

RESOLUTION NO. .

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

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RESOLUTION: A) REPRESENTING AND CERTIFYING THAT IF THE COUNTY OF SAN MATEO DEPARTMENT OF HOUSING (DOH) RECEIVES A GRANT OF PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUNDS FROM THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (CA HCD) PURSUANT TO THE AUGUST 17, 2022 PERMANENT LOCAL HOUSING ALLOCATION NOTICE OF FUNDING AVAILABILITY (PLHA NOFA) ATTACHED HERETO AS EXHIBIT A, THAT DOH 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 DOH MAY HAVE WITH THE CA HCD; AND B) AUTHORIZING AND DIRECTING DOH TO RECEIVE A PLHA GRANT, IN AN AMOUNT NOT TO EXCEED \$7,257,300, THE FIVE-YEAR ESTIMATE OF THE PLHA FORMULA ALLOCATIONS STATED IN APPENDIX C OF THE CURRENT CALIFORNIA PLHA NOFA, IN ACCORDANCE WITH ALL APPLICABLE RULES AND LAWS; AND C) REPRESENTING AND CERTIFYING THAT DOH AGREES TO USE THE PLHA FUNDS FOR ELIGIBLE ACTIVITIES AS APPROVED BY THE CA HCD AND IN ACCORDANCE WITH ALL PLHA PROGRAM REQUIREMENTS, PLHA PROGRAM GUIDELINES, OTHER RULES AND LAWS, AS WELL AS IN A MANNER CONSISTENT AND IN COMPLIANCE WITH THE STANDARD AGREEMENT, ITS APPLICATION, AND OTHER CONTRACTS BETWEEN DOH AND THE CA HCD; AND D) REPRESENTING AND CERTIFYING THAT DOH 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 CA HCD; AND E) REPRESENTING AND CERTIFYING THAT THE COUNTY HAS OR WILL SUBGRANT SOME OR ALL OF ITS PLHA FUNDS TO ANOTHER ENTITY OR ENTITIES. PURSUANT TO GUIDELINES SECTION 302(C)(3), "ENTITY" MEANS A HOUSING DEVELOPER OR PROGRAM OPERATOR, BUT DOES NOT MEAN AN ADMINISTERING LOCAL GOVERNMENT TO WHOM A LOCAL GOVERNMENT MAY DELEGATE ITS PLHA ALLOCATION; AND F) REPRESENTING AND CERTIFYING 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; AND G) APPROVING, PURSUANT TO SECTION 302(C)(4) OF THE PLHA FINAL GUIDELINES, THE COUNTY'S AMENDED PLHA PLAN ATTACHED HERETO

AS EXHIBIT B, AND CERTIFYING COMPLIANCE WITH ALL PUBLIC NOTICE, COMMENT AND HEARING REQUIREMENTS IN ACCORDANCE WITH THE GUIDELINES; AND H) AUTHORIZING THE DEPARTMENT OF HOUSING DIRECTOR 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 PROGRAM OR THE PLHA GRANT AWARDED TO APPLICANT, AS THE CA HCD MAY DEEM APPROPRIATE.

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

WHEREAS, the Permanent Local Housing Allocation (“PLHA”) Program, which is administered by the State of California Department of Housing and Community Development (“CA HCD”) is authorized to provide up to \$335 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 CA HCD issued PLHA Final Guidelines (Guidelines) in October 2019 and the first PLHA Program Notice of Funding Availability (NOFA) on February 26, 2020; and

WHEREAS, the County of San Mateo, through its Department of Housing (DOH), is an eligible Local government who applied for program funds to administer one or more eligible activities. On May 19, 2020, the Board of Supervisors approved

Resolution No. 077442, which authorized and directed the DOH to develop and submit an application to CA HCD for PLHA funds on behalf of the County. On June 21, 2020, the Board of Supervisors approved Resolution No. 077602, which authorized and adopted the initial PLHA Plan; and

WHEREAS, The County was granted an allocation not to exceed the five-year estimate of the PLHA formula allocation of \$7,257,300 and the County 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 CA HCD; and

WHEREAS, the CA HCD issued a NOFA for the 2021 calendar year PLHA funds dated 8/17/2022 under the PLHA Program; and

WHEREAS, the CA HCD 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 CA HCD and PLHA grant recipients; and

WHEREAS, pursuant to section 302(c)(4) of the Guidelines, the County's amended PLHA Plan is attached hereto as Exhibit B, and the County certifies compliance with all public notice, comment and hearing requirements in accordance with the Guidelines; and

WHEREAS, no public comments were received; however, if comments were received, they would have been incorporated into the amended PLHA Plan to be submitted to HCD; and

WHEREAS, DOH seeks the necessary approval of Board of Supervisors for the Amended PLHA Plan and PLHA Application prior to their submission on behalf of the County.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors of the County of San Mateo, State of California, hereby adopts this Resolution:

A) Representing and certifying that if the County of San Mateo Department of Housing (DOH) receives a grant of PLHA funds from the CA HCD pursuant to the August 17, 2022 PLHA NOFA attached hereto as Exhibit A, that DOH 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 DOH may have with the CA HCD; and

B) Authorizing and directing DOH to receive a PLHA grant, in an amount not to exceed \$7,257,300, the five-year estimate of the PLHA formula allocations stated in Appendix C of the current California PLHA NOFA, in accordance with all applicable rules and laws; and

C) Representing and certifying that DOH agrees to use the PLHA funds for eligible activities as approved by the CA HCD and in accordance with all PLHA Program requirements, PLHA Program Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement, its Application, and other contracts between DOH and the CA HCD; and

D) Representing and certifying that DOH 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 CA HCD; and

E) Representing and certifying that the County has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), “entity” means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation; and

F) Representing and certifying 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; and

G) Approving, pursuant to section 302(c)(4) of the PLHA Final Guidelines, the County’s amended PLHA Plan attached hereto as Exhibit B, and certifying compliance

with all public notice, comment and hearing requirements in accordance with the Guidelines; and

H) Authorizing the Department of Housing Director 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 Program or the PLHA grant awarded to Applicant, as the CA HCD may deem appropriate.

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