*Instructions: Please review this sample resolution provided and insert the appropriate information requested within each bracket. Certain brackets may prompt a choice selection; language that is not applicable may be deleted. Please be advised that this document is a sample form; Tribal/TDHE applicants may edit accordingly to comply with Tribal law. This top header with instructions and additional notes may be deleted prior to submission.*

*Additional Notes: All information provided will be verified using the entity’s bylaws, or appropriate governing documents. If the governing documents of the organization are not reflective of the current board makeup, the Applicant/Requestor must notify HCD in writing of the discrepancy and provide an explanation. Please note that while the NOFA for Tribal and Rural Entitles are the same, this resolution is applicable to Tribal Entities.*

*The Authorizing Resolution shall be submitted with the Request for Funds. The Department will not issue funds until the Department receives a fully executed Authorizing Resolution unless otherwise noted.*

***[Resolution Number]***

***[Insert Name of Tribal Entity]***

**AUTHORIZING RESOLUTION**

**Authorizing Resolution in Connection with the Award of Funding Under the Regional Early Action Planning Grants of 2021 (REAP 2.0).**

**[All***, or* **A necessary quorum and majority]** of the **[directors, supervisors, members, council members, or tribal council in accordance with tribal law, etc.]** of **[official name of applicant entity, and type of entity: Tribal Entity]** (“Applicant”) hereby consents to, adopts and ratifies the following resolution:

WHEREAS The **[insert name of Tribal Entity]** is a [federally-recognized Indian Tribe located in California] [an Indian tribe located in California that is on the contact list maintained by the Native American Heritage Commission] [a Tribally Designated Housing Entity (TDHE)] [an Indian Tribe as defined in Section 4103(13)(B) of Title 25 of the United States Code and Section 50104.6.5]; and

WHEREAS The **[insert name of Tribal Entity]** is eligible for all rights, privileges, and benefits afforded to the eligible entities listed in the paragraph above, and the [Tribal Council of **[insert name of Tribal Entity]** is a duly authorized body, empowered to conduct government affairs on behalf of the people and to promote and foster the economic development and the well-being of the general membership] [the representative governing body of the TDHE is authorized under Tribal law to conduct government-to-government relations regarding Tribal housing matters on behalf of the Tribe], and

WHEREAS The representative governing body of the [**Tribal Entity**] [is responsible for the health and well-being of the Tribal Membership] [is responsible for providing affordable housing to the Tribal Membership], and

WHEREAS The representative governing body of the [**Tribal Entity**] has determined there is an immediate need for providing Tribally owned and/or operated affordable housing to its Tribal Membership, and

WHEREAS The California Department of Housing and Community Development (the “Department”) is authorized to allocate up to $30,000,000 from the REAP 2.0 program made available to be used for the purposes set forth in the REAP 2.0 Final Guidelines in accordance with Health and Safety Code 50515.08-50515.10; and on July 26, 2022, the Department issued a 2022 Notice of Funding Availability announcing the availability of funds available to Tribal and Rural Entities, under the REAP funding program name (the “2022 NOFA”), and

WHEREAS The [**Tribal Entity**] is an Eligible Applicant/ Sponsor under the Regional Early Action Planning Grants of 2021 (REAP 2.0) funding program pursuant to Health and Safety Code section 50515.08 subdivision (c), to develop and accelerate the implementation of the REAP 2.0 funding program, and is requesting a REAP 2.0 grant award in an amount not to exceed [**insert amount**] under the above-described NOFA from the Department of Housing and Community Development Department (Department), and

WHEREAS The [**Tribal Entity**] as an Eligible Applicant/Sponsor under the REAP 2.0 funding program, and if the Request for Funds is approved by the Department such approval is subject to the REAP 2.0 terms and conditions of Eligibility, Guidelines, NOFAs, Program requirements, and the REAP 2.0 Standard Agreement (“Standard Agreement”) by and between the Department and REAP 2.0 Grant Recipients;

NOW THEREFORE BE IT RESOLVED THAT: The representative governing body of the [**Tribal Entity**] hereby authorizes and directs such actions as are necessary and appropriate by representatives of the [**Tribal Entity**] to receive on behalf of the [**Tribal Entity]** an amount not to exceed $5,000,000 as calculated consistent with the methodology set forth in Health and Safety Code section 505015.09, subd. (a).

BE IT FURTHER RESOLVED THAT: The [**Tribal Entity**] shall be subjected to the terms and conditions as specified in the Standard Agreement; that funds are to be used for eligible activities to be identified in Exhibit A of the Standard Agreement; the application in full will be incorporated as part of the Standard Agreement; that any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement; and that the Tribal Entity hereby agrees to use the funds for eligible activities in the manner presented in the application as approved by the Department and in accordance with the NOFA, Program Guidelines and application package.

BE IT FINALLY RESOLVED THAT: The [Tribal Council Chairperson, on behalf of the [**(insert name of Tribe)]** [government official, on behalf of the (**insert name of Tribal Entity or TDHE**] is authorized and directed, subject to such further government approvals as may be required by Tribal Law after legal review, to do all of the following: 1) execute the Request for Funds and any amendments thereto, 2) execute the State of California Standard Agreements, and any and all other documents required or deemed necessary or appropriate to evidence and secure the REAP 2.0, allocation, and 3) fulfill all obligations required by or related to, REAP 2.0 and all amendments the Department deems necessary in accordance with REAP 2.0, on behalf of the **[insert name of Tribal Entity].**

BE IT FURTHER AND FINALLY RESOLVED THAT: When The **[insert name of Tribal Entity], when approved by the Department to receive allocation of REAP 2.0 funds**  in the authorized amount of **$[         ]** pursuant to the above referenced Request for Funds, the [**Tribal Entity**] represents and certifies that it will use all such funds only for eligible activities as set forth in Health and Safety Code section 50515.08(c)(1), as approved by the Department and in accordance with all REAP 2.0 requirements, guidelines, all applicable state and federal statutes, rules, regulations, and the Standard Agreement executed by and between the Applicant **[insert name of Tribal Entity]** and the Department.

CERTIFICATION

This is to certify that the foregoing Resolution No. **[Insert Resolution Number]** was duly adopted in accordance with Tribal law at a duly called meeting of the [**Tribal Council**]  **[Tribal Entity]** on this **[XX]**th day of **[Month]**, 2022 by a vote of **[##]** for, **[##]** against, and **[##]** abstaining.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Insert Name), Tribal Chairperson

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Insert Name), Tribal Secretary