

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

APPROVING THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT 2023-24 ACTION PLAN AND AUTHORIZING THE CITY MANAGER TO SIGN ALL DOCUMENTS REQUIRED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, the Community Development Block Grant (CDBG) Program, authorized pursuant to Title 1 of the Housing and Community Development Act of 1974, as amended (Act), requires that participating jurisdictions provide for the issuance of grants in order to attain the objective of providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- and moderate-income; and

WHEREAS, the City of Petaluma is an entitlement community under the jurisdiction of the Department of Housing and Urban Development (HUD) CDBG Program; and

WHEREAS, 24 CFR 91.220 requires the City, as an entitlement jurisdiction under the CDBG program, to submit an Annual Action Plan, which is comprised of the community's projected use of CDBG funds to address community needs; and

WHEREAS, all projects and programs that are proposed for CDBG program funding must address one or more of the national objectives of the CDBG program and the priorities of the entitlement jurisdiction's 2020-2024 Consolidated Plan; and

WHEREAS, a public hearing was noticed in March 3, 2023 to announce a community meeting/public hearing on April 3, 2023 to start the process of getting public input on the needs of the low-income community in Petaluma in preparation for drafting the City's 2023-2024 Annual Action Plan; and

WHEREAS, per the City's CDBG Citizen Participation Plan, the City posted information on the proposed 2023-2024 Annual Action Plan and proposed subrecipient projects giving notice of a public hearing on the Annual Action Plan scheduled for April 3, 2023 the March 3, 2023 edition of the Argus Courier, and information on the proposed 2023-2024 Annual Action Plan and proposed subrecipient projects and notice of the April 3, 2023 public hearing on the Annual Action Plan was also posted on the City's website for a period of 30 days prior to scheduled April 3, 2023 public hearing on the Annual Action Plan in order to receive comments from the public; and

WHEREAS, the adoption of the City's CDBG Annual Action Plan is exempt from California Environmental Quality Act (CEQA) review because the Public Service Programs funded under the Action Plan are exempt under CEQA Guidelines Section 15061(b)(3), which exempts activities under the common sense rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment, and the proposed programs provide services to the public within existing facilities, with no new development or construction which would alter the built form of the community proposed; and

WHEREAS, while repairs planned with the RBT funding allocation are exempt from CEQA in accordance with Section 15301 of the CEQA Guidelines as repair, maintenance, permitting, or minor alteration of existing public or private structures, facilities, mechanical equipment, involving negligible or no expansion of existing or former use, including interior or exterior alterations involving such things plumbing, and electrical conveyances, and restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety; and

WHEREAS, because CDBG program funding is from the federal government, the proposed projects in the Action Plan may also subject to review under the federal National Environmental Policy Act (NEPA); however, NEPA does not require analysis as part of the adoption of the Action Plan; rather, NEPA review is required prior to the initiation of projects subject to NEPA, and therefore, no NEPA review is required at the time of approval of the Action Plan.

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

1. The above recitals are hereby declared to be true and correct and are incorporated into this resolution as findings of the City Council.
2. Adoption of the CDBG Annual Action Plan is exempt from California Environmental Quality Act (CEQA) review because the Public Service Programs funded under the Action Plan are exempt under CEQA Guidelines Section 15061(b)(3), which exempts activities under the common sense rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. The proposed programs provide services to the public within existing facilities. No new development or construction which would alter the built form of the community is proposed.
3. Because CDBG program funding is from the federal government, the proposed projects in the Action Plan may also subject to review under the federal National Environmental Policy Act (NEPA). However, NEPA does not require analysis as part of the adoption of the Action Plan. Rather, NEPA review is required prior to the initiation of projects subject to NEPA. Therefore, no NEPA review is required at this time.
4. The proposed City of Petaluma CDBG Annual Action Plan is posted on the City website at <https://cityofpetaluma.org/housing-reports-documents/>, and is incorporated into this resolution by this reference, is consistent with the City's 2020-2024 CDBG Consolidated Plan and is approved and adopted for FY 2023-2024.
5. The City Manager, or her designee, is authorized to sign all program documents required by the Department of Housing and Urban Development for the 2023-2024 Annual Action Plan.
6. Should the actual allocation amount of the CDBG entitlement grant funding for the City differ from the published 2023-2024 entitlement amount, the City Manager is authorized and directed to increase/decrease each non-profit sub-recipient's allocation proportionately.

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 DD day of Month YYYY, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor