

RESOLUTION NO. 2020-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA AUTHORIZING APPLICATION FOR, AND
RECEIPT OF, PERMANENT LOCAL HOUSING
ALLOCATION GRANT FUNDS**

WHEREAS, the California Department of Housing and Community Development (“Department”) is authorized to provide up to \$195 million under the SB2 Permanent Local Housing Allocation (“PLHA”) Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to cities and counties [as described in California Health and Safety Code sections 50470, *et seq.* (Chapter 364, Statutes of 2017)] (“SB2”); and

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

WHEREAS, the City of Chula Vista (“Applicant”) is an eligible local government applying for the program to administer one or more eligible activities; and

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

WHEREAS, the Applicant made the Permanent Local Housing Allocation Plan available for public comment from May 29, 2020 through June 12, 2020; and

WHEREAS, no public comments were received during the public comment period; and

WHEREAS, residents and other parties may still provide comments until such time of the City Council’s virtual meeting on July 14, 2020 per the City’s adopted procedures for such meetings; and

WHEREAS, any additional public comments, if received by or during the July 14, 2020 City Council meeting, will be incorporated into the final PLHA Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it hereby approves as follows:

SECTION 1. Accepts the PLHA Plan as presented as Attachment 1 to the Agenda Statement and the City Manager is hereby authorized and directed to apply for and submit to the Department the Application package, on behalf of the City of Chula Vista (“City” or “Applicant”);

SECTION 2. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it 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 Applicant may have with the Department.

SECTION 3. Applicant is hereby authorized and directed to receive a PLHA 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 \$1,059,483 in accordance with all applicable rules and laws.

SECTION 4. Applicant hereby agrees to use the PLHA 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 Applicant and the Department.

SECTION 5. Applicant certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), “entity” means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation.

SECTION 6. Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest.

SECTION 7. Pursuant to Applicant’s certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.

SECTION 8. Applicant 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 9. Applicant certifies that, if funds are used for the development of an Affordable Rental Housing Development, the City shall make PLHA 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 a City-approved underwriting of the Project for a term of at least 55 years.

SECTION 10. Applicant 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 11. The City Manager is authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

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Presented by

Approved as to form by

Tiffany Allen
Director of Development Services

Glen R. Googins
City Attorney