

Authorizing Resolution Template for Public Entity as Sole Applicant

NOTICE AND INSTRUCTIONS

- 1. Notice.** Pursuant to the Homekey+ Notice of Funding Availability (NOFA) Section 300. vi. (a), Homekey+ applications must include a duly executed resolution authorizing the entity to apply for funds and to participate in the Homekey+ Program. The California Department of Housing and Community Development (HCD) is providing this Authorizing Resolution template as informational guidance only. HCD encourages each Applicant to consult with professional legal counsel during the development of its own formal, legally binding statement that it is authorized to apply to and participate in the Homekey+ program.
 - i.** Please note, however, that any limitations or conditions on the authority of the signatory or signatories to execute the Application or the Homekey+ Documents (as defined) may result in HCD rejecting the Authorizing Resolution.
- 2. Accuracy, Verification.** HCD will verify that this Authorizing Resolution comports with the legal authority and composition of Applicant's governing body. Applicant must timely notify HCD, in writing, of any factors that limit its ability to provide an Authorizing Resolution which is materially in line with this template.
- 3. One Resolution per Project.** A Resolution that includes multiple projects under one Resolution will not be accepted. Applicants and Co-applicants must submit a Resolution for each discrete Project.
- 4. Anticipated Grant Award Dollar Amounts.** HCD recommends seeking authorization for a higher dollar amount than the anticipated grant award since award amounts are subject to change. If Applicant is awarded an amount larger than the amount authorized in the Authorizing Resolution, HCD will require a new Authorizing Resolution.
- 5. Authorized Signatory or Signatories, Designee.** Applicant, as a state, regional, or local public entity, may designate an authorized signatory by title only. In addition, Applicant may authorize multiple signatories, so long as there is clarifying language in the resolution(s) as to whether the signatories are authorized to execute the Homekey+ Documents individually or collectively. In addition, Applicant may authorize a designee of the authorized signatory to execute the Homekey+ Documents. In such case, Applicant must append a supporting document (e.g., memorandum, meeting notes of official action), which indicates the name and title of the designee who is authorized to legally bind the governing body.
- 6. City Mayor as Authorized Signatory.** CA Government Code 40602 requires that the mayor of California cities must sign all contracts unless a city ordinance is in place that identifies a different individual as the Authorized Signatory for the city.
- 7. Vote Count.** Please fill out the field by every voting category (i.e., Ayes, Nays, Abstain, Absent). If none, please indicate zero (0) for that field. The vote count must comport with the legal authority and membership of Applicant's governing body.
- 8. Certification of Authorizing Resolution.** The individual who certifies the Authorizing Resolution cannot also be authorized to execute the Homekey+ Documents on behalf of Applicant.

Delete this Notice and Instructions page(s) prior to submitting the Resolution with the Homekey+ application package.

SAMPLE

AUTHORIZING RESOLUTION

RESOLUTION NO. [REDACTED]

[Name of the project as it appears in the Homekey+ program application]

A RESOLUTION OF THE GOVERNING BODY OF **[FULL LEGAL NAME OF STATE, REGIONAL, OR LOCAL PUBLIC ENTITY]** AUTHORIZING APPLICATION TO AND PARTICIPATION IN THE HOMEKEY+ PROGRAM

WHEREAS:

- A. The Department of Housing and Community Development (“**HCD**”) has issued a Notice of Funding Availability, dated November 26, 2024 (“**NOFA**”), for the Homekey+ Program (“**Homekey+**” or “**Program**”). HCD has issued the NOFA for Homekey+ grant funds pursuant to Health and Safety Code Section 50675.1.3 (Assem. Bill No. 140 (2021-2022 Reg. Sess.), § 20.); Health and Safety Code Section 50675.1.5 (Assem. Bill No. 531 (2023-2024 Reg. Sess.); Section 14184.402 of the Welfare and Institutions Code; Section 5891.5 of the Welfare and Institutions Code; and Round 5 and 6 of the Homeless Housing, Assistance and Prevention (HHAP) grant program. (Assem. Bill No. 129 (Chapter 40, Statutes 2023) and Assem. Bill No. 166 (Chapter 48, Statutes 2024), respectively.
- B. **[Full Legal Name of State, Regional, or Local Public Entity]** (“**Applicant**”) desires to apply for Homekey+ grant funds. Therefore, Applicant is submitting an application for Homekey+ funds (“**Application**”) to HCD for review and consideration.
- C. HCD is authorized to administer Homekey+ pursuant to the Multifamily Housing Program (Chapter 6.7 (commencing with Section 50675) of Part 2 of Division 31 of the Health and Safety Code). Homekey+ funding allocations are subject to the terms and conditions of the NOFA, the Application, the HCD-approved STD 213, Standard Agreement (“**Standard Agreement**”), and all other legal requirements of the Homekey+ Program.

THEREFORE, IT IS RESOLVED THAT:

1. Applicant is hereby authorized and directed to submit an Application to HCD in response to the NOFA, and to apply for Homekey+ grant funds in a total amount not to exceed \$ [REDACTED].
2. If the Application is approved, Applicant is hereby authorized and directed to enter into, execute, and deliver a Standard Agreement in a total amount not to exceed \$ [REDACTED], any and all other documents required or deemed necessary or appropriate to secure the Homekey+ funds from HCD and to participate in the Homekey+ Program, and all amendments thereto (collectively, the “**Homekey+ Documents**”).
3. Applicant acknowledges and agrees that it shall be subject to the terms and

conditions specified in the Standard Agreement, and that the NOFA and Application will be incorporated in the Standard Agreement by reference and made a part thereof. Any and all activities, expenditures, information, and timelines represented in the Application are enforceable through the Standard Agreement. Funds are to be used for the allowable expenditures and activities identified in the Standard Agreement.

4. **[Title of Authorized Signatory], [Optional: or his or her designee,]** is authorized to execute the Application and the Homekey+ documents on behalf of Applicant for participation in the Homekey+ Program.

PASSED AND ADOPTED this _____ day of _____, 202_, by the following vote:

AYES: **[#]** NAYS: **[#]** ABSTAIN: **[#]** ABSENT: **[#]**

The undersigned, **[Name, Title of Attestor]** of Applicant, does hereby attest and certify that the foregoing is a true and full copy of a resolution of the governing body adopted at a duly convened meeting on the date above-mentioned, and that the resolution has not been altered, amended, or repealed.

SIGNATURE: _____

DATE: _____

NAME: _____

TITLE: _____