

**CITY COUNCIL RESOLUTION NO. 7891**  
**PUBLIC HOUSING AUTHORITY RESOLUTION NO. 2019-01-HA**

**CITY OF SOUTH GATE**  
**LOS ANGELES COUNTY, CALIFORNIA**

**JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SOUTH GATE AND THE SOUTH GATE PUBLIC HOUSING  
AUTHORITY APPROVING THE PURCHASE AND SALE  
AGREEMENT FOR 9019 LONG BEACH BOULEVARD (APN 6204-  
025-039) BETWEEN THE SOUTH GATE PUBLIC HOUSING  
AUTHORITY AND JON UNGVARI AND SUSAN UNGVARI,  
TRUSTEES OF THE UNGVARI FAMILY TRUST**

**WHEREAS**, the Community Development Commission of the City of South Gate (“CDC”) previously was a public body, corporate and politic formed, organized, existing and exercising its powers pursuant to Section 34100, et seq. of the California Health and Safety Code, and exercised the powers, authority, functions, jurisdiction of a Community Redevelopment Agency formed, organized, existing and exercising its powers pursuant to the California Community Redevelopment Law, Health and Safety Code (HSC), Section 33000, et seq., and specifically formed by the City Council (“City Council”) of the City of South Gate (“City”); and

**WHEREAS**, as of February 1, 2012, the former CDC was dissolved pursuant to the Dissolution Law, HSC Sections 34170 and 34191.6; and

**WHEREAS**, pursuant to HSC Section 34176, the South Gate Public Housing Authority (“Housing Authority”) elected to become the housing successor to the former CDC, receiving housing assets rights, powers, duties, and obligations from the CDC, including six real properties acquired for future affordable housing purposes; and

**WHEREAS**, HSC Section 33334.16 provides that within five years from the date a property is acquired with Low & Moderate Income Housing Funds, activities must be initiated consistent with the development of the property for affordable housing purposes, or the property must be sold and sales proceeds shall be deposited into the Low & Moderate Income Housing Fund (now the Low & Moderate-Income Housing Asset Fund established pursuant to HSC 34176(d)); and

**WHEREAS**, HSC Section 33334.16 further states that the legislative body may extend the aforementioned property development or deadline for one additional period not to exceed five years; and

**WHEREAS**, the Housing Authority, in its capacity as housing successor to the former CDC, extended to April 1, 2023, the deadline for property development of all real properties transferred from the former CDC including the properties commonly known as 9001 and 9015 Long Beach Boulevard (“Housing Authority 9001-9015 Property”); and

**WHEREAS**, HSC Section 34315 permits housing authorities to acquire real or personal property for affordable housing development, including by eminent domain if necessary; and

**WHEREAS**, the Housing Authority has determined that assembly of additional property would facilitate the feasible and timely development of the Housing Authority 9001-9015 Property; and

**WHEREAS**, on September 25, 2018, staff received direction to transmit an offer to purchase, under the threat of eminent domain, if necessary, the property commonly known as 9019 Long Beach Boulevard (APN 6204-025-039) ("9019 Property") from the current owners, Jon Ungvari and Susan Ungvari, Trustees of the Ungvari Family Trust ("Sellers"); and

**WHEREAS**, the Housing Authority executed an original Purchase and Sale Agreement ("Original PSA") with Jon Ungvari and Susan Ungvari on December 11, 2018; and

**WHEREAS**, the Housing Authority was unable to reach an agreement with the Sellers regarding suspected contamination and terminated the Original PSA on May 13, 2019; and

**WHEREAS**, the Housing Authority continued to negotiate with the Sellers and on October 11, 2019, staff received direction to transmit a subsequent offer to purchase, under the threat of eminent domain, if necessary, the 9019 Property to the Sellers; and

**WHEREAS**, staff believes that ownership of 9019 Long Beach Boulevard adjacent to the Housing Authority 9001-9015 Property provides the Housing Authority with the strongest position to ensure that the eventual development of these properties is consistent with adopted City policies and regulations; and

**WHEREAS**, attached to this Resolution is the new proposed Purchase and Sale Agreement ("PSA") attached hereto as Exhibit "A", setting forth the terms and conditions of the Housing Authority's purchase of property located at 9019 Long Beach Boulevard that staff has negotiated with the Sellers; and

**WHEREAS**, under the PSA, the Housing Authority will acquire 9019 Long Beach Boulevard for a purchase price of \$960,000, the reasonableness of which is supported by information provided in the respective Agenda Bill attached hereto as Exhibit "B"; and

**WHEREAS**, the Housing Authority's obligation to purchase 9019 Long Beach Boulevard is conditioned on its approval of all matters disclosed by the Sellers, the condition of the title to 9019 Long Beach Boulevard, the physical and environmental condition of the property, and all economic, financial and accounting matters related to or affecting the 9019 Property or its value; and

**WHEREAS**, as no specific project for the 9019 Property is being proposed or approved at this time, the acquisition of the property is not a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*; "CEQA"); environmental review pursuant to CEQA will be required prior to the approval of any agreement providing for the sale and development of the property.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE AND THE SOUTH GATE PUBLIC HOUSING AUTHORITY DO HEREBY RESOLVE AS FOLLOW:**

**SECTION 1.** The foregoing recitals are true and correct and constitute a substantive part of this Resolution.

**SECTION 2.** The City Council and the Housing Authority each hereby approve the terms and conditions of the PSA for the purchase of the 9019 Property in substantially the form attached hereto as Attachment 1, which is fully incorporated by this reference.

**SECTION 3.** The City Council and the Housing Authority each hereby authorize the City Clerk/Housing Authority Recording Secretary to execute and attest the PSA for the purchase of the 9019 Property with such revisions as the Executive Director and the Housing Authority Legal Counsel deem appropriate. The Executive Director and his authorized designees are further authorized to take such actions as may be necessary or appropriate to implement the PSA, including executing further instruments and agreements, issuing warrants, and taking other appropriate actions to perform the obligations and exercise the rights of the Housing Authority under the PSA. A copy of the PSA when fully executed shall be placed on file in the office of the City Clerk/Housing Authority Recording Secretary.

**SECTION 4.** The City Council and the Housing Authority each hereby appropriate \$994,200 from the restricted fund balance of the Low & Moderate Income Housing Asset Fund for the purchase of said 9019 Property and associated environmental testing and relocation costs.


**SECTION 5.** The City Clerk/Housing Authority Recording Secretary shall certify to the adoption of this Resolution which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this 12<sup>th</sup> day of November 2019.

**CITY COUNCIL OF THE CITY OF SOUTH  
GATE:  
SOUTH GATE PUBLIC HOUSING  
AUTHORITY:**

By:   
M. Belén Bernal, Mayor/Chairperson

**ATTEST:**

By:   
Carmen Avalos, City Clerk/Recording Secretary  
(SEAL)

**APPROVED AS TO FORM:**

By:   
Jerry Ruiz, Special Legal Counsel

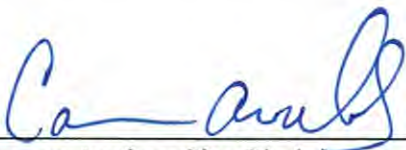
**RESOLUTION CERTIFICATION PAGE**

**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. 7891 was adopted by the City Council at their Regular Meeting held on November 12, 2019, by the following vote:

Ayes:            Council Members:    Bernal, Diaz, Davila, De Witt and Rios  
Noes:            Council Members:    None  
Absent:           Council Members:    None  
Abstain:         Council Members:    None

Witness my hand and the seal of said City on December 2, 2019.

  
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Carmen Avalos, City Clerk  
City of South Gate, California