

RESOLUTION NO. 23-155

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS FOR THE APPLICATION AND ACCEPTANCE OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, PERMANENT LOCAL HOUSING ALLOCATION

WHEREAS, the California Department of Housing and Community Development (HCD) is authorized to provide up to \$304 million under the SB 2 Permanent Local Housing Allocation (PLHA) 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, HCD issued a Notice of Funding Availability (NOFA) dated May 3, 2021 under the PLHA Program; and

WHEREAS, the County of Mendocino is an eligible local government and has applied for program funds 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, HCD 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 HCD and PLHA grant recipients.

NOW, THEREFORE, BE IT RESOLVED that the County of Mendocino Board of Supervisors hereby approves application and acceptance of the HCD PLHA as follows:

1. If the County of Mendocino receives a grant of PLHA funds from HCD 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 the County of Mendocino may have with HCD.

2. The County of Mendocino is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the \$2,099,753 five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA in accordance with all applicable rules and laws.

3. The County of Mendocino hereby agrees to use the PLHA funds for eligible activities as approved by HCD 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 County of Mendocino and HCD.

4. Pursuant to Section 302(c)(4) of the guidelines, the County of Mendocino's PLHA Plan for the 2019-2023 allocations is attached to this Resolution, and the County of Mendocino hereby adopts this PLHA Plan and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the guidelines.

5. Pursuant to the County of Mendocino's certification in this Resolution, the PLHA funds will be expended only for eligible activities and consistent with all program requirements.

6. The County of Mendocino 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 County of Mendocino 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).

7. The County of Mendocino 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.

8. The County of Mendocino 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 HCD.

9. The County of Mendocino's Chief Executive Officer or designee is 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 PLHA Program or grant awarded to the County of Mendocino, as HCD may deem appropriate.

The foregoing Resolution introduced by Supervisor Haschak, seconded by Supervisor Williams and carried this 12th day of September, 2023, by the following vote:

AYES:	Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams
NOES:	None
ABSENT:	None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

GLENN MCGOURTY, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy