



## RESOLUTION NO.

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

APPROVING SUBMITTAL OF AN APPLICATION FOR FUNDING TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR PERMANENT LOCAL HOUSING ALLOCATION PROGRAM FORMULA GRANT PROGRAM FUNDS AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE PROGRAM.

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

**WHEREAS**, the County of El Dorado (“Applicant”) is an eligible Local government applying for the program to administer one or more eligible activities; and

**WHEREAS**, in response to the 2020 NOFA, the County of El Dorado desires to submit an application for an allocation of up to \$2,879,974 of the Program funds over a five year period; and

**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.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of El Dorado as follows:

**SECTION 1:** 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.

**SECTION 2:** The 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 (\$2,879,974) in accordance with all applicable rules and laws.

**SECTION 3:** 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.

**SECTION 4:** Pursuant to Applicant’s certification in this resolution, the PLHA funds will be expended only for eligible activities and consistent with all program requirements.

SECTION 5: 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).

SECTION 6: 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.

SECTION 7: 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.

SECTION 8: If the application is approved by the Department, the Board of Supervisors of the County of El Dorado authorizes the Health and Human Services Agency Director, or successor to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) and any subsequent amendments or modifications thereto, as well as any and all other documents required or deemed necessary or appropriate which are related to the Program or the PLHA grant awarded to the County, as the Department may deem appropriate, contingent upon approval by County Counsel and Risk Management.

SECTION 9: If the application is approved, the Health and Human Services Agency Director, or designee, is authorized to execute the PLHA Program Application, the PLHA Standard Agreement r documents, and to sign Funds Requests and other required reporting forms and documents related to the activities of this grant.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote of said Board:

Attest: \_\_\_\_\_  
Kim Dawson  
Clerk of the Board of Supervisors

Ayes:  
Noes:  
Absent:

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_ Chair, Board of Supervisors

**CERTIFICATE OF THE ATTESTING OFFICER**

The undersigned, Clerk of Board of Supervisors does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the Board of Supervisors of the County of El Dorado which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

ATTEST: \_\_\_\_\_  
Signature of Attesting Officer  
Kim Dawson:  
Clerk of the Board of Supervisors