

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF HOUSING TO NEGOTIATE AND EXECUTE A STANDARD GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND ALL OTHER RELATED DOCUMENTS TO INCLUDE A PROVISION THAT ALLOWS THE TRANSFER AFFORDABILITY RESTRICTIONS PLACED ON THE PROPERTY LOCATED AT 455 SOUTH SECOND STREET THROUGH THE HOMEKEY PROGRAM TO A NEW SITE IN SAN JOSE IN THE CIRCUMSTANCE THAT AN AFFORDABLE HOUSING DEVELOPMENT IS UNABLE TO SECURE FINANCING; MAKE MINOR MODIFICATIONS TO THE TERMS OF THE DEAL IF NECESSARY; AND INCREASE THE PREVIOUSLY APPROVED ACQUISITION FUNDING BY UP TO \$100,000 FOR THE EXPECTED INCREASE IN ACQUISITION COSTS**

**WHEREAS**, the City of San José (“City”) City Council desires to adopt this resolution for the reasons set forth in the memorandum, dated May 17, 2023, from the Director of Housing, Jacky Morales-Ferrand, for the June 6, 2023 City Council meeting (“Memorandum”); and

**WHEREAS**, the City desires to negotiate and execute a Standard Grant Agreement with the California Department of Housing and Community Development, make modifications to the terms, and increase the previously approved agreement amount by up to \$100,000;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Director of Housing is hereby authorized to:

- 1) Negotiate and execute a Standard Grant Agreement with the California Department of Housing and Community Development and all other related documents to include a provision that allows the transfer affordability restrictions placed on the property located at 455 South Second Street through the HomeKey program to a new site in San José in the circumstance that an affordable housing development is unable to secure financing;
- 2) Make minor modifications to the terms of the deal if necessary; and
- 3) Increase the previously approved acquisition amount by up to \$100,000 for the expected increase in acquisition costs.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk