RESOLUTION - ACTION REQUESTED 2020-495

MEETING: August 11, 2020

TO: The Board of Supervisors

FROM: Eric Sergienko, Health Officer/Acting HHSA Director

RE: Rescind Resolution 2020-479 and Adopt New Complete Resolution for Project Homekey

RECOMMENDATION AND JUSTIFICATION:
Rescind Resolution 2020-479 for Project Homekey and Adopt a New Resolution with All Information Included in the Authorizing Resolution; Authorize the County of Mariposa to Apply for Project Homekey Grant; and Authorize the Director of the Health and Human Services Agency (HHSA) to Sign the Application.

The Board authorized the application for the Project Homekey grant and authorized the Chair to sign the authorizing resolution on August 4, 2020 by Resolution Number 2020-479, but the amounts on the authorizing resolution document were left blank because the price and the grant funding amounts were not known on August 4, 2020. The amounts have now been filled in on the authorizing resolution document.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board authorized the County of Mariposa to apply for Project Homekey grant by Resolution Number 2020-479 on August 4, 2020.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
If this authorizing resolution is not approved and signed, the County will forego the opportunity to access $4,148,000 in federal and state COVID relief funds for a project that could serve Mariposa County residents.

ATTACHMENTS:
Mariposa Homekey Authorizing Resolution for Local Public Entity - Applicant (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Marshall Long, District III Supervisor
AYES: Rosemarie Smallcombe, Marshall Long, Kevin Cann, Miles Menetrey
EXCUSED: Merlin Jones
AUTHORIZING RESOLUTION

Resolution No.: 2020-495

A RESOLUTION OF BOARD OF SUPERVISORS OF COUNTY OF MARIPOSA AUTHORIZING APPLICATION TO THE HOMEKEY PROGRAM

WHEREAS:
A. The Department of Housing and Community Development (Department) has issued a Notice of Funding Availability ("NOFA"), dated July 16, 2020, for the Homekey Program ("Homekey" or "Homekey Program"). The Department has issued the NOFA for Homekey grant funds pursuant to Health and Safety Code section 50675.1.1 (Assem. Bill No. 83 (2019-2020 Reg. Sess.), § 21.)
B. COUNTY OF MARIPOSA ("Applicant") desires to apply for Homekey grant funds. Towards that end, Applicant is submitting an application for Homekey funds ("Application") to the Department for review and consideration.
C. The Department is authorized to administer Homekey pursuant to the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code). Homekey funding allocations are subject to the terms and conditions of the NOFA, the Application, the Department-approved STD 213, Standard Agreement ("Standard Agreement"), and all other legal requirements of the Homekey Program.

THEREFORE, IT IS RESOLVED THAT:

1. Applicant is hereby authorized and directed to submit an Application to the Department in response to the NOFA, dated July 16, 2020, and to apply for Homekey grant funds in a total amount not to exceed $4,148,000. That amount includes $200,000 for capital expenditures (as allowed under Health and Saf. Code, § 50675.1.1, subd. (a)(1)-(6)) and $648,000 for a capitalized operating subsidy (as allowed under Health and Saf. Code, § 50675.1.1, subd. (a)(7)).

2. If the Application is approved, Applicant is hereby authorized and directed to ensure that any funds awarded for capital expenditures are spent by December 30, 2020, and that any funds awarded for capitalized operating subsidies are spent by June 30, 2022.

3. If the Application is approved, Applicant is hereby authorized and directed to enter into, execute, and deliver a Standard Agreement in a total amount not to exceed $4,148,000, any and all other documents required or deemed necessary or appropriate to secure the Homekey funds from the Department and to participate in the Homekey Program, and all amendments thereto (collectively, the "Homekey Documents").

4. Applicant acknowledges and agrees that it shall be subject to the terms and conditions specified in the Standard Agreement, and that the NOFA and Application will be incorporated in the Standard Agreement by reference and made a part thereof. Any and all activities, expenditures, information, and timelines represented in the Application are enforceable through the Standard Agreement. Funds are to be used for the allowable expenditures and activities identified in the Standard Agreement.

5. Eric Sergienko, Acting Director of the Health and Human Services Agency is authorized to execute the Application and the Homekey Documents on behalf of Applicant for participation in the Homekey Program.
PASSED AND ADOPTED this 11\textsuperscript{th} day of August, 2020, by the following vote:

AYES: 4  NAYES: 0  ABSTAIN: 0  ABSENT: JONES

The undersigned, Rene LaRoche, Clerk of the Board of Applicant, does hereby attest and certify that the foregoing is a true and full copy of a resolution of the governing body adopted at a duly convened meeting on the date above-mentioned, and that the resolution has not been altered, amended, or repealed.

SIGNATURE: \textit{Danielle Bondhu}, Deputy

DATE: August 11\textsuperscript{th}, 2020

NAME: Rene LaRoche  TITLE: Clerk of the Board

COUNTY OF MARIPOSA

Kevin Cann, Chair

Board of Supervisors

APPROVED AS TO FORM:

Steven W. Dahlem

County Counsel
NOTICE AND INSTRUCTIONS

1. **Notice.** The Department is providing this template Authorizing Resolution as informational guidance only. The Department encourages each Applicant to consult with professional legal counsel during the development of its own formal, legally binding statement that it is authorized to apply to and participate in the Homekey Program.
   a. Please note, however, that any limitations or conditions on the authority of the signatory or signatories to execute the Application or the Homekey Documents may result in the Department rejecting the Authorizing Resolution.

2. **Accuracy, Verification.** The Department will verify that this Authorizing Resolution comports with the legal authority and composition of Applicant’s governing body. Applicant must timely notify the Department, in writing, of any factors that limit its ability to provide an Authorizing Resolution which is materially in line with this template.

3. **Dollar Amounts of Grant Awards.** The Department recommends identifying an authorized dollar amount that is at least double the anticipated award (based on current formula calculations). Award amounts are subject to change. If Applicant is ultimately awarded an amount in excess of the amount identified in the Authorizing Resolution, the Department will require a new Authorizing Resolution from Applicant before execution of a Standard Agreement.

4. **Authorized Signatory or Signatories, Designee.** Applicant, as a Local Public Entity, may designate an authorized signatory by title only. In addition, Applicant may authorize multiple signatories, so long as there is clarifying language as to whether the signatories are authorized to execute the Homekey Documents individually or collectively. In addition, Applicant may authorize a designee of the authorized signatory to execute the Homekey Documents. In such case, Applicant must append a supporting document (e.g., memorandum, meeting notes of official action), which indicates the name and title of the designee who is authorized to legally bind the governing body.

5. **Vote Count.** Please fill out the field by every voting category (i.e., Ayes, Nayes, Abstain, Absent). If none, please indicate zero (0) for that field. The vote count must comport with the legal authority and membership of the Applicant’s governing body.

6. **Certification of Authorizing Resolution.** The individual who certifies the Authorizing Resolution cannot also be authorized to execute the Homekey Documents on behalf of Applicant.