RESOLUTION - ACTION REQUESTED 2020-484

MEETING: August 4, 2020

TO: The Board of Supervisors

FROM: Dallin Kimble, County Administrative Officer

RE: 2019-2020 Permanent Local Housing Allocation Grant Application

RECOMMENDATION AND JUSTIFICATION:
Adopt a Resolution Authorizing the Submittal of the 2019-2020 Permanent Local Housing Allocation Grant Application; and Authorize the Board of Supervisors Chair to Sign 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 Deemed Appropriate (All Documents Subject to Approval as to Legal Form by County Counsel).

Mariposa County is a non-entitlement local government and eligible to receive $770,732 over the next five years for the establishment of affordable housing. Upon approval of PLHA five year plan, and per findings from 2019-2024 Housing Element to the general plan and Mariposa County Strategic Plan, staff recommends submitting an application for these funds.

The California Department of Housing and Community Development (Department) released a Notice of Funding Availability (NOFA) for approximately $195 million for the Permanent Local Housing Allocation (PLHA) program for entitlement and non-entitlement local governments. The NOFA is funded from moneys deposited in the Building Homes and Jobs Trust Fund (Fund) in calendar year 2019.

Funding for this NOFA is provided pursuant to Senate Bill (SB) 2 (Chapter 364, Statutes of 2017). SB 2 established the Fund and authorized the Department to allocate 70 percent of moneys collected and deposited in the Fund, beginning in calendar year 2019, to local governments for eligible housing and homelessness activities. The intent of the bill is to provide a permanent, on-going source of funding to local governments for housing-related projects and programs that assist in addressing the unmet housing needs of their communities.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
RES-2018-62 December 18th 2018. Board Approves No Place Like Home round 1 to begin funding of Creekside Terrace (Mariposa Village)

RES-2019-49 August 20th 2019. General Plan Housing Element Adoption and State
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Certification

RES-2019-70 December 10th 2019 Infill Infrastructure Grant applied for and awarded for onsite and offsite improvements for Creekside Terrace (Mariposa Village)

February 19th 2019 Discussion and Direction given to pursue approved ADU plans


ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve. Mariposa County will not receive funding through PLHA funds.

Amend the application. Staff will need direction about how to amend the application.

Authorize another signer. The designated signer will be the primary contact person for the duration of this grant.

FINANCIAL IMPACT:
PLHA formula awards do not require matching funds from local jurisdiction.
PLHA allows for 5% in administrative cost associated with eligible activities.
$2,500 will be paid to Self-Help Enterprises for grant preparation assistance

ATTACHMENTS:
ResolutionPLHA-CLEAN (DOCX)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
Resolution No. 2020-484

ADOPT A RESOLUTION OF THE MARIPOSA COUNTY BOARD OF SUPERVISORS APPROVING THE 2019-2020 PERMANENT LOCAL HOUSING ALLOCATION GRANT APPLICATION. (As approved to form by County Counsel)

WHEREAS, the Department is authorized to provide up to $195 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 State of California (the “State”), Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability (“NOFA”) dated 02/26/2020 under the Permanent Local Housing Allocation (PLHA) Program, and

WHEREAS, Applicant is an eligible Local government applying for the program to administer one or more eligible activities, and

WHEREAS, the Department 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 Department and PLHA grant recipients.

NOW THEREFORE BE IT RESOLVED THAT:

1. If Applicant receives a grant of PLHA funds from the Department 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 Applicant may have with the Department.

2. Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA $770,732 in accordance with all applicable rules and laws.

3. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department 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 Applicant and the Department. Applicant certifies that it 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.

4. Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest.

5. Pursuant to Applicant’s certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.

6. Applicant 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 grantee 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. Applicant 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. 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.

1. Mariposa County Board of Supervisors Chair is authorized to sign 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, (All documents subject to approval as to legal form by County Counsel).

PASSED AND ADOPTED by the County of Mariposa Board of Supervisors by Motion of Supervisor Long, and Seconded by Supervisor Jones, at a regular meeting on August 4th, 2020 by the following VOTE:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY
NAYS: NONE
ABSTAIN: NONE
ABSENT: NONE

[Signature]
Board of Supervisors Chair
Kevin Cann

ATTEST:

[Signature]
Clerk of the Board
County of Mariposa
Rene LaRoche

[Signature]
County Counsel
Steven W. Dahlem