

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING APPLICATION FOR THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT – SENATE BILL 2 PLANNING GRANTS PROGRAM TO DEVELOP AN ALTERNATIVE COMPLIANCE PROGRAM IN THE OTAY RIVER VALLEY WHICH WILL PROVIDE STORMWATER POLLUTANT CONTROL AND/OR HYDROMODIFICATION MANAGEMENT COMPLIANCE OPTIONS CONSISTENT WITH THE 2013 MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT, AND CONTINGENT UPON GRANT AWARD, ACCEPTING THE GRANT FUNDS, ENTERING INTO AN AGREEMENT WITH ICF INTERNATIONAL FOR CONSULTING SERVICES, AND APPROPRIATING FUNDS THEREFOR (4/5 VOTE REQUIRED)

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the City Council of the City of Chula Vista desires to submit a project application for the PGP Program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 *et seq.* (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program; and

WHEREAS, in accordance with Chula Vista Municipal Code (CVMC) 2.56.070, staff is solely selecting ICF International to develop the Otay River Valley Alternative Compliance Program, including environmental analysis, based upon their experience and unique understanding of the existing Otay River Valley Restoration Project and development of a wetland mitigation bank because they have consistently demonstrated that they possesses the qualifications required to develop a water quality alternative compliance program.

NOW, THEREFORE, THE CITY COUNCIL of the City of Chula Vista resolves as follows:

SECTION 1. The City Council is hereby authorized and directs staff to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of \$625,000.

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the City Manager is hereby authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$625,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the

City's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in 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 will be enforceable through the executed Standard Agreement. The City Council hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

SECTION 4. The City Manager is authorized to execute the City of Chula Vista Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant.

SECTION 5. The City Manager is authorized to enter into and execute a City Standard Form Agreement between the City of Chula Vista and ICF International to develop the Otay River Valley Alternative Compliance Program including environmental analysis, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk, and authorizes and directs the City Manager or his designee to execute the same.

SECTION 6. The City Manager is authorized to appropriate funds from the SB 2 PGP Grant in the amount of \$625,000 to the State Grants Fund.

ADOPTED _____, 2019, by the City Council of the City of Chula Vista by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Presented by:

Approved as to form by:

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney