

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-09-0020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY TO (I) SUBMIT AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE TRANSIT-ORIENTED DEVELOPMENT (TOD) HOUSING PROGRAM; AND (II) EXECUTE ALL DOCUMENTS NECESSARY TO PARTICIPATE IN THE TOD HOUSING PROGRAM IF SELECTED FOR SUCH FUNDING.

WHEREAS, the City of Long Beach ("City"), a political subdivision of the State of California, wishes to apply for and receive an allocation of funds through the TOD Housing Program (the "TOD Program"); and

WHEREAS, the California Department of Housing and Community Development ("HCD") has issued a Notice of Funding Availability ("NOFA") for the TOD Program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to the TOD Implementation Program established by Part 13 of Division 31 of the Health & Safety Code, commencing with Section 53560. Pursuant to the statute, HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature to the TOD Program, subject to the terms and conditions of the statute and the TOD Program Guidelines, as amended by HCD on 02/04/2009; and

WHEREAS, City wishes to submit an application to obtain from HCD an allocation of TOD Program funds in an amount up to \$17,000,000;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

1 Section 1. The City shall submit to HCD an application to participate in
2 the TOD Program in response to the NOFA issued on January 30, 2009 which will
3 request a funding allocation in the amount of up to \$17,000,000 for (i) the construction of
4 rental units, (ii) the construction of capital improvements, and the (iii) the funding of loans
5 to qualified first time homebuyers, each in connection with a project located at 1235 Long
6 Beach Boulevard (corner of Long Beach Boulevard and Anaheim Street).

7 Section 2. If the application for funding is approved, the City hereby
8 agrees to use the TOD Program funds for eligible activities in the manner presented in
9 the application as approved by HCD and in accordance with the program Guidelines cited
10 above. It also may execute any and all other instruments necessary or required by HCD
11 for participation in the TOD Program.

12 Section 3. The City Manager is authorized to execute in the name of the
13 City, the application, the Standard Agreement, and all other documents required by HCD
14 for participation in the TOD Program, and any amendments thereto.

15 Section 4. This resolution shall take effect immediately upon its adoption
16 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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1 I hereby certify that the foregoing resolution was adopted by the City
2 Council of the City of Long Beach at its meeting of March 17, 2009 by the
3 following vote:

4 Ayes: Councilmembers: S. Lowenthal, DeLong, O'Donnell
5 Schipske, Andrews, Gabelich,
6 Lerch.

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8 Noes: Councilmembers: None.

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10 Absent: Councilmembers: Reyes Uranga.

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15 _____
16 City Clerk