

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AUTHORIZING RESOLUTION)
FOR PROJECTS UTILIZING PERMANENT LOCAL) RESOLUTION NO. _____
HOUSING ALLOCATION FUNDS)

A majority of the District Supervisors of the County of Santa Barbara hereby consents to, adopts, and ratifies the following resolution:

1. WHEREAS, the State of California (the “State”), Department of Housing and Community Development (“Department”) is authorized to provide up to \$195 million to Cities and Counties for assistance under the SB 2 Permanent Local Housing Allocation Program Entitlement Jurisdiction Component from the Building Homes and Jobs Trust Fund (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)));

2. 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

3. WHEREAS, the County of Santa Barbara (“COUNTY”) is an eligible Local government applying for the program to administer one or more eligible activities and is a Local government to whom one or more eligible Local governments delegated their PLHA formula allocations; and

4. WHEREAS, the Department may approve funding allocations for the PLHA Program, subject to the terms and conditions of the PLHA Program 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 COUNTY 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 COUNTY may have with the Department.

2. COUNTY is hereby authorized and directed to receive a PLHA grant(s), in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA, which is \$8,383,638 for the Santa Barbara County Consortium (referenced below) and includes \$3,418,722 for Santa Barbara County, in accordance with all applicable rules and laws.

3. COUNTY hereby authorizes and adopts the PLHA Plan attached to and incorporated into the PLHA application and certifies that the public had an adequate opportunity to review and comment on its content.
4. COUNTY 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, its Application, and other contracts between the Applicant and the Department.
5. COUNTY 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.
6. COUNTY 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.
7. COUNTY is authorized to enter into Consortium agreements with each of the cities of, Goleta, and Santa Maria, and form a PLHA Consortium;
8. COUNTY certifies that it was delegated by the City of Goleta, and the City of Santa Maria to submit an application on their behalf and administer the PLHA grant award for the formula allocation of PLHA funds, pursuant to Guidelines Section 300(c) and 300(d), and the legally binding agreement between the recipient of the PLHA funds and COUNTY is submitted with the PLHA application.
9. Pursuant to COUNTY’s certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
10. COUNTY 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).
11. COUNTY certifies that, if funds are used for the development of an Affordable Rental Housing Development, the COUNTY 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.
12. COUNTY 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.

13. The Director of the Community Services Department (CSD) 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 COUNTY, as the Department may deem appropriate including the annual report due each year by July 31 for the term of the Standard Agreement pursuant to HSC Section 50470(b)(2)(B)(ii)(III).

14. The Director of the Community Services Department is authorized to reapply to the State annually for the duration of the five-year period (2019 – 2023) for COUNTY'S and Consortium's PLHA funds, and 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 COUNTY, as the Department may deem appropriate including the annual report due each year by July 31 for the term of the Standard Agreement pursuant to HSC Section 50470(b)(2)(B)(ii)(III).

PASSED AND ADOPTED BY THE Board of Supervisors of the County of Santa Barbara, State of California, on this _____ day of _____, 2020, by the following vote:

AYES: ABSTENTIONS: NOES: ABSENT:

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA

By: _____
Gregg Hart, Chair

CERTIFICATE OF THE ATTESTING
OFFICER

The undersigned, Officer of Mona Miyasato does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the Board of Supervisors for the County of Santa Barbara 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.

By: _____
Deputy Clerk

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

APPROVED AS TO FORM:
BETSY M. SCHAFFER, CPA, CPFO

By: _____
Deputy County Counsel

By: _____
Auditor-Controller