



Monterey County Board of Supervisors

Board Order

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A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to

Adopt Resolution No.'s 20-248 and Resolution No. 20-249 to:

- a. Authorize the County Administrative Officer or his designee to apply for and accept grant funds from the California Department of Housing and Community Development (HCD) Permanent Local Housing Allocation (PLHA) program.
- b. Authorize the Auditor-Controller to amend the FY2020-21 Adopted Budget to increase appropriations and revenues in the amount of \$648,380 in the Housing and Economic Development Office Budget Unit 001-1050-8514-CAO038 for the receipt of PLHA grant funding (4/5th vote required)
- c. Authorize the County Administrative Officer or his designee to apply for and accept grant funds from HCD for the Local Housing Trust Fund Program (LHTF) Program and the formation of a Regional Housing Trust Fund (RHTF) in partnership with Monterey County, the City of Salinas, City of Pacific Grove, City of Gonzales, City of King, and City of Monterey.
- d. Authorize the Housing Program Manager to request unused housing funds in the amount of \$370,000 from the Monterey Bay Economic Partnership (MBEP) from the agreement dated December 1, 2017 to be utilized for the LHTF application contribution.
- e. Authorize the Auditor-Controller to amend the FY2020-21 Adopted Budget to increase appropriations and revenues in the Housing and Economic Development Office Budget Unit 001-1050-8514-CAO038 by \$760,412 financed by contributions from MBEP (\$370,000), and from the Cities of Salinas (\$200,000), Pacific Grove (\$118,757), and Gonzales (\$71,655).
- f. Authorize the assignment of \$1,260,412 in the Housing and Economic Development Office Budget Unit 001-1050-8514-CAO038 for the use of a requirement match (minimum \$750,000) for the application of the LHTF grant.
- g. Enter into, execute and deliver a State of California Agreement (Standard Agreement) as required by PLHA and LHTF, subject to review and approval of the Office of the County Counsel as to form and legality.

PASSED AND ADOPTED on this 21st day of July 2020, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

NOES: None

ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting July 21, 2020.

Dated: July 27, 2020
File ID: RES 20-118
Agenda Item No.: 12.1

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana, Deputy

**Resolution No. 20-248
County of Monterey**

AUTHORIZING RESOLUTION

A necessary quorum and majority of the of the **Board of Supervisors of Monterey County** ("Applicant") hereby consents to, adopts and ratifies the following resolution:

- A. WHEREAS, the Department is authorized to provide up to \$57 million under the Local Housing Trust Fund ("LHTF") Program from the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) (as described in Health and Safety Code section 50842.2 et seq. (Chapter 365, Statutes of 2017 (SB 3)) ("Program").
- B. WHEREAS the State of California (the "State"), Department of Housing and Community Development ("Department") issued a Notice of Funding Availability ("NOFA") dated 04/30/2020 under the LHTF Program;
- C. WHEREAS Applicant is an eligible Local or Regional Housing Trust Fund applying to the Program to administer one or more eligible activities using Program Funds.
- D. WHEREAS the Department may approve funding allocations for the LHTF Program, subject to the terms and conditions of H&S Code Section 50842.2, the LHTF Program Guidelines, NOFA, Program requirements, the Standard Agreement and other related contracts between the Department and LHTF award recipients;

NOW THEREFORE BE IT RESOLVED THAT:

- 1. If Applicant receives an award of LHTF funds from the Department pursuant to the above referenced LHTF NOFA, it represents and certifies that it will use all such funds on Eligible Projects 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 LHTF Program, as well as any and all contracts Applicant may have with the Department ("Eligible Project").
- 2. NOW, THEREFORE, IT IS RESOLVED: That the [local or regional HTF] is hereby authorized to act as the [trustee/manager] in connection with the Department's funds to Eligible Projects pursuant to the above-described Notice of Funding Availability in an amount not to exceed \$5,000,000 (the "LHTF Award").
- 3. Applicant hereby agrees to match on a dollar for dollar basis the LHTF Award pursuant to Guidelines Section 104. Applicant hereby agrees to utilize matching finds on a dollar-for-dollar basis for the same Eligible Project for which Program Funds are used, as required by HSC Section 50843.5(c).
- 4. Pursuant to Attachment 1 and the Applicant's certification in this resolution, the LHTF funds will be expended only for Eligible Projects and consistent with all program requirements.
- 5. Nonprofit Housing Trust Funds and Native American Tribe Housing Trust Funds agree to use Program Funds only for Eligible Projects located in cities and counties that submitted an adopted Housing Element that was found by the Department to be in compliance and that have submitted their Housing Element Annual Progress Report (APR) for the current year or prior year by the application due date.

6. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, H&S Section 50842.2 and LHTF Program Guidelines.

7. **Nicholas E. Chiulos, Assistant County CAO** is authorized to execute the LHTF Program Application, the LHTF Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the LHTF Award to Applicant, as the Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the Monterey County Board of Supervisors this 21st day of July by the following vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

ABSTENTIONS: None

NOES: None

ABSENT: None

Signature of Approving Officer



Charles Mckee, County Administrative Officer

CERTIFICATE OF THE ATTESTING OFFICER

The undersigned, Officer, Valerie Ralph, Clerk of the Board of Supervisors does hereby attest and certify that the attached Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the Monterey County Board of Supervisors which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

ATTEST:



Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey
State of California

**Resolution Number: 20-249
County of Monterey**

AUTHORIZING RESOLUTION

A necessary quorum and majority of the Board of Supervisors of Monterey County ("Applicant") hereby consents to, adopts and ratifies the following resolution:

- A. 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)).
- B. 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;
- C. WHEREAS Applicant is an eligible Local government applying for the program to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation.
- D. 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 \$3,890,000 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.

4. 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
5. 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.
6. Pursuant to Applicant's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
7. 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).
8. 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.
9. 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.
10. **Nicholas E. Chiulos, Assistant County CAO** is authorized 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 Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the Monterey County Board of Supervisors this 21st day of July by the following vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

ABSTENTIONS: None

NOES: None

ABSENT: None

Signature of Approving Officer



Charles McKee, County Administrative Officer

CERTIFICATE OF THE ATTESTING OFFICER

The undersigned, Officer, Valerie Ralph, Clerk of the Board of Supervisors does hereby attest and certify that the attached Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the Monterey County Board of Supervisors which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

ATTEST: 

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey
State of California