



**Health & Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER GROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: September 15, 2020

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Charles Felix PHONE: 559 624 8000				

SUBJECT: Authorize the submission of a grant application to apply for the Project Homekey program funding

REQUEST(S):
That the Board of Supervisors:

1. Authorize the submission of a grant application to apply for the Project Homekey program funding in an amount not to exceed \$6,000,000 retroactive to August 7, 2020 through June 30, 2021 for Fiscal Year 2020/2021. This application is retroactive due to the short turnaround on the grant application deadline; making it impracticable for the Board to take action prior to August 7, 2020.
2. Find that the Board had the authority to enter into the grant application as of August 7, 2020 and that it was in the County's best interest to enter into the application on that date.
3. Authorize UPHoldings, LLC as the development sponsor and co-applicant for the Project Homekey program to be submitted no later than September 30, 2020.
4. Authorize entering into an agreement for the subsequent acceptance of grant funds when awarded and disbursed.
5. Adopt the resolution authorizing joint application to the Homekey program as required by the California Department of Housing and Community Development.

SUBJECT: Authorize the submission of a grant application to apply for the Project Homekey program funding

DATE: September 15, 2020

6. Authorize the Clerk of the Board to sign three (3) copies of the Resolution.

SUMMARY:

In response to the 2020 COVID-19 pandemic, Tulare County Health and Human Services Agency (HHSA) has administered "Project Roomkey", through which hotel space and other wraparound services are provided to the unhoused in Tulare County. As of August, HHSA is leasing three different sites in three cities throughout Tulare County, averaging nearly 100 nightly participants in the program, including a 56-unit 10-year master lease with Kaweah Management Company for the purpose of providing permanent housing to individuals experiencing homelessness. However, despite the impact of the master lease, the need to supplement the availability of permanent homeless housing remains.

To this end, HHSA is seeking to apply for funding through Project Homekey, a California Department of Housing and Community Development program through which capital funds are made available for the purpose of converting sites into permanent housing for the homeless. HHSA will seek to partner and apply jointly with UPHoldings, LLC on this effort. UPHoldings, LLC is a housing developer with extensive experience converting units into permanent housing for the homeless and securing financing for these projects. On December 17, 2019, this Board approved HHSA to apply for No Place Like Home funding jointly with UPHoldings, LLC, and was awarded \$10,746,935.

HHSA plans to utilize up to \$6,000,000 of Project Homekey funding to acquire and convert a hotel for permanent housing. HHSA will seek to enter into a multi-year master lease with UPHoldings, LLC to provide permanent homeless housing through a range of eligible programs.

FISCAL IMPACT/FINANCING:

There is no application fee associated with this program. This program is a 100% grant, and there is no local match requirement. There is no additional net cost to the County General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Quality of Life initiative to promote public health and welfare for all individuals in Tulare County. Using this allocation for hotels as a permanent housing solution for individuals experiencing homelessness helps control disease transmission, stabilize the living situation for the local homeless community, and helps the Agency provide essential resources.

SUBJECT: Authorize the submission of a grant application to apply for the Project Homekey program funding

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ADMINISTRATIVE SIGN-OFF:

/s/Robert Stewart OBO

Timothy Lutz
Agency Director

cc: County Administrative Office

Attachment(s) Resolution

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF AUTHORIZE THE)
SUBMISSION OF A GRANT APPLICATION) Resolution No. _____
TO APPLY FOR THE PROJECT HOMEKEY) Agreement No. _____
PROGRAM FUNDING)
)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Authorized the submission of a grant application to apply for the Project Homekey program funding in an amount not to exceed \$6,000,000 retroactive to August 7, 2020 through June 30, 2021 for Fiscal Year 2020/2021. This application is retroactive due to the short turnaround on the grant application deadline; making it impracticable for the Board to take action prior to August 7, 2020.
2. Found that the Board had the authority to enter into the grant application as of August 7, 2020 and that it was in the County's best interest to enter into the application on that date.
3. Authorized UPHoldings, LLC as the development sponsor and co-applicant for the Project Homekey program to be submitted no later than September 30, 2020.

4. Authorized entering into an agreement for the subsequent acceptance of grant funds when awarded and disbursed.
5. Adopted the resolution authorizing joint application to the Homekey program as required by the California Department of Housing and Community Development.
6. Authorized the Clerk of the Board to sign three (3) copies of the Resolution.

AUTHORIZING RESOLUTION

Resolution No.:

**A RESOLUTION OF THE GOVERNING BODY OF COUNTY OF TULARE AUTHORIZING
JOINT APPLICATION TO THE HOMEKEY PROGRAM**

WHEREAS:

- A. The Department of Housing and Community Development (Department) has issued a Notice of Funding Availability ("**NOFA**"), dated July 16, 2020, for the Homekey Program ("**Homekey**" or "**Homekey Program**"). The Department has issued the NOFA for Homekey grant funds pursuant to Health and Safety Code section 50675.1.1 (Assem. Bill No. 83 (2019-2020 Reg. Sess.), § 21.)
- B. COUNTY OF TULARE ("**Co-Applicant**") desires to jointly apply for Homekey grant funds with UPHoldings, LLC ("**Corporation**"). Towards that end, Co-Applicant is joining Corporation in the submittal of an application for Homekey funds ("**Application**") to the Department for review and consideration.
- C. The Department 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 Department-approved STD 213, Standard Agreement ("**Standard Agreement**"), and all other legal requirements of the Homekey Program.

THEREFORE, IT IS RESOLVED THAT:

1. Co-Applicant is hereby authorized and directed to submit a joint Application to the Department in response to the NOFA, dated July 16, 2020, and to jointly apply for Homekey grant funds in a total amount not to exceed \$10,000,000 That amount includes \$9,000,000 for capital expenditures (as allowed under Health and Saf. Code, § 50675.1.1, subd. (a)(1)-(6)) and \$1,000,000 for a capitalized operating subsidy (as allowed under Health and Saf. Code, § 50675.1.1, subd. (a)(7)).
2. If the Application is approved, Co-Applicant is hereby authorized and directed to ensure that any funds awarded for capital expenditures are spent by **December 30, 2020**, and that any funds awarded for capitalized operating subsidies are spent by **June 30, 2022**.
3. If the Application is approved, Co-Applicant is hereby authorized and directed to enter into, execute, and deliver a Standard Agreement in a total amount not to exceed \$10,000,000, any and all other documents required or deemed necessary or appropriate to secure the Homekey funds from the Department and to participate in the Homekey Program, and all amendments thereto (collectively, the "**Homekey Documents**").
4. Co-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.
5. Pete Vander Poel, Chairman of the Board of Supervisors of Tulare County, is authorized to execute the Application and the Homekey Documents on behalf of Co-Applicant for participation in the Homekey Program.

PASSED AND ADOPTED this _____ day of _____, 2020, by the following vote:	
AYES: _____ NAYES: _____ ABSTAIN: _____ ABSENT: _____	
The undersigned, Jason T. Britt, County Administrative Officer/Clerk, Board of Supervisors 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:

Approve As To Form:
County Counsel

By: /s/ Diana L. Mendez 08/31/2020
Deputy

Matter No: 2020917

NOTICE AND INSTRUCTIONS

1. **Notice.** The Department is providing this template Authorizing Resolution as informational guidance only. The Department encourages each Co-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.
 - a. Please note, however, that any limitations or conditions on the authority of the signatory or signatories to execute the Application or the Homekey Documents may result in the Department rejecting the Authorizing Resolution.
2. **Accuracy, Verification.** The Department will verify that this Authorizing Resolution comports with the legal authority and composition of Co-Applicant's governing body. Co-Applicant must timely notify the Department, in writing, of any factors that limit its ability to provide an Authorizing Resolution which is materially in line with this template.
3. **Dollar Amounts of Grant Awards.** The Department recommends identifying an authorized dollar amount that is at least double the anticipated award (based on current formula calculations). Award amounts are subject to change. If Co-Applicant is ultimately awarded an amount in excess of the amount identified in the Authorizing Resolution, the Department will require a new Authorizing Resolution from Co-Applicant before execution of a Standard Agreement.
4. **Authorized Signatory or Signatories, Designee.** Co-Applicant, as a Local Public Entity, may designate an authorized signatory by title only. In addition, Co-Applicant may authorize multiple signatories, so long as there is clarifying language as to whether the signatories are authorized to execute the Homekey Documents individually or collectively. In addition, Co-Applicant may authorize a designee of the authorized signatory to execute the Homekey Documents. In such case, Co-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.
5. **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 the Co-Applicant's governing body.
6. **Certification of Authorizing Resolution.** The individual who certifies the Authorizing Resolution cannot also be authorized to execute the Homekey Documents on behalf of Co-Applicant.