

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK
AUTHORIZING AND APPROVING:

1. THE SUBMISSION OF AN ALLOCATION PLAN FOR THE HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) - AMERICAN RESCUE PLAN FUNDS (ARP) AND AMENDED FISCAL YEAR 2022-2023 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD);
2. THE FILING OF APPLICATIONS AND CERTIFICATIONS FOR HOME-ARP FUNDS TOTALING \$1,896,632; AND
3. THE CITY MANAGER OR DESIGNATED OFFICIAL TO EXECUTE HOME-ARP AGREEMENTS AND AMENDMENTS WITH SUBRECIPIENTS; AND
4. AMEND THE FISCAL YEAR 2022-2023 BUDGET BY APPROPRIATING HOME-ARP FUNDS.

A. As, the City of Burbank (City) participates in the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs; and

B. As, on May 4, 2021, by Resolution No. 21-29,233, the City Council approved the 2021-22 Annual Action Plan, which describes how the City will use CDBG and HOME funds from July 1, 2021 to June 30, 2022 to address the City's Consolidated Plan objectives; and

C. As, on March 11, 2021, the American Rescue Plan Act of 2021 was signed into law and Congress appropriated \$5 billion in American Rescue Plan (ARP) funding to be administered through the HOME program (HOME-ARP) to provide affordable housing, homelessness assistance and supportive services to qualifying populations; and

D. As, the HOME-ARP funds must primarily benefit qualifying individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations including through: (1) development and support of affordable housing, (2) tenant-based rental assistance (TBRA), (3) provision of supportive services; and (4) acquisition and development of non-congregate shelter units; and

E. As, as a participating jurisdiction, HUD has allocated \$1,896,632 to the City for activities that provide housing, services, and shelter to primarily benefit qualifying individuals who are homeless, at risk of being homeless, or in other vulnerable populations; and

F. As, the City's Allocation Plan identifies how the funds will be used in Burbank to address the needs of the qualifying populations through public participation and needs assessments for housing, shelter, homeless assistance, and homelessness prevention services; and

G. As, the City's Allocation Plan will be considered by the City Council for approval and submission to HUD on March 28, 2023; and

H. As, the City desires to use HOME-ARP funding on the following eligible activities: (1) \$1,801,801 for the development of non-congregate shelter beds for the homeless and (2) \$94,831 for HOME-ARP planning and administration, as these activities are described in the Allocation Plan; and

I. As, the HOME-ARP funds are new, one-time funding sources related to the COVID-19 Pandemic, which were not contemplated in the 2021-22 Annual Action Plan; and

J. As, notice was published in *The Los Angeles Times* on February 18, 2023, regarding a City Council public hearing and the availability of the draft HOME-ARP Allocation Plan for public review and comment; and

K. As, due to the emergency nature of COVID-19 Pandemic impacts, certain HUD regulations have been waived or modified to expedite the release and expenditure of HOME-ARP funding, including the reduction from 30 days to a minimum of 15 days for public review of HOME-ARP related amendments; and

L. As, the draft Amendments to the 2021-22 Annual Action Plan was published and posted online on the City of Burbank website for a required minimum 15-day public review and comment period from February 18, 2023, to March 5, 2023; and

M. As, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4), government fiscal activities that do not result in a physical change in the environment and do not commit the lead agency to any specific project do not constitute a project and, therefore, are exempt from the requirements of California Environmental Quality Act; and

N. As, the proposed activities to be funded are subject to the provisions of the National Environmental Protection Act of which any and all projects funded shall comply, except that, in accordance with 24 CFR Sections 58.34 (a) and 58.35 as to review pursuant to the National Environmental Protection Act, the 2021-22 Annual Action Plan Substantial Amendment is not subject to federal environmental review.

NOW, THEREFORE, the City Council of the City of Burbank does hereby resolve as follows:

SECTION 1. That the Amendments to the 2021-22 Annual Action Plan Substantial Amendment integrating the HOME-ARP City of Burbank Allocation Plan is hereby adopted.

SECTION 2. That \$1,896,632 in HOME-ARP funds are hereby allocated to the projects and programs as indicated in the Allocation Plan prepared for the 2021-2022 Annual Action Plan Substantial Amendment.

SECTION 3. That the City Manager or the City Manager's designee is hereby authorized to execute all necessary related budget approvals and documents deemed necessary by HUD or the City and to execute all implementing and related documents and agreements, including, but not limited to, grant and loan agreements with subrecipients for all approved HOME-ARP programs and projects set forth in the Allocation Plan for the 2021-22 Annual Action Plan Substantial Amendment.

SECTION 4. That all projects and programs set forth in the Allocation Plan for the 2021- 22 Annual Action Plan, as amended by this Resolution, shall undergo an environmental review prior to any release of funds consistent with the Program Regulations found in 24 CFR, Part 58.6 and the City Manager or the City Manager's designee is authorized to execute all environmental documentation required by HUD.

SECTION 5. The City Clerk shall certify to the passage of this Resolution which shall take effect as provided by law.

PASSED and ADOPTED this ____ day of March, 2023.

Konstantine Anthony
Mayor

Attest:

Approved as to Form:
Office of the City Attorney

Kimberly Clark, City Clerk

By: _____
Jill Vander Borght
Senior Assistant City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF BURBANK

I, Kimberly Clark, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by a vote of the Council of the City of Burbank at its regular meeting held on the ____ day of March, 2023, by the following vote:

AYES:

NOES:

ABSENT:

Kimberly Clark, City Clerk