

RESOLUTION NO. _____

A RESOLUTION OF CITY COUNCIL OF THE CITY OF GARDEN GROVE, CALIFORNIA, APPROVING THE RELOCATION PLAN FOR THE STUART DRIVE PERMANENT SUPPORTIVE HOUSING PROJECT WITH REHABILITATION AND IMPLEMENTATION OF THE PROJECT, IF APPROVED BY THE GARDEN GROVE HOUSING AUTHORITY AND TO BE IMPLEMENTED BY THE DEVELOPER, AMERICAN FAMILY HOUSING, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION; AND MAKING CERTAIN OTHER FINDINGS IN CONNECTION THEREWITH

WHEREAS, the City of Garden Grove is a California municipal corporation (“City”) and its legislative body is the City Council of the City of Garden Grove (“City Council”); and

WHEREAS, the City is a participating jurisdiction with the United States Department of Housing and Urban Development (“HUD”) that has received funds (“HOME Funds”) from HUD under Title II of the Cranston Gonzalez National Affordable Housing Act (42 U.S.C. 12701 12839) and the HOME Program regulations codified at 24 CFR Part 92 (“HOME Program”); and

WHEREAS, the Garden Grove Housing Authority, a public body corporate and politic, (“Housing Authority”) is organized and exists under the California Housing Authorities Law, Health and Safety Code (“HSC”) Section 34200, *et seq.*, and serves as the housing successor under HSC Section 34170, *et seq.*, in particular HSC Section 34176.1; and

WHEREAS, American Family Housing is a California non-profit public benefit corporation, and is referred to as the “Developer” herein; and

WHEREAS, Developer currently owns one (1) parcel of real property located at 11742 Stuart Drive, Garden Grove, California that is improved with a 10-unit apartment complex in one (1) two-story building (“Property”); and

WHEREAS, the Housing Authority and Developer have negotiated the terms of that certain *HOME Investment Partnership Affordable Housing and Loan Agreement (11742 Stuart Drive)* (“HOME Agreement”), which will be presented for consideration and action by the Housing Authority on a separate agenda item to be considered after the City Council considers and takes action of the Relocation Plan defined and described in this Resolution; and

WHEREAS, capitalized terms used in this Resolution are as defined in the Relocation Plan and HOME Agreement; and

WHEREAS, if after separate consideration and discretionary action by the Housing Authority, the HOME Agreement is approved by the Housing Authority, pursuant to that HOME Agreement, among other provisions, Developer will cause the Rehabilitation and long-term operation of the Property as a permanent supportive housing project to be made available to and occupied by (i) an onsite manager as to one (1) unit, (ii) qualified Extremely Low Income Households who are homeless

or at risk of homelessness at an Affordable Rent as to eight (8) units; and (iii) by qualified Very Low Income Households at an Affordable Rent as to one (1) unit, for a 55-year Affordability Period (together, “Project”); and

WHEREAS, if the HOME Agreement is approved in the Housing Authority’s sole, separate discretion, Developer intends to undertake and complete the Project using multiple funding sources, which as of the date of preparation of the Relocation Plan and as more fully described in the HOME Agreement include: (i) Developer has received a funding commitment from an institutional lender, Pacific Premier Bank, for a \$600,000 loan as the first mortgage financing for the Project; (ii) Developer will contribute \$1,700,000 of its own funds toward implementation of the Project; (iii) the Housing Authority will issue to Developer eight (8) project-based, mainstream vouchers to assist non-elderly persons with disabilities to occupy the eight Extremely Low Income units pursuant to the U.S. Department of Housing and Urban Development mainstream voucher program that is administered using the same rules as the HUD Housing Choice Voucher Program; and (iv) the Housing Authority will provide to Developer a HOME Loan in an original principal amount of \$1,400,000.00 to be sourced solely from HOME Program funds (together, “Project Funding Sources”); and

WHEREAS, if the HOME Agreement is approved in the Housing Authority’s sole discretion, and due to the Project Funding Sources, in particular use of HOME Program funds, as applicable, the following relocation laws and regulations apply to implementation of the Project: (i) Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“URA”), and HUD Handbook 1378, (ii) HOME Program Regulations, in particular Section 92.353, (iii) Section 104(d) of the Housing and Community Development Act of 1974, if applicable, (iv) California Relocation Assistance Law, Government Code Section 7260, *et seq.* (“CRAL”), (v) Relocation Assistance and Real Property Acquisition Guidelines adopted by the State of California, Department of Housing and Community Development (“HCD”), Title 25 California Code of Regulations Section 6000, *et seq.* (“Guidelines”), and the local guidelines adopted by the City Council that implement such laws, including the federal Residential Anti Displacement and Relocation Assistance Plan (“RARAP”) also adopted by the City Council (together, “Relocation Law”); and

WHEREAS, the Developer, in cooperation with the Housing Authority, has caused to be prepared a “Relocation Plan” in accordance with the applicable requirements of the Relocation Law, which Relocation Plan will be administered by Overland, Pacific, & Cutler (OPC), an experienced relocation consultant, and overseen by Developer and City representatives; and

WHEREAS, if the HOME Agreement is approved in the Housing Authority’s sole discretion, based on the Project Funding Sources and as the Project is implemented by the Developer, the existing tenants will be permanently displaced from the Property and eligible for relocation assistance and benefits under the Relocation Law as more fully described in the Relocation Plan included and presented herewith; and

WHEREAS, under the Relocation Law, specifically Section 6038 of the HCD Guidelines, and in planning for implementation of the proposed Project, copies of the draft Relocation Plan were delivered or otherwise made available to the current tenant households at the Property for a period of at least 30 days prior to the Relocation Plan being presented to the City Council; and

WHEREAS, during such 30-day period general notice about the availability of the Relocation Plan was provided in a manner designed to reach the occupants at the Property and the community, including: (i) publication of the Notice of Availability in a local newspaper (“Notice”); (ii) posting the

Notice on the City's official website <https://ggcity.org/neighborhood-improvement>; (iii) posting the Notice at City Hall; (iv) posting the Notice at the City's main library; (v) posting the Notice at the Property at the onsite manager's office, and (vi) a copy of the draft the Relocation Plan was available to the public at the front desk of the City Clerk's office and at the Property in the onsite manager's office, all of which encouraged citizen participation in the relocation process; and

WHEREAS, the Relocation Plan presents, among other provisions, the plans for and relating to the permanent relocation of the lawful and eligible tenant households in occupancy at the Property; and

WHEREAS, in connection with preparation of the Relocation Plan and making the plan available to the tenants and the public generally, OPC caused to be prepared and issued to all tenant households at the Property letters called General Information Notices; and

WHEREAS, under the HOME Agreement, if approved by the Housing Authority, Developer assumes all financial, administrative and legal responsibilities to carry out the Relocation Plan and to pay for the relocation assistance and benefits to the tenant households at the Property; and

WHEREAS, if the HOME Agreement is approved by the Housing Authority in its sole and separate discretion, pursuant to the Relocation Law and in implementation of the Relocation Plan, OPC will issue to the tenant households a Notice of Relocation Eligibility letter because Developer's implementation of the Project will cause the existing tenants to be displaced permanently from the Property and relocation assistance and benefits will be administered by OPC and paid for by Developer; and

WHEREAS, Developer, Housing Authority (and City) intend to comply with the Relocation Law, in particular section 92.353 of the HOME Program Regulations; and

WHEREAS, by this Resolution, the City Council desires to approve the Relocation Plan and authorize the City Manager (who also serves as the Housing Authority Director) and his designees, to carry out the Relocation Plan, which authorization includes processing and payment of relocation claims, with payments made by Developer.

NOW, THEREFORE, BE IT RESOLVED by the City Council as the legislative body of the City of Garden Grove as follows:

Section 1. The foregoing recitals are a substantive part of this Resolution and fully incorporated herein.

Section 2. The City Council approves the Relocation Plan, attached hereto as Attachment 1, and fully incorporated by this reference, and authorizes the implementation of the Relocation Plan.

Section 3. In furtherance of such approval and authorization, the City Manager (who also serves as the Housing Authority Director) and his designees are authorized take all necessary actions and execute all documents necessary or appropriate to carry out the Relocation Plan. The City Manager (and Housing Authority Director) is further authorized to the extent necessary during the implementation of the Relocation Plan to accept, process, and approve relocation claims, to provide interpretations and waivers, if necessary, to cause issuance of warrants related to the implementation

plan, including consulting, legal, and other administrative costs incurred in connection therewith, and to administer obligations, responsibilities and duties to be performed under the Relocation Plan.

Section 4. A copy of the final, approved Relocation Plan shall be placed on file in the City Clerk's official records.

Section 5. The City Clerk shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED this 14th day of September, 2021.

CITY OF GARDEN GROVE, a California
municipal corporation

Steve Jones, Mayor

ATTEST:

Teresa Pomeroy, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF GARDEN GROVE)

I, Teresa Pomeroy, City Clerk of the City of Garden Grove, do hereby certify that the foregoing City Council Resolution No. _____ was adopted at a regular meeting of the City Council held on the 14th day of September 2021 by the following vote of the members thereof:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

CITY OF GARDEN GROVE

City Clerk

ATTACHMENT 1

Append full copy of Relocation Plan