

RESOLUTION NO. 2020-29-CC

CITY OF SOUTH GATE  
LOS ANGELES COUNTY, CALIFORNIA

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE,  
CALIFORNIA, AUTHORIZING APPLICATION, SUBMITTAL AND  
RECEIPT OF FUNDING IN THE AMOUNT OF \$721,320 FROM  
THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY  
DEVELOPMENT'S PERMANENT LOCAL HOUSING ALLOCATION  
(PLHA) PROGRAM

**WHEREAS**, the State of California Department of Housing and Community Development (“Department”) is authorized to provide up to \$195 million under the SB 2 Permanent Local Housing Allocation Program Formula Component (“PLHA Program”) from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)));

**WHEREAS**, the Department issued a Notice of Funding Availability (“NOFA”) dated February 26, 2020, under the PLHA Program;

**WHEREAS**, applicants include eligible local governments applying for the PLHA Program to administer one or more eligible activities, or a local or regional housing trust fund to whom an eligible local government has delegated its PLHA formula allocation;

**WHEREAS**, the Department may approve funding allocations for the PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, PLHA Program requirements, the Standard Agreement published by the Department, and other contracts between the Department and PLHA Program grant recipients;

**WHEREAS**, the City Council of the City of South Gate (“City”) is an eligible applicant and desires to submit a PLHA Program grant application package (“Application”), with the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the 6<sup>th</sup> cycle of the Regional Housing Needs Assessment mandated by state housing laws;

**WHEREAS**, the PLHA Program does not have a matching fund requirement;

**WHEREAS**, the City provided ample opportunity for the public to comment by making the Plan available for review by holding a public comment period from June 10, 2020 through June 27, 2020, during which time the City received no comments from the public;

**WHEREAS**, the City also duly posted and agendized at its Regular Meeting of the City Council, held on July 14, 2020, its intention to adopt a resolution (in substantially similar form as the instant resolution) authorizing application, submittal and receipt of grant funding in the amount of \$721,320 and further authorizing the City Manager to execute and submit the Standard

Agreement, including any amendments or related documentation, in a form acceptable to the City Attorney, and

**WHEREAS**, at the July 14, 2020, City Council meeting, after duly posting and agendizing such resolution, and presenting the PLHA Program and Plan, and after receiving no comments from the public despite have expressly invited the public to comment during the City Council meeting, the City Council voted unanimously to adopt the resolution.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The City Council hereby authorizes the application and submittal of the Application to the Department.

**SECTION 2.** If the City receives PLHA Program grant funds from the Department pursuant to the above referenced PLHA NOFA, the City Council hereby represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts City may have with the Department.

**SECTION 3.** The City Council hereby authorizes and directs City staff to receive a PLHA Program grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA of \$4,327,920 in accordance with all applicable rules and laws.

**SECTION 4.** The City Council hereby agrees to use the PLHA Program grant funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the City and the Department.

**SECTION 5.** The City Council hereby certifies that, if funds are used for the acquisition, construction or rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements stated in Guidelines Section 302(c)(6)(A),(B) and (C).

**SECTION 6.** The City hereby certifies that, if funds are used for the development of an Affordable Rental Housing Development Project (“Project”), the City shall make PLHA Program assistance in the form of a low-interest, deferred loan to the sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with the City’s underwriting of the Project for a term of at least 55 years.

**SECTION 7.** The City hereby acknowledges that the City shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department.

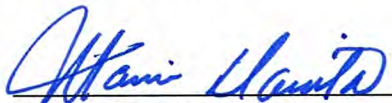
**SECTION 8.** The City Council hereby authorizes the City Manager, or his designee, to execute and submit the City's PLHA Program Application.

**SECTION 9.** The City Council hereby authorizes the City Manager to execute and submit the PLHA Standard Agreement for this grant, including amendments, as well as any other documents which are related to the PLHA Program or the PLHA grant awarded to the City, in a form acceptable to the City Attorney and attestation by the City Clerk.

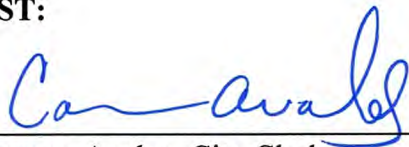
**SECTION 10.** The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this 14<sup>th</sup> day of **July 2020**.


**CITY OF SOUTH GATE:**

By:   
\_\_\_\_\_  
Maria Davila, Mayor

**ATTEST:**

By:   
\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

By:   
\_\_\_\_\_  
Raul F. Salinas, City Attorney

**RESOLUTION CERTIFICATION PAGE**

**STATE OF CALIFORNIA            )**

**COUNTY OF LOS ANGELES    )       SS**

**CITY OF SOUTH GATE         )**

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 2020-29-CC was adopted by the City Council at their Regular Meeting held on July 14, 2020, by the following vote:

Ayes:            Council Members:    Davila, Rios, Avalos, Diaz and Hurtado

Noes:            Council Members:    None

Absent:          Council Members:    None

Abstain:         Council Members:    None

Witness my hand and the seal of said City on July 23, 2020.



\_\_\_\_\_  
Carmen Avalos, City Clerk  
City of South Gate, California