

**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
APPROVING AN AMENDMENT TO THE CITY  
OF MERCED FISCAL YEAR 2015-2020  
CONSOLIDATED PLAN AND AMENDMENT #2  
TO THE PROGRAM YEAR 2019-2020 ANNUAL  
ACTION PLAN TO ALLOCATE THE  
ADDITIONAL FUNDS MADE AVAILABLE  
THROUGH THE CORONAVIRUS AID, RELIEF,  
AND ECONOMIC SECURITY ACT  
REALLOCATING FISCAL YEAR 2019-2020 CDBG  
FUNDING TOWARDS COVID-19 CORONAVIRUS  
RESPONSE; APPROVING AMENDMENTS TO  
THE CITIZEN PARTICIPATION PLAN;  
AUTHORIZING THE CITY MANAGER OR  
ASSISTANT CITY MANAGER TO EXECUTE ANY  
RELATED DOCUMENTS AND/OR  
SUBRECIPIENT AGREEMENTS RESULTING  
FROM THIS ALLOCATION; CERTIFYING  
COMPLIANCE WITH THE REQUIREMENTS OF  
THE COMMUNITY DEVELOPMENT BLOCK  
GRANT (CDBG) PROGRAM, AND  
AUTHORIZING STAFF TO SUBMIT ALL  
APPROVED DOCUMENTS TO THE U.S.  
DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT**

WHEREAS, as a U.S. Department of Housing and Urban Development (HUD) entitlement community, the City of Merced is required to develop a Substantial Amendment to the Annual Action Plan when it makes changes to its planned or actual activities funded with Community Development Block Grant (CDBG and HOME Investment Partnerships (HOME) funds; and

WHEREAS, HUD requires the City of Merced develop, in consultation with its citizens and community-based service providers, a funding strategy that furthers its housing and community development goals as described in the City's Five-Year Consolidated Plan for FY 2015-2020; and

WHEREAS, citizen participation is a key component of the Substantial Amendment to the Annual Action Plan process; and

WHEREAS, HUD regulations require the City provide ample opportunity and means for the populations served by the grants, as well as the general citizenry, to provide input on the goals and priorities and the specific type of activities to be funded in the City's Substantial Amendment to the Program Year 2019-2020 Annual Action Plan; and

WHEREAS, on March 19, 2020, the State of California issued an Order of the State Public Health Officer that ordered all individuals to stay at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors and on or March 16, 2020, the City Council adopted a resolution confirming and ratifying the existence of a local emergency within the territorial limits of the City of Merced proclaimed by the Director of Emergency Services on March 13, 2020, in response to the Coronavirus creating a hardship on local industries; and

WHEREAS, on March 27, 2020, the United States Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act – H.R. 748); and

WHEREAS, the bill under Community Development Block Grant – Coronavirus (CDBG-CV) waives the 30-day comment period for a substantial amendment and reduces it to no less than five (5) days; it eliminates the in-person public hearing and allows grantees the option of holding virtual hearings; it suspends the 15 percent cap on public services, including FY 19 and FY 20 CDBG funds; it allows HUD to waive further requirements (except related to fair housing, nondiscrimination, labor standards, and the environment); and it allows the grantees to be reimbursed for COVID-19 response activities regardless of the date the costs were incurred; and

WHEREAS, on April 1, 2020, HUD released the CDBG-CV funding allocation for the City of Merced in the amount of \$661,246; and

WHEREAS, \$161,246 of CDBG-CV will be allocated to the Public Services Project; and

WHEREAS, \$500,000 of CDBG-CV will be allocated to Economic Development projects; and

WHEREAS, \$38,754 of 2019-2020 CDBG unanticipated program income will be allocated to Public Services Projects; and

WHEREAS, \$81,565 of 2019-2020 CDBG funds will be reallocated to Public Services Projects from Development Projects/HUD 108 payment; and

WHEREAS, \$4,920 of 2019-2020 CDBG funds will be reallocated from First Time Homebuyer Classes to other Public Services Projects; and

WHEREAS, \$30,000 for funding of CDBG/Public Services/Project Sentinel-Fair Housing will be reallocated and funded from HOME Administrative Funds; and

WHEREAS, in compliance with the HUD approved waiver for the Citizens Participation Plan requirements, a 5-day public period to review and comment on the draft amendment opened Monday, May 4, 2020, includes a public hearing at the City Council meeting on May 4, 2020, and will close Friday, May 8, 2020; and citizen participation was conducted completely online, and through voicemail and email comment; and the Plan is available on the City of Merced website; and,

WHEREAS, in the event HUD provides opportunity for extended or new waiver(s) of Citizen Participation Plan requirements during federally declared disasters or other unforeseen circumstance, the City is establishing amended procedures for public notice, public review and comment, and citizen participation that enables the City to redirect resources expeditiously to the most immediate community needs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The City Council of the City of Merced hereby approves the amendment to the City of Merced Fiscal Year 2015-2020 Consolidated Plan; and Amendment #2 to the 2019-2020 HUD Annual Action Plan; and amendments to the 2017 Citizen Participation Plan. The City Manager is hereby authorized to execute all documents related thereto, and staff is authorized to submit all documents to the United States Department of Housing and Urban Development.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_ 2020, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:


\_\_\_\_\_  
Mayor

ATTEST:  
STEVE CARRIGAN, CITY CLERK

BY: \_\_\_\_\_  
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

 5/4/2020  
\_\_\_\_\_  
City Attorney      Date