

RESOLUTION NO. 2022-__
TOWN OF MAMMOTH LAKES

AUTHORIZING RESOLUTION OF THE TOWN OF MAMMOTH LAKES

**AUTHORIZING THE APPLICATION AND ADOPTING THE PLHA PLAN
FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM**

_____ of the Town Council Members of the Town of Mammoth Lakes hereby consents to, adopts, and ratifies the following resolution:

- A. WHEREAS, the Department is authorized to provide up to \$335 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 8/17/2022 under the Permanent Local Housing Allocation (PLHA) Program;
- C. WHEREAS, the Town of Mammoth Lakes is an eligible Local government who has applied for program funds 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 \$490,382 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. Pursuant to Section 302(c)(4) of the Guidelines, Applicant’s PLHA Plan for the 2019-2023 Allocations is attached to this resolution, and Applicant hereby adopts this PLHA Plan and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the Guidelines.

5. If applicable, Applicant certifies that it was delegated by [n/a] to submit an application on its 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 the Applicant is submitted with the PLHA application.
6. If applicable, 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.
7. If applicable, 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.
8. If applicable, Pursuant to Applicant’s certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
9. If applicable, 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).
10. 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.
11. Town Manager 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 Town Council of the Town of Mammoth Lakes this 16th day of, November 2022, by the following vote:

AYES: _____ ABSTENTIONS: _____ NOES: _____ ABSENT: _____

Signature of Approving Officer: _____

LYNDA SALCIDO, Mayor
Town Council

CERTIFICATE OF THE ATTESTING OFFICER

The undersigned, Officer of the Town of Mammoth Lakes, 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 Town Council of the Town of Mammoth Lakes 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: _____

JAMIE GRAY, Town Clerk
Town of Mammoth Lakes, State of
California

Permanent Local Housing Allocation (PLHA) Formula Allocation

2022 Application for New Applicants




**State of California
Governor, Gavin Newsom**

**Lourdes Castro Ramírez, Secretary
Business, Consumer Services and Housing Agency**

**Gustavo Velasquez, Director
Department of Housing and Community Development**

Program Design and Implementation, PLHA Program
2020 West El Camino Avenue, Suite 150, Sacramento, CA 95833
PLHA Program Email: PLHA@hcd.ca.gov

**Final Filing Date: October 31, 2022
at 4:00 P.M. PST**

Local Government Formula Allocation for New Applicants							Rev. 2/16/22
Eligible Applicant Type:		Nonentitlement.					
Local Government Recipient of PLHA Formula Allocation:		Mammoth Lakes					
2020 PLHA NOFA Formula Allocation Amount:		\$81,730	2020 NOFA Allowable Local Admin (5%):		\$4,087		
2021 PLHA NOFA Formula Allocation Amount:		\$123,924	2021 NOFA Allowable Local Admin (5%):		\$6,196		
2022 PLHA NOFA Formula Allocation Amount:		\$154,162	2022 NOFA Allowable Local Admin (5%):		\$7,708		
<p>Instructions: If the Local Government Recipient of the PLHA Formula Allocation delegated its PLHA formula allocation to a Local Housing Trust Fund or to another Local Government the Applicant (for which information is required below) is the Local Housing Trust Fund or administering Local Government. The PLHA award will be made to the Applicant (upon meeting threshold requirements) and the Applicant is responsible for meeting all program requirements throughout the term of the Standard Agreement.</p> <p>The 302(c)(4) Plan template worksheet requires first choosing one or more of the Eligible Activities listed below. If "Yes" is clicked, the 302(c)(4) Plan worksheet opens a series of questions about what precise activities are planned. Some specific activities, such as providing downpayment assistance to lower-income households for acquisition of an affordable home, could be included under either Activity 2 or 9. Please only choose one of those Activities; don't list the downpayment assistance under both Activities.</p> <p>If the PLHA funds are used for the same Activity but for different Area Median Income (AMI) level, select the same Activity twice (or more times) and the different AMI level the Activity will serve. Please enter the percentage of funds allocated to the Activity in only the first Activity listing to avoid double counting the funding allocation.</p>							
For each year (2019-2023), allocations must equal 100% annually including the allowable administrative costs of up to 5%.							
Eligible Applicants §300							
<p>§300(a) and (b) Eligible Applicants for the Entitlement and Non-Entitlement formula component described in Section §100(b)(1) and (2) are limited to the metropolitan cities and urban counties allocated a grant for the federal fiscal year 2017 pursuant to the federal CDBG formula specified in 42 USC, Section §5306 and Non-entitlement local governments.</p>							
Applicant:		Town of Mammoth Lakes					
Address:		437 Old Mammoth Road, Suite 230 (PO Box 1609)					
City:	Mammoth Lakes	State:	CA	Zip:	93546	County:	Mono
Auth Rep Name:	Daniel C. Holler	Title:	Town Manager	Auth Rep. Email:	dholler@townofmammothlakes.ca.gov	Phone:	(760) 965-3601
Address:		437 Old Mammoth Road, Suite 230 (PO Box 1609)		City:	Mammoth Lakes	State:	CA
Contact Name:		Nolan Bobroff		Title:	Housing Coordinator	Contact Email:	nbobroff@townofmammothlakes.ca.gov
Address:		437 Old Mammoth Road, Suite 230 (PO Box 1609)		City:	Mammoth Lakes	State:	CA
				Zip Code:	93546		
<p>§300(d) Is Applicant delegated by another Local government to administer on its behalf its formula allocation of program funds?</p> <p>§300(d) If Applicant answered "Yes" above, has the Applicant attached the legally binding agreement required by §300 (c) and (d)?</p>							
<p>A sample agreement can be found by double clicking on the icon to the right</p> 							
File Name:	Application and Adopting the PLHA Plan (2019-2023 Allocations) Reso	Pursuant to section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for 2019-2023 allocations is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.			Yes	Uploaded to HCD?	Yes
File Name:	App1 TIN					Uploaded to HCD?	Yes
File Name:	Applicant Delegation Agreement	Legally binding agreement between Delegating and Administering Local Governments (sample provided—just click on icon in row 17, column AI)				Uploaded to HCD?	N/A
Eligible Activities, §301							
§301(a) Eligible activities are limited to the following:							
<p>§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.</p> <p>§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.</p> <p>§301(a)(3) Matching portions of funds placed into Local or Regional Housing Trust Funds.</p> <p>§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.</p> <p>§301(a)(5) Capitalized Reserves for services connected to the preservation and creation of new permanent supportive housing.</p> <p>§301(a)(6) Assisting persons who are experiencing or At-risk of homelessness, including, but not limited to, providing rapid re-housing, 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.</p> <p>§301(a)(7) Accessibility modifications in Lower-income Owner-occupied housing.</p> <p>§301(a)(8) Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.</p> <p>§301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance.</p> <p>§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.</p>							
Included?							
<input type="checkbox"/> YES							
<input type="checkbox"/> YES							
<input type="checkbox"/> YES							
<input type="checkbox"/> YES							
<input type="checkbox"/> YES							
<input type="checkbox"/> YES							
<input type="checkbox"/> YES							
<input checked="" type="checkbox"/> YES							
<input type="checkbox"/> YES							
Threshold Requirements, §302							
<p>§302(a) The Applicant's Housing Element and Delegating Local Government's Housing Element (if applicable) was/were adopted by the Local Government's governing body by the application submittal date subsequently determined to be in substantial compliance with state Housing Element Law pursuant to Government Code Section 65585.</p> <p>§302(b) Applicant or Delegating Local Government has submitted the current or prior year's Annual Progress Report to the Department of Housing and Community Development pursuant to Government Code Section 65400.</p> <p>§302(c)(2) Applicant certified in the Resolution submitted with this application that submission of the application was authorized by the governing board of the Applicant.</p> <p>§302(c)(3) Applicant certified in the Resolution submitted with this application that, if the Local Government proposes allocation of funds for any activity to another entity, the Local government's selection process had no conflicts of interest and was accessible to the public.</p> <p>§302(c)(4) Applicant certified in the Resolution submitted with this application that the application include a Plan in accordance with §302(c)(4)?</p> <p>§302(c)(4)(D) Applicant certified in the Resolution submitted with this application that the Plan was authorized and adopted by resolution by the Local Government and that the public had an adequate opportunity to review and comment on its content.</p> <p>§302(c)(5) Applicant certified in the Resolution submitted with this application that the Plan submitted is for a term of five years (2019-2023). Local Governments agree to inform the Department of changes made to the Plan in each succeeding year of the term of the Plan.</p> <p>§302(c)(6) Applicant certified in the Resolution submitted with this application that it will ensure compliance with §302(c)(6) if funds are used for the acquisition, construction, or rehabilitation of for-sale housing projects or units within for-sale housing projects.</p> <p>§302(c)(7) Applicant certified in the Resolution submitted with this application that it will ensure that the PLHA assistance is in the form of a low-interest, deferred loan to the Sponsor of the Project, if funds are used for the development of an Affordable Rental Housing Development. The 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 the Local government-approved underwriting of the Project for a term of at least 55 years.</p> <p>§302(c)(8) Has Applicant attached a program income reuse plan describing how repaid loans or accrued interest will be reused for eligible activities specified in Section 301?</p>							
File Name:	Reuse Plan	Program Income Reuse Plan describing how repaid loans or accrued interest will be used for eligible activities in Section 301.			Narrative uploaded to HCD?		Yes

Administration			
Applicant agrees to adhere to §500 , Accounting Records.			Yes
Applicant agrees to adhere to §501 , Audits/Monitoring of Project Files.			Yes
Applicant agrees to adhere to §502 , Cancellation/Termination.			Yes
Applicant agrees to adhere to §503 , Reporting.			Yes
Certifications			
On behalf of the entity identified below, I certify that: The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct and I possess the legal authority to submit this application on behalf of the entity identified in the signature block.			
Authorized Representative Printed Name		Title	Signature
			Date

§302(c)(4) Plan

Rev. 2/16/22

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

The Town of Mammoth Lakes plans to use the PLHA funds towards a Down-payment Assistance Program to provide loans to qualified low- and moderate-income households to buy affordable homes.

§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).

Eligible households include low- and moderate-income households, which includes households at or below 60% of the AMI. Therefore, households at or below the 60% AMI level are eligible and encouraged to apply for funding.

§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 Town of Mammoth Lakes Housing Element includes Policy H.2.A: Utilize a range of strategies to facilitate a diverse range of housing types, consistent with Town design and land use policies, to meet the needs of all local residents, particularly the local workforce and Action H.2.A.4: The Town will gather research and data to support a program that builds upon the existing Homebuyer Assistance program through Mammoth Lakes Housing, Inc. to assist moderate- and middle-income households, up to 200% AMI with down payment assistance or assistance with second mortgages.

Activities Detail (Activities Detail (Must Make a Selection on Formula Allocation Application worksheet under Eligible Activities, §301))

§301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance.

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

Enter Percentage of Funds Allocated for Affordable Owner-occupied Workforce Housing (AOWH)

100%

To provide down-payment assistance loans to low- and moderate-income households earning up to 120% AMI.

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	2021	2022	2023										
Type of Homeowner Assistance	Down Payment Assistance	Down Payment Assistance	Down Payment Assistance	Down Payment Assistance	Down Payment Assistance										
§302(c)(4)(E)(i) Percentage of Funds Allocated for the Proposed Activity	100.00%	100.00%	100.00%	100.00%	100.00%										
§302(c)(4)(E)(ii) Area Median Income Level Served	120%	120%	120%	120%	120%										TOTAL
§302(c)(4)(E)(ii) Unmet share of the RHNA at AMI Level Note: complete for years 2019, 2020, 2021 only	65														65
§302(c)(4)(E)(ii) Projected Number of Households Served	1	1	1												3
§302(c)(4)(E)(iv) Period of Affordability for the Proposed Activity	55	55	55	55	55										

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

1. Contract with a sub-grantee to manage the down-payment program; 2. Refine existing down-payment assistance program guidelines to encompass the PLHA program requirements; 3. Advertise and market the availability of the program and accept applications. It's anticipated that the first down-payment assistance loan would be made within six (6) months of being awarded the grant.