



RESOLUTION NO. 2020-196

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ADOPTING AND AUTHORIZING SUBMISSION OF A FIVE-YEAR PLAN TO THE CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT IN APPLICATION FOR FUNDING FROM THE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FOR THE DEVELOPMENT OF AFFORDABLE MULTIFAMILY AND SINGLE FAMILY HOUSING, OWNER OCCUPIED HOME REHABILITATION, AND DOWN PAYMENT ASSISTANCE TO BENEFIT LOW- AND MODERATE- INCOME PERSONS AND AUTHORIZING THE CITY MANAGER TO SIGN ALL NECESSARY IMPLEMENTING DOCUMENTS

A necessary quorum and majority of the **Council** of the City of Fresno ("Applicant") hereby consents to, adopts and ratifies the following resolution:

- A. WHEREAS, the Department is authorized to provide up to \$195 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)));
- B. WHEREAS the State of California (the "State"), Department of Housing and Community Development ("Department") issued a Notice of Funding Availability ("NOFA") dated 02/26/2020 under the Permanent Local Housing Allocation (PLHA) Program;
- C. WHEREAS Applicant 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;
- D. WHEREAS the Department may approve funding allocations for 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;
- E. WHEREAS the Department requires the adoption of a Plan for a term of five years outlining the eligible activities to be funded with the jurisdiction's PLHA allocation;
- F. WHEREAS the City has completed a required 10 day public review period ending on August 15, 2020 with 2 comments received and accepted, and conducted a Public

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Date Adopted: 08/20/2020
Date Approved: 08/25/2020
Effective Date: 08/25/2020

Resolution No. 2020-196



Hearing on August 20, 2020 prior to consideration by the Council of the City of Fresno;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Council of the City of Fresno, California, adopts the Permanent Local Housing Allocation 5-Year Plan incorporating citizen comments made during the public hearing.
2. The Council of the City of Fresno directs that PLHA funds be allocated to the following activities according to the Permanent Local Housing Allocation 5-Year Plan: development of affordable multi-family rental housing, development of affordable single-family owner-occupied housing, rehabilitation of owner-occupied housing for low income households, and down payment assistance for low- and moderate-income households.
3. 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.
4. 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 (\$20,445,618) in accordance with all applicable rules and laws.
5. 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.
6. 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.
7. 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.
8. Pursuant to Applicant's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
9. 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).

10. Applicant 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.
11. 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.
12. Wilma Quan, 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.



STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 20th day of August, 2020.

AYES : Bredefeld, Caprioglio, Chavez, Esparza, Karbassi, Soria, Arias
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: August 25th, 2020
Mayor Approval/No Return: N/A, 2020
Mayor Veto: N/A, 2020
Council Override Vote: N/A, 2020

YVONNE SPENCE, MMC CRM
City Clerk

By: Yvonne Spence 8/26/2020
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: Tracy N. Parvanian 8/26/2020
for Senior Deputy City Attorney Date



August 21, 2020

Council Adoption: 8/20/2020

Mayor Approval:

Mayor Veto:

Override Request:

TO: MAYOR LEE BRAND

FROM YVONNE SPENCE, MMC, CRM
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the City Council meeting of August 20, 2020, Council adopted the attached Resolution No. 2020-196, entitled **Adopting and authorizing submission of a five-year Plan to the California Housing and Community Development Department in application for funding from the Permanent Local Housing Allocation (PLHA) for the development of affordable multifamily and single family housing, owner occupied home rehabilitation, and down payment assistance to benefit low- and moderate- income persons and authorizing the City Manager to sign all necessary implementing documents.** Item 10:20 A.M.-2, File ID 20-00944, by the following vote:

Ayes	:	Arias, Bredefeld, Caprioglio, Chavez, Esparza, Karbassi, Soria
Noes	:	None
Absent	:	None
Abstain	:	None

Amendment: Councilmember Esparza made a motion to approve the resolution as submitted with direction to come back with amendments on the allocation of housing.

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before August 31, 2020. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval

APPROVED /

NO RETURN: _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

Lee Brand, Mayor

COUNCIL OVERRIDE ACTION:

Ayes	:
Noes	:
Absent	:
Abstain	:

Date: 8/25/2020

Date: _____

2020 AUG 25 P 4:07
CITY OF FRESNO
CITY CLERK'S OFFICE

RECEIVED