

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY OF RIVERSIDE, CALIFORNIA,  
3 AMENDING RESOLUTION NO. 23598 TO INCREASE THE ESTIMATED  
4 PERMANENT LOCAL HOUSING FIVE-YEAR ALLOCATION AND  
5 PROVIDING ADDITIONAL AUTHORIZATIONS AND  
6 CERTIFICATIONS IN CONNECTION WITH THE APPLICATION FOR  
AND RECEIPT OF, PERMANENT LOCAL HOUSING ALLOCATION  
FUNDS UNDER THE SB 2 PERMANENT LOCAL HOUSING  
ALLOCATION PROGRAM ENTITLEMENT JURISDICTION  
COMPONENT FROM THE BUILDING HOMES AND JOBS TRUST FUND,

7 WHEREAS, on July 7, 2020, the City of Riverside held a public hearing pursuant to California  
8 Health and Safety Code Section 50470 et seq. to gather public comment regarding the five-year  
9 funding strategy for use of Senate Bill 2 Permanent Local Housing Allocation Program funds (“Five  
10 Year Plan”); and

11 WHEREAS, after receiving no public comment, the City Council of the City of Riverside,  
12 adopted the Five Year Plan, as well as Resolution No. 23598, a resolution authorizing application for,  
13 and receipt of, Permanent Local Housing Allocation Funds under the SB 2 Permanent Local Housing  
14 Allocation Program Entitlement Jurisdiction Component from the Building Homes and Jobs Trust  
15 Fund (hereafter “Resolution”); and

16 WHEREAS, pursuant to the Resolution, the City of Riverside represented and certified that, if  
17 it receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA  
18 NOFA, that it will use all such funds in a manner consistent and in compliance with all applicable  
19 state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws  
20 regarding the PLHA Program, as well as any and all contracts it may have with the Department; and

21 WHEREAS, pursuant to the Resolution, the City of Riverside also agreed to use the PLHA  
22 funds only for eligible activities as approved by the Department and in accordance with all Program  
23 requirements, PLHA Program Guidelines, other rules and laws, as well as in a manner consistent and  
24 in compliance with the Standard Agreement, its Application, and other contracts between the City of  
25 Riverside and the Department; and

26 WHEREAS, the Resolution authorized the City Manager, or his designee, to enter into and  
27 execute all other necessary documents to apply for, receive, and administer the PLHA grant, and to  
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1 perform other actions necessary to fulfill the intent of receiving, administering, and disbursing the City  
2 of Riverside's PLHA entitlement; and

3 WHEREAS, the Resolution inaccurately included a five-year PLHA formula allocation  
4 estimate of One Million Six-Hundred Twenty-Two Thousand One Hundred Twenty-Five Dollars  
5 (\$1,622,125); and

6 WHEREAS, the City now wishes to amend the Resolution to include a five-year PLHA  
7 formula allocation estimate of Nine Million Seven Hundred Thirty-Two Thousand Seven Hundred  
8 Fifty Dollars (\$9,732,750), as set forth in Appendix C of the current NOFA, and to provide additional  
9 authorizations and certifications in connection with the application, as required by the California  
10 Department of Housing and Community Development.

11 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riverside,  
12 California, as follows:

13 Section 1: That the above recitals are found to be true and correct and are hereby  
14 incorporated herein as if stated in full.

15 Section 2: That Resolution No. 23598 is hereby amended to authorize the City Manager,  
16 or his designee, to submit an application to the California Department of Housing and Community  
17 Development for PLHA funds, and to accept and receive a grant of PLHA funds in an amount up to  
18 and including Nine Million Seven Hundred Thirty-Two Thousand Seven Hundred Fifty Dollars  
19 (\$9,732,750), which is the five-year estimate of the PLHA formula allocations stated in Appendix C  
20 of the current NOFA, in accordance with all applicable rules and laws.

21 Section 3: That the City Manager, or his designee, is authorized to accept and receive said  
22 PLHA grant funds, annually, during the five-year PLHA formula allocations.

23 Section 4: That the City certifies that it has or may subgrant some or all of its PLHA funds  
24 to another entity or entities in the future. Pursuant to Guidelines Section 302(c)(3), "entity" means a  
25 housing developer or program operator, but does not mean an administering Local government to  
26 whom a Local government may delegate its PLHA allocation.

27 Section 5: That the City certifies that its selection process of these subgrantees was  
28 accessible to the public and avoided any conflicts of interest, and that a true and correct copy of the

1 minutes for the public hearing for the Five Year Plan is attached hereto and incorporated herein as  
2 Attachment 1.

3       Section 6:     That the City certifies that PLHA funds will be expended only for eligible  
4 Activities and consistent with all program requirements.

5       Section 7:     That the City certifies that, if funds are used for the acquisition, construction or  
6 rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall  
7 record a deed restriction against the property that will ensure compliance with one of the requirements  
8 stated in Guidelines Section 302(c)(6)(A), (B) and (C).

9       Section 8:     That the City certifies that, if funds are used for the development of an  
10 Affordable Rental Housing Development, the Local government shall make PLHA assistance in the  
11 form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced  
12 through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict  
13 occupancy and rents in accordance with a Local government-approved underwriting of the Project for  
14 a term of at least 55 years.

15       Section 9:     That the City shall be subject to the terms and conditions as specified in the  
16 Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines  
17 published by the Department

18       Section 10:    That the City hereby adopts the Plan, attached hereto and incorporated herein  
19 as Attachment 1, and shall obtain the approval of the California Department of Housing and  
20 Community Development for any amendments made to the Plan, as set forth in Section (c)(5).  
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1 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Attest:

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COLLEEN J. NICOL  
City Clerk of the City of Riverside

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I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
foregoing resolution was duly and regularly introduced and adopted at a meeting of the City Council  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote, to wit:

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Ayes:

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Noes:

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Absent:

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Abstain:

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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COLLEEN J. NICOL  
City Clerk of the City of Riverside

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LMS 20-0304.1