

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT  
STD 213 (Rev. 03/2019)

AGREEMENT NUMBER  
20-PLHA-15542

PURCHASING AUTHORITY NUMBER (if applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

CONTRACTOR'S NAME  
City of Upland

2. The term of this Agreement is:

START DATE  
Upon HCD Approval  
THROUGH END DATE  
06/30/2030

3. The maximum amount of this Agreement is:  
\$277,837.00

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

EXHIBITS	TITLE	PAGES
Exhibit A	Authority, Purpose and Scope of Work	5
Exhibit B	Budget Detail and Payment Provisions	3
Exhibit C*	State of California General Terms and Conditions	GTC - 04/2017
Exhibit D	PLHA Program Terms and Conditions	9
Exhibit E	Program-Specific Provisions and Special Conditions	2
TOTAL NUMBER OF PAGES ATTACHED		19

Items shown with an asterisk (\*), are hereby incorporated by reference and made part of this agreement as if attached hereto.  
These documents can be viewed at [http://www.plha.org/contracts/contracts.html](#)

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

**CONTRACTOR**

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

City of Upland

CONTRACTOR BUSINESS ADDRESS  
460 N. Euclid Avenue  
CITY  
Upland  
STATE  
CA  
ZIP  
91786

PRINTED NAME OF PERSON SIGNING

STEPHEN PARKER

CONTRACTOR AUTHORIZED SIGNATURE



TITLE

ACTING CITY MANAGER

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

Department of Housing and Community Development

CONTRACTING AGENCY ADDRESS  
2020 W. El Camino Ave., Suite 130  
CITY  
Sacramento  
STATE  
CA  
ZIP  
95833

PRINTED NAME OF PERSON SIGNING

Shaun Singh

CONTRACTING AGENCY AUTHORIZED SIGNATURE

TITLE

Contracts Manager,  
Business & Contract Services Branch

DATE SIGNED

California Department of General Services Approval (or exemption, if applicable)

Exempt per; SCM Vol. 1 4.04.A.3 (DGS memo dated 6/12/1981)

RESOLUTION NO. 6598

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND,  
CALIFORNIA APPROVING THE CITY OF UPLAND FIVE-YEAR  
PERMANENT LOCAL HOUSING ALLOCATION APPLICATION AND  
PLAN

**WHEREAS** The Department of Housing and Community Development (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))); and

**WHEREAS** The State of California (the "State"), the Department issued a Notice of Funding Availability ("NOFA") dated February 26, 2020 under the Permanent Local Housing Allocation (PLHA) Program; and

**WHEREAS** The City of Upland 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; and

**NOW, THEREFORE**, the City Council of the City of Upland, California hereby finds, determines and resolves as follows:

**SECTION 1.** If the City of Upland 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 2.** The City of Upland 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 \$1,667,022 in accordance with all applicable rules and laws.

**SECTION 3.** The City of Upland 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 4.** The City of Upland 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 5.** The City of Upland 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 6.** Pursuant to the City of Upland'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 Upland 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 of Upland 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 of Upland 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 10.** City Manager, Acting City Manager, Interim City Manager and/or designated officials are 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.

**SECTION 11.** Certification. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 28th day of June, 2021.



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Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was passed and adopted at a regular meeting of the City Council of the City of Upland held on the 28th day of June, 2021, by the following vote:

AYES: Mayor Velto, Councilmembers Zuniga, Elliott, Garcia, Maust  
NOES: None  
ABSENT: None  
ABSTAINED: None

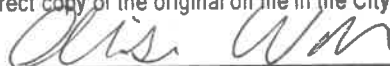
ATTEST:



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Keri Johnson, City Clerk

I, Alison Walker, Deputy City Clerk in and for the  
City of Upland, County of San Bernardino, hereby certify that the attached  
ORDINANCE NO. \_\_\_\_\_ RESOLUTION NO. 659B  
MINUTES dated June 28, 20 21 is a true  
and correct copy of the original on file in the City Clerk's Office.



Deputy City Clerk of the City of Upland, California

Executed on June 29, 20 21