

Resolution No. 2023-XXX N.C.S.
of the City of Petaluma, California

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETALUMA
AUTHORIZING THE 2023 APPLICATION TO THE STATE OF CALIFORNIA
HOUSING AND COMMUNITY DEVELOPMENT EMERGENCY SOLUTIONS
GRANT PROGRAM AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO
EXECUTE ANY CONTRACTS FOR PROGRAM**

WHEREAS, the Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability (“NOFA”) dated September 25, 2023 under the Emergency Solutions Grant Program (ESG) for Homelessness Prevention Only; and

WHEREAS, the City of Petaluma is an eligible applicant for ESG program funds to administer one or more eligible activities; and

WHEREAS, the Department may approve ESG funding allocations for, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement, and other contracts between the Department and ESG grant recipients; and

WHEREAS, the City of Petaluma will develop and administer Homelessness Prevention program policies and procedures which will be approved by the Department prior to submission of the ESG grant application; and

WHEREAS, this item was agenized in compliance with state and local laws; and

WHEREAS, the proposed action is exempt from the requirements of the California Environmental Quality Act (“CEQA”) in accordance with CEQA Guidelines Section 15378, as the action does not meet CEQA's definition of a “project,” because applying for a grant is not a project as it does not commit the City to a definite course of action (See *City of Irvine v. County of Orange* (2013) 221 Cal 4th 846, 865) and because this action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment; further any use of the grant funds if received will have its own analysis for compliance with CEQA.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Petaluma as follows:

1. Declares the above recitals to be true and correct and are incorporated herein by reference.
2. Finds that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378, as the action does not meet CEQA's definition of a “project,” because applying for a grant is not a project as it does not commit the City to a definite course of action (See *City of Irvine v. County of Orange* (2013) 221 Cal 4th 846, 865) and because this action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment; further any use of the grant funds if received will have its own analysis for compliance with CEQA.

3. Authorizes the City Manager or other authorized representative to execute the ESG Program Application, the ESG Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the ESG grant awarded to Applicant, as the Department may deem appropriate. The amount awarded shall not exceed \$400,000.
4. If City receives a grant of ESG funds from the Department pursuant to the above referenced ESG NOFA, it represents and certifies it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the ESG Program, as well as any and all other contracts the City may have with the Department.
5. Finds that this item was noticed in compliance with state and local laws and that the public had an adequate opportunity to review and comment on its content.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 4th day of December 2023, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor

EXHIBIT A

2023 ESG Homelessness Prevention Resolution Form (For Units of General-Purpose Local government and JPAs)



2023 ESG Homelessness Prevention Resolution Form
(For Units of General-Purpose Local government and JPAs)

INSTRUCTIONS

Applicants are required to use the attached Resolution Form in content and form.

Failure to do so will result in automatic disqualification of the application.

Please make sure all boxes are filled in.

SECTION 1 (Dollar amount): It is recommended that you list an approved dollar amount that is at least double the amount you expect to receive. If the amount your entity is eligible to receive increases above the dollar amount your entity authorizes, a new resolution will be required to receive the new higher amount. Articulating a higher dollar amount in this resolution helps reduce the chances you will need an entirely new resolution.

SECTIONS 4, 5 & 6 (Designee*): If there is a designee*, written proof of designee authority to sign on behalf of such designated official must be included with the Resolution, otherwise the Resolution will be deemed deficient and rejected.

Vote Count: Fill in all four vote-count fields (AYES, NOES, ABSENT, ABSTAIN) with the number of votes, if none enter "0" for that field.

ATTESTATION: The attesting officer cannot be the person identified in the Resolution as the authorized signer.

Important Note:

All information provided will be verified using the entity's bylaws, or appropriate governing documents for cities and counties. If the governing documents of the organization are not reflective of the current board makeup, the Applicant must notify HCD by uploading all documentation of the discrepancy and provide an explanation for it.

Resolution of the Governing Body

RESOLUTION NO.

**A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE
EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS
THERE TO FROM THE 2023-2024 FUNDING YEAR OF THE STATE ESG
PROGRAM, HOMELESSNESS PREVENTION ("HP") ACTIVITY NOFA.**

A necessary quorum and majority of the the City Council
("Governing Board") of The City of Petaluma ("Applicant")
in the State of California, hereby consent to adopt and ratify the following
resolution:

WHEREAS the State of California (the "State"), Department of Housing and
Community Development ("Department") issued a Notice of Funding Availability
("NOFA") for the **Homelessness Prevention Activity** dated 09/25/2023 under the
Emergency Solutions Grants (ESG) Program (Program, or ESG Program); and

SECTION 1:

Applicant is approved by the Governing Board, and is hereby authorized and
directed to receive an ESG Homelessness Prevention grant, in an amount not to
exceed \$ 400,000 in accordance with all applicable rules and laws.

SECTION 2:

The Department may approve funding allocations for the ESG HP Program, subject to
the terms and conditions of the NOFA, Program regulations, and the Standard
Agreement. The Applicant acknowledges compliance with all state and federal public
participation requirements in the development of its application(s).

SECTION 3:

If applicant receives a grant of ESG funds from the Department pursuant to the above
referenced ESG HP NOFA, it represents and certifies that it will use all such funds in
a manner consistent and in compliance with all applicable state and federal statutes,
rules, regulations, and laws, including without limitation all rules and laws regarding
the ESG Program, as well as any and all other contracts Applicant may have with the
Department.

SECTION 4:

The Applicant hereby authorizes and directs

The City Manager

or designee*, to execute and deliver all applications and act on the Applicant's behalf in all matters pertaining to all such applications.

SECTION 5:

If an application is approved, the Applicant hereby authorizes and directs

The City Manager

or designee*, to enter into, execute and deliver the grant agreement (i.e., Standard Agreement) and any and all subsequent amendments thereto with the State of California for the purposes of the grant.

SECTION 6:

If an application is approved, the Applicant hereby authorizes and directs

The City Manager

or designee*, to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

PASSED AND ADOPTED at a regular meeting of the City Council
of _____ held on 12/04/2023 by the
following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

Name of Approving Officer

Title of Approving Officer

Signature of Approving Officer

ATTESTATION

STATE OF CALIFORNIA

Housing and Community Development D

I, Kami Noriega , am the Interim City Clerk
of _____ , State of California, and as such, am
familiar with the facts herein and do hereby certify as follows:

I affirm that resolution # was provided to the Department for the purpose of
obtaining an Emergency Solutions Grants Program (“ESG”) award and I hereby certify
above said resolution to be a full, true and correct copy of a resolution adopted by
the City Council of The City of Petaluma
on 12/04/2023 which has been provided to the Department as part of the ESG
application.

By: _____
Print Name of Attesting Person

Title: City Clerk

By: _____
Signature/Stamp of Attesting Person

Date Attested: