## RESOLUTION NO.\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR, AND RECEIPT OF, PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM FUNDS

**WHEREAS,** the State of California (the "State"), Department of Housing and Community Development ("Department)" is authorized to provide up to \$335 million under the SB 2 Permanent Local Housing Allocation Program Formula Component 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)); and

**WHEREAS**, the Department issued a Notice of Funding Availability ("NOFA") dated August 17, 2022, under the Permanent Local Housing Allocation (PLHA) Program; and

**WHEREAS,** the City of Rialto is an eligible Local Government applying for the program to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local Government delegated its PLHA formula allocation; 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.

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

Section 1: If the City of Rialto 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 with the Department.

Section 2: The City of Rialto 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 of the current NOFA (\$3,586,716) in accordance with all applicable rules and laws.

Section 3: The City of Rialto 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 City and the Department.

Section 4: Pursuant to Section 302(c)(4) of the Guidelines, the City's PLHA Plan for the 2019-2023 Allocations is included as "Exhibit A" to this resolution, and Applicant hereby adopts this PLHA Plan and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the Guidelines.

Section 5: The City certifies that it was delegated by the City Council to authorize the City Manager of the City of Rialto to submit an application on its behalf and administer the PLHA grant award for the formula allocation of PLHA funds, pursuant to Guidelines Section 300(c) and 300(d), and the legally binding agreement between the recipient of the PLHA funds and the Applicant is submitted with the PLHA application.

**Section 6:** Pursuant to the City's certification in this resolution, the PLHA funds will be expended only for eligible activities and consistent with all program requirements

Section 7: The City of Rialto 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 8: The City certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local Government 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 Local Government-approved underwriting of the Project for a term of at least 55 years.

Section 9: 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.

1	Section 10: The City Manager is authorized to execute the PLHA Program application, the		
2	PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any		
3	other documents which are related to the Program or the PLHA grant awarded to the City, as the		
4	Department may deem appropriate.		
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6	PASSED APPROVED AND ADOPTED this day of, 2022.		
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9	DEDODAH DODEDTSON Manag		
10	DEBORAH ROBERTSON, Mayor		
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14	ATTEST:		
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17	BARBARA McGEE, City Clerk		
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20	APPROVED AS TO FORM:		
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23	ERIC VAIL, City Attorney		
24	Erde Ville, City recomey		
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1	STATE OF CALIFORNIA  COUNTY OF SAN BERNARDINO ) ss		
2	CITY OF RIALTO		
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4	I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing		
5	Resolution No was duly passed and adopted at a regular meeting of the City Council of the City of		
6	Rialto held on the day of, 2022.		
7	Upon motion of Council Member, seconded by Council Member,		
8	the foregoing Resolution No was duly passed and adopted.		
9	Vote on the motion:		
10	AYES:		
11	NOES:		
12	ABSENT:		
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14	IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of		
15	Rialto this day of, 2022.		
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17	BARBARA McGEE, CITY CLERK		
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1	EXHII	BIT "A"	
2	CITY OF RIALTO		
3	PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM PLAN		
4	Year 1		
5	Type of Activity: Rehabilitation		
6	Income Level Served: Up to 80% AMI		
7	Amount of Funds Allocated: \$597,786		
8	Estimated # of Households Served: 12		
9	Year 2		
10	Type of Activity: Rehabilitation	Type of Activity: Development	
11	Income Level Served: Up to 80% AMI	Income Level Served: Up to 80% AMI	
12	Amount of Funds Allocated: \$400,000	Amount of Funds Allocated: \$529,145	
13	Estimated # of Households Served: 8	Estimated # of Households Served: 5	
14	Year 3		
15	Type of Activity: Rehabilitation	Type of Activity: Development	
16	Income Level Served: Up to 80% AMI	Income Level Served: Up to 80% AMI	
17	Amount of Funds Allocated: \$400,000	Amount of Funds Allocated: \$622,495	
18	Estimated # of Households Served: 8	Estimated # of Households Served: 5	
19	Year 4		
20	Type of Activity: Rehabilitation		
21	Income Level Served: Up to 80% AMI		
22	Amount of Funds Allocated: \$518,645 (estimated)		
23	Estimated # of Households Served: 10		
24	<u>Year 5</u>		
25	Type of Activity: Rehabilitation		
26	Income Level Served: Up to 80% AMI		
27	Amount of Funds Allocated: \$518,645 (estimated)		
28	Estimated # of Households Served: 10		
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