

Sample Resolution and Resolution Checklist

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE [CITY COUNCIL/COUNTY BOARD OF SUPERVISORS] OF

____[CITY, COUNTY NAME]____

AUTHORIZING APPLICATION FOR, AND RECEIPT OF,

SB 2 PLANNING GRANTS PROGRAM FUNDS

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated **March 28, 2019**, for its Planning Grants Program (PGP); and

WHEREAS, the [City Council/County Board of Supervisors] of the [name of City or County] desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to **\$123 million** under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

NOW, THEREFORE, THE [CITY COUNCIL/COUNTY BOARD OF SUPERVISORS] OF the [name of City/County] RESOLVES AS FOLLOWS:

SECTION 1. The [City Council/County Board of Supervisors] is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of \$_____.

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the [insert designee title, e.g. City Manager, Planning Director, etc.] is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$_____, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the [City/County's] obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The [City/County] shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The [City Council/County

Board of Supervisors] hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

SECTION 4. The **[insert the title of the designee as stated in Section 2]** is authorized to execute the **[City/County]** of _____ Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the **[City/County]** as required by the Department for receipt of the PGP Grant.

ADOPTED _____, 2019, by the **[City/County]** Board of Supervisors of the County of _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____ County Executive

ATTEST: APPROVED AS TO FORM:

County Clerk County Attorney

SB 2 PLANNING GRANTS PROGRAM RESOLUTION CHECKLIST

| The Resolution must contain the following minimum requirements | |
|--|---|
| <input type="checkbox"/> | Entity name (the resolution states the identity of the contracting party or borrower) |
| <input type="checkbox"/> | Name & Title of Signatory(ies) Note: Name and title of authorized signatory(ies) is preferred. In instances pertaining to municipalities (when title only is acceptable), supporting documentation evidencing the individual who currently holds the position must be provided. |
| <input type="checkbox"/> | Reference to NOFA date: The date of the NOFA should be March 28, 2019 |
| <input type="checkbox"/> | Standard Agreement or Loan & Grant Agreement language (authorizes signatory(ies) to sign Loan & Grant Contract/Standard Agreement) |
| <input type="checkbox"/> | Amendment provision included |
| <input type="checkbox"/> | Dollar amount (The dollar amount should state \$123 million) |
| <input type="checkbox"/> | Person attesting validity of resolution (must be someone other than person authorized to sign agreements - It is okay for the person who is being authorized to sign to affirm that the resolution is correct <u>when an additional person is also authorizing the resolution.</u>) |
| <input type="checkbox"/> | Meeting Date, All Votes (Ayes, No's, Absent, Vacant), and signature(s) included |
| <input type="checkbox"/> | Resolution number(s) OR Project Site Name (Required to differentiate multiple contracts issued to same contractor) |
| Authorized Signatory(ies) And vs. Or | |
| And | <p><i>CEO and Director</i></p> <p>Example: "The Board hereby authorizes <u>CEO and Director</u> to execute the Standard Agreement in an amount not to exceed..."</p> <p style="text-align: center;">Both individuals named must sign the Standard Agreement.</p> |
| Or | <p><i>CEO or Director</i></p> <p>Example: "The Board hereby authorizes the <u>CEO or his/her designee</u> to execute the Standard Agreement in an amount not to exceed..."</p> <p style="text-align: center;">Either individual may sign--only one signature is required.</p> |
| And/Or | <p><i>CEO and/or Director</i></p> <p>Example: "The Board hereby authorizes the <u>CEO and/or Director</u> to execute the Standard Agreement in an amount not to exceed..."</p> <p> Effective December 9, 2014, HCD's Legal Assistance Division (LAD) declared this language legally insufficient. Resolutions with this language will not be accepted.</p> |