

ATTACHMENT 1

DRAFT BOARD OF SUPERVISORS RESOLUTION

RESOLUTION NO. 20-____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT HEREBY AUTHORIZING AND ADOPTING THE 302(C)(4) PLAN FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM FOR FUNDING ALLOCATION YEARS 2019-2023 AND AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM.

WHEREAS, the State of California, Department of Housing and Community Development Department (“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 Department adopted Permanent Local Housing Allocation Final Guidelines (“PLHA Program Guidelines”) in October 2019; and

WHEREAS, the Department issued a Notice of Funding Availability (“NOFA”) dated February 26, 2020 under the Permanent Local Housing Allocation (“PLHA”) Program; and

WHEREAS, the County of Humboldt (“County” or “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; and

WHEREAS, Section 302(c)(4) of the PLHA Program Guidelines requires applicants to submit a plan detailing the manner in which allocated funds will be used, a description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income, and a description of how the Plan is consistent with the programs set forth in the Local government’s Housing Element; and

WHEREAS, Section 302(c)(4) of the PLHA Program Guidelines also requires that the plan be authorized and adopted by resolution by the Local government and that the public have an adequate opportunity to review and comment on the content of the plan; and

WHEREAS, County staff prepared a plan consistent with the requirements of Section 302(c)(4) of the PLHA Program Guidelines (“302(c)(4) Plan”) and made it available for public review on July 2, 2020.

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NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors as follows:

1. The document marked as Exhibit A to this Resolution, attached hereto and incorporated herein, is hereby authorized and adopted as the 302(c)(4) 5-Year Plan for Funding Allocation Years 2019-2023 for the County of Humboldt.
2. If the 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 the County may have with the Department.
3. The County 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 \$2,066,693 in accordance with all applicable rules and laws.
4. The 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 and other contracts between the Applicant and the Department.
5. Pursuant to the County's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
6. The 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 PLHA Program Guidelines Section 302(c)(6)(A),(B) and (C).
7. The Board of Supervisors hereby authorizes and directs the Planning and Building Director, or designee, to sign this application and act on the County's behalf in all matters pertaining to this application; and
8. The Board of Supervisors hereby authorizes and directs the Planning and Building Director to sign contracts or agreements to carry out grant activities upon the review and approval by County Counsel and Risk Management; and
9. The Humboldt County Board of Supervisors hereby authorizes the Director of the Planning and Building Department to execute in the name of the County of Humboldt, the application, the Standard Agreement, and any subsequent amendments or modifications thereto, as well as any other documents required by the Department for participation in the PLHA Program, and any amendments thereto; and
10. Direct the Chair of the Board of Supervisors to execute the Letter of Designation in Attachment 4 of the Board Report designating the Planning and Building Director as the

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on July 14, 2020

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County’s designee for this application and to act on the County’s behalf in all matters pertaining to this application; and

11. The Board of Supervisors hereby authorizes the Director of the Planning and Building Department to initiate the appeal process in accordance with Section IV of the PLHA NOFA if the Department determines and notifies the County that the application does not meet the criteria.

The foregoing Resolution is hereby passed and adopted by the Board of Supervisors on _____, by the following vote:

Adopted on motion by Supervisor _____, seconded by Supervisor _____ and the following vote:

AYES: Supervisors:
NOES: Supervisors:
ABSENT: Supervisors: ABSTENTIONS: Supervisors:

Estelle Fennell, Chair
Humboldt County Board of Supervisors

STATE OF CALIFORNIA)
) ss.
County of Humboldt)

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office, and which has not been altered, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors

KATHY HAYES
Clerk of the Board of Supervisors of the County of Humboldt, State of California

By _____

EXHIBIT A

§302(c)(4) Plan

Rev. 10/28/19

§302(c)(4)(A) Describe the manner in which allocated funds will be used for eligible activities.

The funds will be allocated for the predevelopment, development, acquisition, rehabilitation, and preservation of multifamily rental housing that is affordable to households at or below 60 percent of the area median income. Whenever possible these funds will be deployed as loans subject to recorded affordability covenants to ensure long term affordability and/or will be stacked as match for other funding sources. This activity will be conducted in plan years four and five and will constitute 70 percent of the total PLHA budget. This Plan provides mortgage assistance for first time homebuyers which is consistent with the PLHA's requirement to provide 20 percent of the total funding to owner-occupied workforce housing. In addition, this plan allocates up to 10 percent of the total funding for program-eligible services for people experiencing homelessness. homelessness

§302(c)(4)(B) Provide a description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income (AMI).

This plan allocates 70% of the PLHA funds to the production of housing for households earning less than 60% of AMI. Production of housing for households at or below 60 percent AMI has lagged behind other housing production in the County of Humboldt; the County has chosen to allocate the majority of the PLHA funds to that purpose.

§302(c)(4)(C) Provide a description of how the Plan is consistent with the programs set forth in the Local government's Housing Element.

The Humboldt County Housing element prioritizes the production of housing for households earning less than 60% of the area median income. The housing element also supports home ownership. This Plan provides assistance for owner occupied workforce housing in the form of mortgage assistance for first time homebuyers.

Activities Detail (Must Make a Selection on Plan Instructions and Page 1 Worksheet)

§301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is Affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary Operating subsidies.

§302(c)(4)(E)(i) Provide a description of how allocated funds will be used for each proposed Affordable Rental Housing Activity.

The funds will be used for the predevelopment, development, acquisition, rehabilitation, and preservation of multifamily rental housing that is affordable for low income persons earning 60% or less of the area median income. Whenever possible these funds will be deployed as loans subject to a recorded affordability covenants to ensure long term affordability and/or will be stacked as match for other funding sources. The specific project has not been identified yet. This activity will be conducted in plan years four and five and will constitute 70 percent of the total PLHA budget.

Complete the table below for each proposed Affordable Rental Housing Activity to be funded with 2019-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2019	2020	2021	2022	2023											
§302(c)(4)(E)(i) Percentage of Funds Allocated for the Proposed Affordable Rental Housing Activity				30%	40%											
§302(c)(4)(E)(ii) Area Median Income Level Served				60%	60%											TOTAL
§302(c)(4)(E)(ii) Unmet share of the RHNA at the AMI Level					223											223
§302(c)(4)(E)(ii) Projected Number of Households Served					24											24
§302(c)(4)(E)(iv) Period of Affordability for the Proposed Affordable Rental Housing Activity (55 years required for rental housing projects)	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	

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§302(c)(4)(E)(iii) A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.

Step 1: Identify a site, 2021 estimated completion, Step 2: Identify owner, developer. 2022 estimated completion. Step 3: Put together financing package, HOME, CDBG, TCAC or others using PLHA funds to fill in funding gaps, provide match and secure affordability period. 2022 estimated completion. Step 4: build project, estimated completion 2023. Step 5: monitor affordability, project operation 2023 and beyond.

§301(a)(2) The predevelopment, development, acquisition, rehabilitation, and preservation of Affordable rental and ownership housing, including Accessory dwelling units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.

§301(a)(3) Matching portions of funds placed into Local or Regional Housing Trust Funds.

§301(a)(4) Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176.

EXHIBIT A

§301(a)(5) Capitalized Reserves for Services connected to the preservation and creation of new Permanent supportive housing.

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§301(a)(6) Assisting persons who are experiencing or At risk of homelessness, including, but not limited to, providing rapid rehousing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.

§302(c)(4)(E)(i) Provide a description of how allocated funds will be used for the proposed Activity.

This portion of PLHA funds will be set aside for assisting persons who are experiencing or at risk of homelessness. The Humboldt County's Housing Trust Fund Homeless Solutions Committee (HTFHSC) will have a guiding hand on the allocation of this portion of the PLHA funding. Working through the Department of Health and Human Services, the HTFHSC will develop a service program eligible for funding under the PLHA to the Board at a future date. Based on the Board's discussion at the April 28, 2020 meeting, staff recommends \$144,668 be allocated for this activity. These funds are 7 percent of the 5-year estimated total and are planned to be expended in year one. The Committee's Bylaws and Policies and Procedures Manual will need to be amended and certified by the Board before the Committee will be able to solicit and recommend proposals for funding. Proposals will need to meet PLHA program requirements to be recommended for funding.

EXHIBIT A

Complete the table below for each proposed Activity to be funded with 2019-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2019														
Type of Activity for Persons Experiencing or At Risk of Homelessness															
§302(c)(4)(E)(i) Percentage of Funds Allocated for the Proposed Activity	10%														
§302(c)(4)(E)(ii) Area Median Income Level Served	15%														TOTAL
§302(c)(4)(E)(ii) Unmet share of the RHNA at AMI Level															0
§302(c)(4)(E)(ii) Projected Number of Households Served	40														40
§302(c)(4)(E)(iv) Period of Affordability for the Proposed Activity (55 years required for rental housing projects)	na														

§302(c)(4)(E)(iii) A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.

This portion of PLHA funds will be set aside for assisting persons who are experiencing or at risk of homelessness. The Humboldt County's Housing Trust Fund Homeless Solutions Committee (HTFHSC) will have a guiding hand on the allocation of this portion of the PLHA funding. Working through the Department of Health and Human Services, the HTFHSC will develop a service program eligible for funding under the PLHA to the Board at a future date. Based on the Board's discussion at the April 28, 2020 meeting, staff recommends \$144,668 be allocated for this activity. These funds are 7 percent of the 5-year estimated total and are planned to be expended in year one. The Committee's Bylaws and Policies and Procedures Manual will need to be amended and certified by the Board before the Committee will be able to solicit and recommend proposals for funding. Proposals will need to meet PLHA program requirements to be recommended for funding.

§301(a)(7) Accessibility modifications in Lower-income Owner-occupied housing.

EXHIBIT A

§301(a)(8) Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.

EXHIBIT A

§301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance.		
§302(c)(4)(E)(i) Provide a description of how allocated funds will be used for the proposed Activity.	Percentage of Funds Allocated for Affordable Owner-occupied Workforce Housing (AOWH)	100%
These funds would be used to augment the County's existing First Time Home Buyer ("FTHB") program. The FTHB program provides deferred-payment, low-interest loans to first time homebuyers. The County has a deep waiting list for this loan program; the program allows families to achieve homeownership and build equity fostering prosperity for families. Funds are repaid upon sale or refinance and will revolve in the County in perpetuity.		

EXHIBIT A

Complete the table below for each proposed Activity to be funded with 2019-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2019	2020													
Type of Homeowner Assistance	Home Buyer Assistance	Home Buyer Assistance													
§302(c)(4)(E)(i) Percentage of Funds Allocated for the Proposed Activity	10%	10%													
§302(c)(4)(E)(ii) Area Median Income Level Served	85%	85%													TOTAL
§302(c)(4)(E)(ii) Unmet share of the RHNA at AMI Level															0
§302(c)(4)(E)(ii) Projected Number of Households Served	2	3													5
§302(c)(4)(E)(iv) Period of Affordability for the Proposed Activity	30	30													

§302(c)(4)(E)(iii) A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.
 These funds would be used to augment the County's existing First Time Home Buyer ("FTHB") program. The FTHB program provides deferred-payment, low-interest loans to first time homebuyers. The County has a deep waiting list for this loan program. The funds will be loaned to qualifying borrowers and secured with a deed of trust on the property. County will monitor loans for program compliance and recapture funds upon sale. Recaptured funds will be re-loaned to qualifying borrowers. A program income reuse plan will be submitted with the application.

§301(a)(10) Fiscal incentives made by a county to a city within the county to incentivize approval of one or more Affordable housing Projects, or matching funds invested by a county in an Affordable housing development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an Affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the Affordable housing Project.

EXHIBIT A

File Name:	Plan Adoption	<i>§302(c)(4)(D) Evidence that the Plan was authorized and adopted by resolution by the Local jurisdiction and that the public had an adequate opportunity to review and comment on its content.</i>	Attached and on USB?	Yes
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