

RESOLUTION NO. 18-022

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE CHIEF EXECUTIVE OFFICER OR DESIGNEE TO EXECUTE AGREEMENTS AND TAKE ALL NECESSARY ACTIONS TO CARRY OUT THE PURPOSE OF BOARD OF SUPERVISORS AGREEMENT NUMBER 17-006 ON BEHALF OF THE COUNTY OF MENDOCINO

WHEREAS, the County of Mendocino ("County") requested and received \$1,336,000.00 of unencumbered Mental Health Services Fund moneys through the Mental Health Services Act ("MHSA") Housing Program in 2015; and

WHEREAS, the County must spend the MHSA Housing Program funds to provide housing assistance to target populations identified in Welfare and Institutions Code section 5600.3; and

WHEREAS, the County entered into Board of Supervisor's Agreement Number 17-006 ("BOS 17-006") with Rural Communities Housing Development Corporation ("RCHDC") on February 14, 2017 for the purpose of developing a housing program using MHSA Housing Program funds; and

WHEREAS, the project anticipated by BOS 17-006 is expected to last a minimum of 20 years; and

WHEREAS, RCHDC wishes to assign its rights and responsibilities under BOS 17-006 to an entity affiliated with RCHDC; and

WHEREAS, RCHDC, its partners and affiliates, along with Mendocino County Health and Human Services Agency ("HHSA") have been preparing agreements in order to leverage the MHSA Housing Program funding for the purpose of developing this housing project; and

WHEREAS, the leveraged funding must be secured by March 2018 to avoid losing the benefit of the MHSA funds for the project anticipated by BOS 17-006; and

WHEREAS, it is necessary to provide flexibility and authority to the Chief Executive Officer or designee to ensure that the necessary documents are executed to secure the leveraged funding, including but not limited to a loan agreement, a regulatory agreement, a promissory note, a deed of trust, and an agreement to assign BOS 17-006 to an RCHDC affiliate; and

WHEREAS, it is desirable to provide authority to the Chief Executive Officer or designee to sign documents and act on behalf of the County in order to carry out the purpose of BOS 17-006, including but not limited to executing the documents necessary to secure the leveraged funds, entering into operating memoranda that allows operational flexibility during the term of the project, and to otherwise carry out the rights and responsibilities of the County in accord with the purpose of BOS 17-006.


NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby:

1. Authorizes Mendocino County's Chief Executive Officer or designee to sign and execute an agreement to assign RCHDC's rights and responsibilities in Board of Supervisor's Agreement No. 17-006 to an RCHDC affiliate; and
2. Authorizes Mendocino County's Chief Executive Officer or designee to sign and execute agreements, and amendments thereto, in accord with the purpose of Board of Supervisors Agreement No. 17-006 for the purpose of securing the leveraged funding, so long as such agreements do not exceed \$1,336,000.00, to enable the development of the anticipated housing project; and
3. Authorizes Mendocino County's Chief Executive Officer or designee to sign for the County and otherwise act on the County's behalf in order to carry out the purpose of Board of Supervisor's Agreement No. 17-006.

The foregoing Resolution introduced by Supervisor Brown, seconded by Supervisor Croskey, and carried this 6th day of February, 2018, by the following vote:

AYES: Supervisors Brown, McCowen, Croskey, Gjerde, and Hamburg
NOES: None
ABSENT: None

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



DAN HAMBURG, Chair
Mendocino County Board of Supervisors

ATTEST: CARMEL J. ANGELO
Clerk of the Board

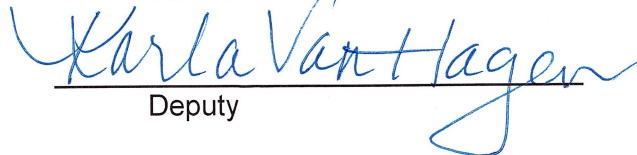

Deputy

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

APPROVED AS TO FORM:
KATHARINE L. ELLIOTT, County Counsel


Deputy

BY: CARMEL J. ANGELO
Clerk of the Board


Deputy