upon receipt of the Standard Agreement, the City of Marina shall execute the document and simultaneously submit a funds request for reimbursement in the amount of \$500,000.

FISCAL IMPACT:

The Catalyst Grant 10-CPCSS-6930, City Capital Projects, Fund No. 462 (formerly Fund 62), Account No. TBD, will increase budgeted revenue and appropriations in the amount of \$500,000.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Marilyn Lidyoff
Economic Development Coordinator
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina

EXHIBIT A

RESOLUTION NO. 2012-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING MEMORANDUM OF AGREEMENT AND APPLICATION FOR \$500,000 GRANT FUNDS FOR CATALYST PROJECTS FOR CALIFORNIA SUSTAINABLE STRATEGIES PILOT PROGRAM AND IF SELECTED AUTHORIZING CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE RELATED DOCUMENTS ON BEHALF OF CITY/AGENCY SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY

WHEREAS, at a regular meeting on April 7, 2009, the City Council approved Resolution No. 2009-58 which authorized staff to make application to any and all grant programs related to the American Recovery and Reinvestment Act regarding preserving and creating jobs and investing in transportation, environmental protection, and other infrastructure that provides long-term economic benefits, and;

WHEREAS, at the regular meeting of March 16, 2010, the City Council and Agency Board approved Resolution No. 2010-41, and Resolution No. 2010-06 (MRA) which authorized staff to make application to the Catalyst Projects for California Sustainable Strategies Pilot Program through the Housing and Community Development Department of the State of California, and;

WHEREAS, in August of 2010, the City received a letter from HCD stating that the Dunes development project was selected as one of 13 Catalyst Projects throughout the State of California, and the Silver Designation awarded would allow the Dunes to receive a \$500,000 grant award, and;

WHEREAS, the State of California, Department of Housing and Community Development (the "Department") has issued Program Guidelines dated December 2010 (the "Guidelines"), under its Catalyst Community Grant Program (the "Program"), and;

WHEREAS, the Department is authorized to approve funding allocations for the Program, subject to the terms and conditions of the Guidelines, Application Package, MOU and Standard Agreement (attached as "**EXHIBIT A**") as such capitalized items are defined in the "Catalyst Projects for California Sustainable Strategies Pilot Program" guidelines issued by the Department in November 2010, as the same may be amended from time to time, and;

WHEREAS, the fiscal impact will be that the City receives \$500,000 as a grant award. The City would reserve 5% or \$25,000 to pay for staff time to monitor and evaluate the program as well as complete the bi-annual program reports.

The remaining \$475,000 would assist in paying City Impact Fees for one of the future developments within the Dunes. This could assist to pay for impact fees on either the 108 affordable apartments, the retail area in the Village Promenade or some of the first residential developments in Phase 1C of the Dunes.

All funds will be initially placed into Development Activity Fund - The Dunes Entitlement Account No 50-542-58990, then transferred into the appropriate Dunes project manager account and City of Marina impact fee account when the next Dunes impact fees become due.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina hereby:

1. Approves Memorandum of Agreement and Application for *Catalyst Projects for California Sustainable Strategies Pilot Program*, and;
2. Authorizes City Manager to execute related documents on behalf of City subject to final review by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 24th day of January 2012, by the following vote:

AYES, COUNCIL MEMBERS: Amadeo, Brown, Ford, O'Connell, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Acting Deputy City Clerk