



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 THE PERMANENT LOCAL  
HOUSING ALLOCATION PROGRAM NON-ENTITLEMENT LOCAL GOVERNMENT 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 \$15 million under the Senate Bill 2 (SB 2) (Chapter 364, Statutes of 2017). Permanent Local Housing Allocation Program Competitive 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 August 31, 2020, for the Non-Entitlement Local Government Competitive Component grant for the Permanent Local Housing Allocation (PLHA) Program; and

**WHEREAS**, The PLHA is grant assistance to Non-Entitled Local Governments in California to assist persons experiencing or at risk of homelessness and investments that increase the supply of housing to households with incomes of 60 percent or less of area median income; and

**WHEREAS**, in response to the 2020 NOFA, the County of El Dorado (“the Applicant”), an eligible non-entitlement Local government, desires to submit a project application for an allocation for up to \$1,400,000 of the PLHA Program funds in cooperation with Pacific Southwest Community Development Corporation, Managing General Partner of the Diamond Village Apartments affordable multifamily housing development in Diamond Springs; and

**WHEREAS**, Pacific Southwest Community Development Corporation is a non-profit 501(c)3 California Public Benefit Corporation that acts as the managing general partner for over 70 low and moderate income apartment properties in California; and

**WHEREAS**, The Department may award, subject to selection criteria set forth in PLHA guidelines section 403, funding allocations for applicants recommended for funding, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement and other contracts between the Department and PLHA competitive grant recipients.

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

**SECTION 1:** The Board of Supervisors of the County of El Dorado (the Applicant) hereby authorizes and directs the Planning and Building Department Director, or designee, to act on the County’s behalf in all matters pertaining to this application to apply for and submit to the Department in the amount of up to \$1,400,000.

SECTION 2: If awarded a grant of PLHA funds from the Department pursuant to the above referenced PLHA Competitive Component NOFA, the Applicant 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 3: Pursuant to Applicant's certification in this resolution, Applicant hereby agrees to use the PLHA funds for the eligible activity for which the Applicant has submitted an application, as set forth in Section 401 of the Guidelines, and as awarded and approved by the Department 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: Applicant certifies that, if funds are awarded for the development of new multifamily housing at or below 60 percent of area median income (AMI) or substantial rehabilitation of multifamily rental housing at or below 60 percent of AMI, Applicant shall comply with Uniform Multifamily Regulations Subchapter 19, Title 25, Division 1, Chapter 7, commencing with Section 8300 and the Multifamily Housing Program Guidelines commencing with Section 7300.

SECTION 5: Applicant certifies that, if funds are awarded for the development of an Affordable Rental Housing Development, the Local Government shall provide 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 the Department-approved underwriting of the Project for a term of at least 55 years, contingent upon approval by County Counsel and Risk Management.

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 Planning and Building Department Director, or designee to enter into, execute, and deliver a State of California PLHA Competitive Component Standard Agreement (Standard Agreement) for the amount of up to \$1,400,000, and any and all other documents required or deemed necessary or appropriate including, but not limited to, an affordable housing covenant, a performance deed of trust, a disbursement agreement, and certain other documents required by the Department as security for, evidence of or pertaining to the PLHA Grant, and all amendments thereto (collectively, the "PLHA Grant Documents") that do not affect the dollar amount or the term, contingent upon approval by County Counsel and Risk Management.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 17<sup>th</sup> day of November, 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