

RESOLUTION NO. _____

HEREBY AUTHORIZES THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING FOR THE INFILL INFRASTRUCTURE GRANT PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE INFILL INFRASTRUCTURE GRANT PROGRAM

WHEREAS, the City of Milpitas, a public agency in the State of California, wishes to apply for and receive an allocation of funds through the Infill Infrastructure Grant Program; and

The California Department of Housing and Community Development (hereinafter referred to as "HCD") has issued a Notice of Funding Available ("NOFA") for the Infill Infrastructure Grant Program established under the Housing and Emergency Shelter Trust Fund Act of 2006 (Proposition 1C) pursuant to the Infill Infrastructure Grant Program established Part 12 of Division 31 of the Health and Safety Code, commencing with Section 53545.12. Pursuant to the statute, HCD is authorized to approve funding allocations utilizing monies made available by the State Legislature, subject to the terms and conditions of the statute and the Infill Infrastructure Grant Program Guidelines published February 28, 2008; and

The City of Milpitas wishes to submit an application to obtain from HCD an allocation of the Infill Infrastructure Grant Program funds in the amount of \$8,250,000 to construct the Abel Street Infrastructure Improvement Project between Corning Avenue and Weller Street (Milpitas CIP No. 8157)

IT IS NOW THEREFORE RESOLVED THAT:

1. The City of Milpitas shall submit to HCD an application to participate in the Infill Infrastructure Grant Program in response to the NOFA issued on February 28, 2008 which will request a funding allocation in the amount of \$8,250,000 for the following activities:

"Construction of street infrastructure improvements to continue smart growth, regional planning, and affordable housing as adopted in the Midtown Specific Plan and the active Transit Area Specific Plan districts including: creation of an interconnected system of bicycle and pedestrian-friendly streets, streetscape improvements including sidewalks, landscaping, benches, lighting, and traffic-calming devices."

2. If the application for funding is approved, the City of Milpitas hereby agrees to use the Infill Infrastructure Grant Program funds for eligible activities in the manner presented in the application as approved by HCD and in accordance with program Guidelines cited above. It also may execute any and all other instruments necessary or required by HCD for participation in the Infill Infrastructure Grant Program.

The City of Milpitas authorizes Thomas C. Williams, City Manager, to execute in the name of City of Milpitas the application, the Standard Agreement, and all other documents required by HCD for participation in the Infill Infrastructure Grant Program.

PASSED AND ADOPTED this _____ day of _____, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The undersigned, Mary Lavelle, City Clerk, of the City of Milpitas there before names does hereby attest and certify that the foregoing is true and full copy of a resolution of the Governing Board adopted at a duly convened meetings on the date above-mentioned, which has not been altered, amended ore repealed.

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney