

RESOLUTION NO.

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION: A) APPROVING AN AMENDED AND RESTATED DECLARATION OF RESTRICTIVE COVENANT (“AMENDED AND RESTATED DECLARATION”) WITH EAST PALO ALTO COMMUNITY ALLIANCE NEIGHBORHOOD DEVELOPMENT ORGANIZATION AND PRESERVING AFFORDABLE HOUSING ASSETS LONGTERM, INC. TO PRESERVE THE LONG-TERM AFFORDABILITY OF THE HOMES LOCATED AT 1274, 1278, 1288 AND 1290 GARDEN STREET IN EAST PALO ALTO, CA IN SAN MATEO COUNTY, SUBSTANTIALLY IN THE FORM OF ATTACHMENT A; AND B) AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF HOUSING, OR DESIGNEE(S), ACTING IN CONSULTATION WITH THE COUNTY ATTORNEY, TO NEGOTIATE AND EXECUTE ANY AND ALL AGREEMENTS, DOCUMENTS, CERTIFICATES AND AMENDMENTS RELATED TO THE AMENDED AND RESTATED DECLARATION AS MAY BE NECESSARY AND ADVISABLE TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on January 26, 2016, the Board of Supervisors (the “Board”) awarded \$200,000 to MidPen Housing Corporation (“MidPen Housing”) and Hello Housing, an affiliate of MidPen Housing to create a single-family home acquisition program to preserve and expand rental and ownership opportunities for low- and moderate-income households; and

WHEREAS, on December 13, 2016, the Board approved the purchase of four single-family homes located at 1274, 1278, 1288 and 1290 Garden Street in East Palo Alto (the “Property”) owned by California Family Foundation to be purchased by MidPen Housing and Hello Housing (“Housing First, LLC”), subject to the recordation of the Declaration of Restrictive Covenant (“Declaration”) limiting rental or sale of the

individual homes to households of low and moderate income, for a period of 30 years; and

WHEREAS, the Declaration requires that any such sale be subject to continued resale restrictions recorded to ensure the continued use of these homes as affordable housing and which such Declaration is extinguished upon sale and recording of the resale restriction in a form set forth in the Declaration; and

WHEREAS, on September 30, 2024, an Assignment and Assumption was recorded, assigning the Declaration from Housing First, LLC to East Palo Alto Community Alliance Neighborhood Development Organization (“EPA CANDO”); and

WHEREAS, EPA CANDO’s mission is to create affordable housing and promote community and economic development in East Palo Alto and wishes to lease the land for the homes on the Property to low-income households for a term of 99 years, during which term the lessees would own the home subject to affordability and resale restrictions to ensure the homes would continue to be used as affordable housing, and using Preserving Affordable Housing Assets Longterm, Inc. (“PAHALI”), a community land trust to further ensure the long-term affordability of the Property beyond the 99-year terms of the proposed leases; and

WHEREAS, EPA CANDO’s land lease approach would require amendments to the Declaration which anticipated recording of a resale restriction upon sale of the homes with specific County approvals and terms, some of which are outdated and incompatible with the long-term lease model; and

WHEREAS, the affordability restrictions on the Property are in furtherance of the Board’s goals to provide permanent affordable housing in the County of San Mateo, are

in the vital and best interests of the County of San Mateo and the welfare of its residents and are implemented for public purposes; and

WHEREAS, the Board has been presented with and desires to approve an amended and restated Declaration substantially in the form of Attachment A to this resolution, to maintain the County's affordability requirements and allow for the extinguishment of the Declaration upon recording of a land lease that restricts the Property and its resale for a period of 99 years to affordable housing, which lease shall be subject to County review and approval.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board hereby approves an Amended and Restated Declaration of Restrictive Covenant ("Amended and Restated Declaration") with East Palo Alto Community Alliance Neighborhood Development Organization and Preserving Affordable Housing Assets Longterm, Inc. to preserve the long-term affordability of the homes located at 1274, 1278, 1288 and 1290 Garden Street in East Palo Alto, CA in San Mateo County, substantially in the form of Attachment A.

BE IT FURTHER RESOLVED that the Board hereby authorizes the Director of the Department of Housing, or designee(s), acting in consultation with the County Attorney, to negotiate and execute any and all agreements, documents, certificates and amendments related to the Amended and Restated Declaration as may be necessary and advisable to effectuate the purpose of this resolution.

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